

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
)
POLICE OFFICER JOHN GORMAN,) **No. 18 PB 2943-1**
STAR No. 14913, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
)
AND)
)
POLICE OFFICER TIMOTHY NEYLON,) **No. 18 PB 2943-2**
STAR No. 14722, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
) **(CR No. 1072664)**
RESPONDENTS.)

ORDER

On February 22, 2018, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer John Gorman, Star No. 14913, and Police Officer Timothy Neylon, Star No. 14722 (hereinafter referred to as “Respondents”), recommending that the Respondents be discharged from the Chicago Police Department for violating several Rules of Conduct (a copy of the Charges is attached as Exhibit A).

On March 29, 2018, the Superintendent moved to withdraw the charges against the Respondents without prejudice because the Respondents have retired from the Chicago Police Department. The Police Board has considered the Superintendent’s motion.

IT IS HEREBY ORDERED that the Superintendent’s motion is **granted**, and the proceedings before the Police Board are terminated.

This Order is adopted and entered by a majority of the members of the Police Board: Lori E. Lightfoot, Ghian Foreman, Eva-Dina Delgado, Steve Flores, John P. O’Malley Jr., John H. Simpson, Rhoda D. Sweeney, and Andrea L. Zopp.

Police Board Case No. 18 PB 2943
Police Officers Gorman and Neylon

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 19th DAY
OF APRIL, 2018.

Attested by:

/s/ GHIAN FOREMAN
Vice President

/s/ MAX A. CAPRONI
Executive Director

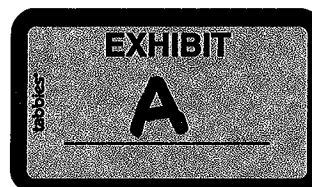
CHARGES AGAINST POLICE OFFICER JOHN GORMAN

Police Officer John Gorman, Star No. 14913, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- Rule 1: Violation of any law or ordinance.
- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 15: Intoxication on or off Duty.
- Rule 21: Failure to report promptly to the Department any information concerning any crime or other unlawful action.
- Rule 38: Unlawful or unnecessary use or display of a weapon.
- Rule 39: Failure to immediately make an oral report to the desk sergeant at the District of occurrence and to follow such oral report with a written report on the prescribed form, whenever a firearm is discharged by a member.

SPECIFICATIONS

1. On or about November 23, 2014, between approximately 4:20 p.m. and 4:40 p.m. in the vicinity of 111th Street, between Cicero Ave. and approximately 1901 W. Pryor Ave., Chicago, Illinois, Officer Gorman, drove a motor vehicle while he was under the influence of alcohol, and/or had a BAC over 0.08. Officer Gorman thereby violated:
 - a. Rule 1, which prohibits violation of any law or ordinance, by violating section 11-501(a)(1) of the Illinois Vehicle Code, (625 ILCS 5/11-501(a)(1)).
 - b. Rule 1, which prohibits violation of any law or ordinance, by violating section 11-501(a)(2) of the Illinois Vehicle Code, (625 ILCS 5/11-501(a)(2)).

