

COOK COUNTY SHERIFF'S MERIT BOARD

SHERIFF OF COOK COUNTY, )  
 )  
 vs. )  
 ) Docket # 1770  
 SANDRA L. HATTEN, )  
 Correctional Officer, )  
 Employee # [REDACTED] )  
 Star #973. )

**DECISION**

THIS MATTER COMING ON to be heard pursuant to notice before Jennifer E. Bae, a Board Member, and the Cook County Sheriff's Merit Board finds as follows:

**Jurisdiction:**

1. Sandra L. Hatten (herein after "Respondent") holds a position as a Correctional Officer which involves duties and responsibilities to the public.
2. Each member of the Cook County Sheriff's Merit Board (hereinafter "Board") has been duly appointed to serve as a member of the Board pursuant to confirmation by the Cook County Board of Commissioners, State of Illinois, to sit for a stated term.
3. The Board has jurisdiction of the subject matter of the parties in accordance with Chapter 55 of the Illinois Compiled Statutes.
4. The Respondent was personally served with a copy of the Complaint and Notice of Hearing and appeared before the Board to contest the charges contained in the complaint.
5. The Board has heard the evidence presented by the Sheriff and the Respondent, and evaluated the credibility of the witnesses and supporting documents.

**Background:**

By complaint dated July 9, 2014, Sheriff Thomas J. Dart, sought the termination of the Respondent. The complaint alleges that Respondent violated the Rules and Regulations and General Orders of the Cook County Department of Corrections and Rules and Regulations of the Cook County Merit Board, specifically:

**SHERIFF'S ORDER 09-1** (Effective date January 1, 2009)  
**SECURING DEPARTMENT AUTHORIZED FIREARMS**, in its entirety, including but not limited to, the following subparts:

II. POLICY

It is the policy of the Cook County Sheriff's Office that all sworn employees authorized to carry a duty weapon will ensure that the weapon will be secured. No unauthorized person is afforded access to the member's duty weapon at all time. Furthermore, a duty weapon in any state either assembled or dismantled will not be considered "secure" in a vehicle or in a locked box concealed within a vehicle.

IV. RESPONSIBILITIES

Duty Weapons and Department Issued Weapons are NOT to be left in vehicles:

- A. At any time
- B. In any condition (including dismantled or unloaded firearms)
- C. Under any circumstance (including lock boxes)

VI. APPLICABILITY

This order applies to all Sheriff's Office sworn employees and is for strict compliance. Any conflicts should be resolved in the favor of this order.

**SHERIFF'S ORDER 11.2.20.0** (Effective date: January 25, 2013)

**RULES OF CONDUCT**, in its entirety including but not limited to, the following subparts:

II. POLICY

The CCSO serves the citizens of Cook County by performing law enforcement functions in a professional manner, and it is to these citizens that the CCSO is ultimately responsible. Employees of the CCSO shall conduct themselves in a professional and ethical manner both on and off duty. Employees shall not engage in activities that reflect unfavorably on the CCSO but shall instead serve to further the mission of service.

III. APPLICABILITY

This order is applicable to all employees of the CCSO and is for strict compliance. Any violations of this Sheriff's Order may result in disciplinary action up to and including termination. Any conflicts with existing directives shall be resolved in favor of this order.

VI. RULES AND REGULATIONS FOR ALL AWORN AND CIVILIAN CCSO EMPLOYEES

A. Compliance with Laws, Ordinances, and Regulations

2. Employees shall comply with lawful rules, Sheriff's Office written directives, verbal orders, SEAM articles, and political prohibitions issued by the proper authorities.

B. Conduct on and off duty.

CCSO employees shall:

1. Maintain a professional demeanor while on duty and will not engage in off-duty behavior that would reflect negatively on the CCSO.
2. Conduct themselves on and off-duty in such a manner to reflect favorably on the CCSO. Employees, whether on or off-duty, will not engage in conduct which discredits the integrity of the CCSO, its employees, the employee him/herself, or which impairs the operations of the CCSO. Such actions shall constitute conduct unbecoming of an officer or employee of the CCSO.

C.

D. Prohibited associations, establishments, and activities.

CCSO employees shall not:

18. Use, display, or handle any weapon in a careless, negligent or unlawful manner.
25. Fail to cooperate or fail to be truthful with external and/or internal agencies in an investigation of a criminal or civil matter.

H. Reporting violations.

- 3.
4. Employees are prohibited from making a false report, written or oral.

**COOK COUNTY SHERIFF'S DEPARTMENT MERIT BOARD RULES AND REGULATIONS**, in its entirety, including but not limited to, the following subparts:

Article X, Paragraph B

No Police Officer of the Cook County Sheriff's Police Department, nor any Correctional Officer of the Cook County Department of Corrections, nor any Deputy Sheriff of the Cook County Sheriff's Court Services Department shall:

3. violate any of the general orders, special orders, directives or rules and regulations of the CCSO.

**Issues Presented:**

Whether the actions of the Respondent violated any of the General Orders and Rules and Regulations set forth above and what if any discipline is appropriate if a violation occurred.

**Evidence Presented:**

A hearing was conducted on October 28, 2014 at the Cook County Administration Building, 69 W. Washington Street, Room 1100, Chicago, Illinois. Present were Assistant State's Attorney [REDACTED] and Assistant General Counsel [REDACTED] on behalf of the Cook County Sheriff and Attorney [REDACTED] on behalf of the Respondent.

The following exhibits were admitted into evidence:

Sheriff's Exhibit 1	Statement made by Sandra Hatten to OPR
Union's Exhibit 1	Memo written by Sandra Hatten to OPR
Union's Exhibit 2	Photo of Sandra Hatten's vehicle
Union's Exhibit 3	A letter from CCSO Fit for Duty
Union's Exhibit 4	A certified copy of disposition

The following witnesses testified for the Sheriff:

[REDACTED]

[REDACTED] (herein after "[REDACTED]") is employed by the CPD. On July 1, 2013, he was on duty as a patrol officer dispatched to [REDACTED] little after midnight for a shooting. When he first arrived, he saw several people on the street yelling that someone had been shooting. He observed four 9 millimeter shell casings and inventoried them. Shortly thereafter, Respondent drove up to the scene approached him and his partner, Officer [REDACTED]. Respondent told him that she was an officer with a gun in her purse; that her son, [REDACTED] (herein after "[REDACTED]") was involved in a domestic incident with his ex-girlfriend, [REDACTED] (herein after "[REDACTED]"); that [REDACTED] had gained control over her gun but she did not know how; that [REDACTED] shot her gun but she did not know how many shots; and that she drove few blocks to look for a police station before [REDACTED] jumped out of her vehicle. [REDACTED] recovered a gun inside the purse with blood on the slide of the gun. [REDACTED] arrested Respondent for obstruction of justice for taking [REDACTED] away from the scene. Other officers drove around the area without success in finding [REDACTED]. If [REDACTED] was located, [REDACTED] was going to charge him with unlawful use of weapon.

On cross-examination, [REDACTED] testified that Respondent said she called 911. He believed that the criminal charge against Respondent was dismissed.

██████████

Officer ██████ (herein after "██████") testified that he is employed by the Chicago Police Department. On July 1, 2013, he was dispatched to ██████ ██████ twice. The first time, he was assisting another unit in a domestic battery incident involving ██████ and ██████ whereby ██████ alleged that ██████ punched first floor window of her apartment. He observed broken glasses and blood. Subsequently, ██████ returned to the same location and spoke to ██████ and her brother, ██████ (herein after "██████"), who reported that ██████ and ██████ were fighting when ██████ pulled a gun and fired at ██████. ██████ said Respondent told him that a male came up to ██████ window and punched him, ██████ got out of her vehicle and started fighting the individual, she tried to break up the fight, she observed ██████ firing several shots, and got back into her vehicle and drove off with ██████.