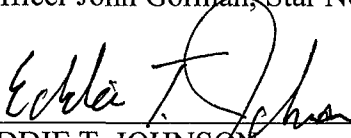


- c. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - d. Rule 15, which prohibits intoxication on or off duty.
- 2. On or about November 23, 2014, between approximately 4:20 p.m. and 4:40 p.m. in the vicinity of 111th Street, between Cicero Ave. and approximately 1901 W. Pryor Ave., Chicago, Illinois, Officer Gorman, drove a motor vehicle upon a street while he was in possession of an open alcoholic beverage in the passenger area. Officer Gorman thereby violated:
 - a. Rule 1, which prohibits violation of any law or ordinance, by violating section 11-502(a) of the Illinois Vehicle Code, (625 ILCS 5/11-502(a)).
 - b. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- 3. On or about November 23, 2014, between approximately 4:20 p.m. and 4:40 p.m. in the approximate vicinity of 111th Street and Pulaski, Chicago, Illinois, Officer Gorman, drove a motor vehicle in a reckless and unsafe manner and/or with willful or wanton disregard for the safety of persons in that he nearly struck a pedestrian. Officer Gorman thereby violated:
 - a. Rule 1, which prohibits violation of any law or ordinance, by violating section 11-503 of the Illinois Vehicle Code, (625 ILCS 5/11-503).
 - b. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - c. Rule 8, which prohibits any action or conduct which causes disrespect to or maltreatment of any person, while on or off duty.
- 4. On or about November 23, 2014, between approximately 4:20 p.m. and 4:40 p.m. in the vicinity of 111th Street, between Cicero Ave. and approximately 1901 W. Pryor Ave., Chicago, Illinois, Officer Gorman, drove a motor vehicle in a reckless and unsafe manner and/or with willful or wanton disregard for property. Officer Gorman thereby violated:
 - a. Rule 1, which prohibits violation of any law or ordinance, by violating section 11-503 of the Illinois Vehicle Code, (625 ILCS 5/11-503).

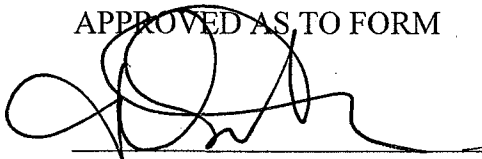
- b. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
5. On or about November 23, 2014, between approximately 4:20 p.m. and 4:40 p.m. in the vicinity of 111th Street, between Cicero Ave. and approximately 1901 W. Pryor Ave., Chicago, Illinois, Officer Gorman, possessed a firearm while he was under the influence of alcohol. Officer Gorman thereby violated:
 - a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Rule 6, which prohibits any disobedience of an order or directive, whether written or oral, by violating Special Order SO6-05-02, III-D, of the "Firearm Concealed Carry Act."
6. On or about November 23, 2014, between approximately 4:20 p.m. and 4:40 p.m. at approximately 1901 West Pryor, Chicago, Illinois, Officer Gorman, unjustifiably discharged a firearm at or into a moving vehicle, which was the only force used against him, and the firearm discharge was not necessary to prevent death or great bodily harm. Officer Gorman thereby violated:
 - a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Rule 6, which prohibits any disobedience of an order or directive, whether written or oral, by violating General Order 03-02-03, II, "Deadly Force".
 - c. Rule 38, which prohibits the unlawful or unnecessary use or display of a weapon.
7. On or about November 23, 2014, between approximately 4:20 p.m. and 4:40 p.m. at approximately 1901 West Pryor, Chicago, Illinois, Officer Gorman, discharged a firearm and failed to notify the Office of Emergency Management and Communications, and the 22nd District, the District of occurrence. Instead of providing the proper notifications, Officer Gorman drove to the 22nd District parking lot and then drove home. Officer Gorman thereby violated:
 - a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals.

- c. Rule 6, which prohibits any disobedience of an order or directive, whether written or oral, by violating General Order 03-02-06, V-B, "Firearms Discharge Incidents Involving Sworn Members".
 - d. Rule 21, which prohibits the failure to report promptly to the Department any information concerning any crime or other unlawful action.
 - e. Rule 39, which prohibits the failure to immediately make an oral report to the desk sergeant at the District of occurrence and to follow such oral report with a written report on the prescribed form, whenever a firearm is discharged by a member.
8. On or about November 23, 2014, between approximately 4:20 p.m. and 4:40 p.m. at approximately 1901 West Pryor, Chicago, Illinois, Officer Gorman, discharged a firearm and failed to remain on scene. Officer Gorman, instead of remaining on scene, drove to the 22nd District parking lot and then drove home. and Officer Gorman thereby violated:
- a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals.
 - c. Rule 6, which prohibits any disobedience of an order or directive, whether written or oral, by violating General Order 03-02-06, V-B, "Firearms Discharge Incidents Involving Sworn Members".
9. On or about November 23, 2014, at approximately 4:40 p.m. at approximately 1901 West Pryor, Chicago, Illinois, Officer Gorman, discharged his firearm into the air. Officer Gorman thereby violated:
- a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral by violating General Order 03-02-03, III-B, "Department Prohibitions for Use of Deadly Force."
 - c. Rule 38, which prohibits the unlawful or unnecessary use or display of a weapon.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer John Gorman, Star No. 14913, be discharged from the Chicago Police Department.