On cross-examination, ██████ said he observed ██████ tires being slashed. ██████ was not present during the first domestic incident between ██████ and ██████. ██████ said Respondent did not refuse to answer questions but she was quite at the scene. Respondent gave him 2 addresses to find ██████.

██████ further testified that he found blood on the passenger side door panel where the armrest was in Respondent's vehicle but that he did not know whose blood it belong to.

██████████ is employed by the CCSO in the Office of Professional Review (herein after "OPR"). He attended West Virginia University majored in forensics/investigative science and psychology. After graduation, he worked at FBI as a physical scientist for the laboratory. He said his director assigned this case to him after receiving a notification from the Chicago Police Department that Respondent was arrested for obstruction of justice. He then reviewed CPD reports; interviewed Respondent and three additional witnesses; and reviewed Respondent's phone record and 911 call center.

██████ went to 75<sup>th</sup> and Sangamon in Chicago to locate ██████ and ██████ and was informed by 2 neighbors that they no longer lived there. ██████ learned that ██████ was incarcerated at the CCDOC with a pending criminal matter. He interviewed ██████ at the Div. 8 residential treatment unit. ██████ told him that ██████ took Respondent's gun and that Respondent struggled to get the gun back but was overpowered by ██████.

██████ then interviewed Respondent. Respondent told him that she went to assist ██████ because ██████ had slashed ██████ tires. Respondent arrived at 75<sup>th</sup> and Sangamon little pass midnight and had ██████ call tow trucks while sitting in her vehicle on the passenger side. Respondent next heard ██████ say, "Get 'em" and observed 5 men walking toward her vehicle. Respondent observed ██████ approach and punch ██████. She then saw ██████ get out of the vehicle and started fighting ██████. Respondent exited her vehicle and called 911 as she tried to break up the fight by identifying herself as an officer. During the struggle to break up the fight, Respondent fell down and lost her cell phone. She then observed ██████ shooting a gun toward the 5 men. Respondent then grabbed ██████ and drove off in fear for her life. Respondent told ██████ that she did not know it was her gun that ██████ had used until the CPD officers informed her. She believed that ██████ took a gun from one of the 5 men. Sheriff's Exhibit 1 was the statement made by Respondent to ██████ on September 19, 2013 at the OPR office.

On cross-examination, [REDACTED] testified that General Orders required all officers to report to the CCSO when arrested. Union's Exhibit 1 was a memo submitted by Respondent dated July 2, 2013 to OPR. [REDACTED] said [REDACTED] did not tell him how [REDACTED] took Respondent's gun only that [REDACTED] saw Respondent struggling with [REDACTED] with the gun.

[REDACTED] further testified that Union Exhibit 1 stated that "On July 1, 2013, I was detained by CPD 6 District" and not that Respondent was arrested.

The following witness testified for the Respondent:

**RESPONDENT:**

Respondent testified that she is currently suspended from the CCSO. She had been with CCSO for 22 ½ years as a correctional officer in the transportation department. She stated that she has 1 child, [REDACTED] who lived with her mother. She is widowed and divorced from [REDACTED] father who is a CPD officer. Around 11:30 or 11:45 pm, Respondent received a telephone call from [REDACTED] asking for assistance because [REDACTED] had slashed his tires. Respondent was not familiar with the area and used GPS to get to 75<sup>th</sup> and Sangamon.

Respondent and [REDACTED] were sitting in her vehicle while [REDACTED] was calling towing companies. Respondent saw [REDACTED] and heard her say, "Get 'em". She then observed 5 men approach toward her vehicle. [REDACTED] came up to [REDACTED] window and punched his face. Respondent observed [REDACTED] jump out of her vehicle and started fighting [REDACTED] Respondent exited her vehicle and walked toward the other side and tried to stop the fight. As she was struggling with [REDACTED] on the ground, her phone fell out of her hand and she herself fell down. The next thing she saw was [REDACTED] firing shots at the 5 men who were running into a court-way. She grabbed [REDACTED] by his hair and pulled him toward her car. Respondent drove away from the scene because she believed that the 5 men would come back with guns. As she was stopped at a stop light, [REDACTED] jumped out of her vehicle. She then drove back to the scene. Respondent approached the officers at the scene and identified herself as an officer. Respondent identified Union's Exhibit 2 as a picture of her vehicle.

Shortly after this incident, Respondent received a letter, Union's Exhibit 3, from CCSO requesting that she undergo fit for duty which she complied with and was back on duty on August 20, 2013. Respondent was found not guilty for obstruction on December 3, 2013. Union's Exhibit 4 was a certified copy of the disposition of the criminal charge. Respondent claimed that she had called 911 on July 1, 2013 at the scene. Union's Exhibit 5 was a bill from T-Mobile that showed a call was made to 911 at 12:39 am on July 1, 2013.

On cross-examination, Respondent testified that she had brought her duty gun to the scene; that it was her responsibility to keep her gun secure at all times; that her gun was loaded and not secured in her vehicle when [REDACTED] gained control over it; and that she did not see [REDACTED] gain control over her gun because it was dark.

Respondent further testified that her gun was in her purse on the driver's side by her feet when she exited her vehicle to stop the fight but that she did not see [REDACTED] get back into the vehicle to retrieve her gun.

**Findings/Conclusion of the Law:**

Based on the evidence presented, and after assessing the credibility of witnesses and the weight given to the evidence including all the exhibits that were admitted, the Board finds that the Respondent did violate Sheriff's Order 09-1 II Policy, Sheriff's Order 11.2.20.0 VI H, and Cook County Sheriff's Department Merit Board Rules and Regulations Article X, Paragraph B.

Respondent violated Sheriff's Order 09-1 II Policy when [REDACTED] an unauthorized person, gained access to her duty weapon.

Respondent violated Sheriff's Order 11.2.20.0 VI H when she made false statements to the CPD officers and OPR Investigator [REDACTED]. Respondent stated that she did not know that [REDACTED] had fired her duty weapon until a Chicago Police Officer told her. Even assuming that Respondent did not see [REDACTED] grab her duty gun that was inside her purse on the driver's side of her feet, she would have seen the gun when she pulled [REDACTED] towards her vehicle to drive away. She told the CPD officers on the scene that her son fired her gun but did not know how he gained control over it. When interviewed by Investigator [REDACTED] she said that she did not know that her son had gained control and fired her gun until the officers informed her and that she did not see her son gain control over her gun because it was dark.

As a result of violating the above Sheriff's Orders, Respondent violated Cook County Sheriff's Department Merit Board Rules and Regulations Article X, Paragraph B.

**Order:**

Wherefore, based on the foregoing, it is hereby ordered that the Sheriff's request to remove Respondent from the Cook County Sheriff's Office is denied and Respondent is suspended for 180 days from the date of July 9, 2014.



**JAMES P. NALLY, Chairman**



**BYRON BRAZIER, Vice-Chairman**



**BRIAN R. JORDAN, Board Member**



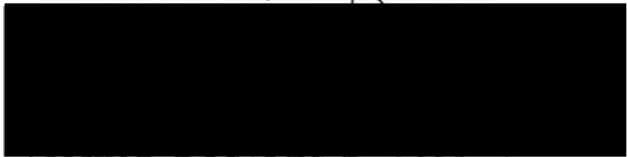
**JOHN J. DALICANDRO, Secretary**

Dated: \_\_\_\_\_

*January 15, 2015*



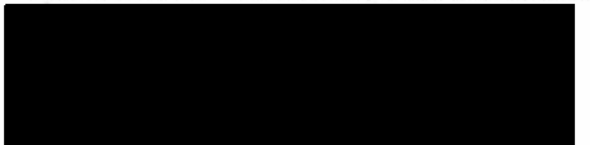
**KIM R. WIDUP, Board Member**



**JOHN R. ROSALES, Board Member**



**VINCENT T. WINTERS, Board Member**



**JENNIFER E. BAE, Board Member**