EDDIE T. JOHNSON
Superintendent of Police

APPROVED AS TO FORM


THERESA SMITH
Senior Counsel
Labor Division

P.B. CASE # FILED

18-2943-1 FEB 22 2018

CHICAGO POLICE BOARD

CHARGES AGAINST POLICE OFFICER TIMOTHY NEYLON

Police Officer Timothy Neylon, Star No. 14722, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 21: Failure to report promptly to the Department any information concerning any crime or other unlawful action.
- Rule 22: Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.
- Rule 39: Failure to immediately make an oral report to the desk sergeant at the District of occurrence and to follow such oral report with a written report on the prescribed form, whenever a firearm is discharged by a member


SPECIFICATIONS

1. On or about November 23, 2014, at approximately 4:40 p.m., at approximately 1901 West Pryor, Chicago, Illinois, Officer Neylon was present and a witness to a sworn officer involved shooting wherein Officer Gorman discharged his firearm in the direction of a moving vehicle and/or into the air and Officer Neylon failed to intervene and/or take any police action at any time. Officer Neylon thereby violated:
 - a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals.

2. On or about November 23, 2014, at approximately 4:40 p.m., at approximately 1901 West Pryor, Chicago, Illinois, Officer Neylon was present and a witness to a sworn officer involved shooting wherein Officer Gorman discharged his firearm in the direction of a moving vehicle and/or into the air and Officer Neylon failed to report to the 22nd District supervisor, information regarding the firearm discharge. Instead of providing the proper notifications, Officer Neylon retrieved his vehicle from the 22nd District and drove home. Officer Neylon thereby violated:
 - a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals.
 - c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral by violating General Order 03-02-06, V-D, "Firearms Discharge Incidents Involving Sworn Members."
 - d. Rule 21, which prohibits failure to report promptly to the Department any information concerning any crime or other unlawful action.
 - e. Rule 22, which provides that failure to report promptly to the Department any violation of rules and regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.
 - f. Rule 39, which prohibits the failure to immediately make an oral report to the desk sergeant at the District of occurrence and to follow such oral report with a written report on the prescribed form, whenever a firearm is discharged by a member.

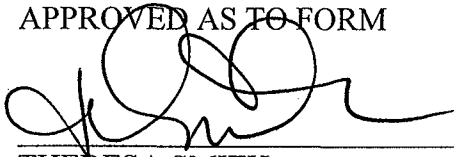
3. On or about November 23, 2014, at approximately 4:40 p.m. and at approximately 1901 West Pryor, Chicago, Illinois, Officer Neylon was present and a witness to a sworn officer involved shooting wherein Officer Gorman discharged his firearm in the direction of a moving vehicle and/or into the air and failed to remain on scene and instead retrieved his vehicle from the 22nd District and drove home following the firearm discharge. Officer Neylon thereby violated:
- a. Rule 2, which prohibits any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.
 - b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals.
 - c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral by violating General Order 03-02-06, V-D, "Firearms Discharge Incidents Involving Sworn Members."

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Timothy Neylon, Star No. 14722, be discharged from the Chicago Police Department.



EDDIE T. JOHNSON
Superintendent of Police

APPROVED AS TO FORM



THERESA SMITH
Senior Counsel
Labor Division

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