

**COOK COUNTY SHERIFF S MERIT BOARD**

**STATE OF ILLINOIS)**

**) SS:**

**COUNTY OF COOK)**

**COOK COUNTY SHERIFF'S MERIT BOARD HEARING**

**SHERIFF OF COOK COUNTY,**

**IN THE MATTER OF:**

<b>Petitioner,</b>	)	<b>DOCKET NO. 1913</b>
<b>vs</b>	)	
<b>Roy L Brown</b>	)	<b>Star 10353</b>
<b>Respondent.</b>	)	

THIS MATTER COMING ON to be heard pursuant to notice, the board finds as follows:

1. The Respondent, Roy L Brown, hereinafter a Respondent was appointed a Deputy Sheriff on January 19, 1993. Respondent's current position is as a deputy sheriff and involves duties and responsibilities to the public; and

2. Each member of the Cook County Sheriff's Merit Board, hereinafter, "the 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; and

3. The Board has jurisdiction of the subject matter of the parties in accordance with Chapter 55 of the Illinois Compiled Statutes; and

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. Dr. Byron Brazier was the hearing officer.

**Background:** By a complaint dated August 9, 2016, the Sheriff, sought the termination of deputy sheriff Roy L. Brown, Star number 10353. The complaint alleged that Deputy Brown was arrested by the Evergreen Park police while off duty, for acts that included driving under the influence of alcohol, failing to signal, and having no proof of insurance. While being transported to the Evergreen Park police station, respondent became belligerent and began shouting profane language and use of a racial slur at the arresting officer. (FUCK YOU WHITEY). Additionally, in the original complaint, the respondent remained belligerent and uncooperative while at the police station. The arresting officer issued the following citations: driving under the influence of alcohol; speeding; failure to signal when required; improper lane usage; uninsured motor vehicle; and under the influence of alcohol.

Finally, in the original complaint, the above actions violated the Rules and Regulations of the Cook County Department of Corrections, specifically: Sheriff's order 11. 2. 20. 1. (Effective: March 12, 2015) section II., III, IV, V. A and B, VI – B and E section 26, 28, 29, 30, 42, 43.

Cook County Sheriff's Merit Board Rules and Regulations, Article X, paragraph B, section 1, 2, 3.

**Issues Presented:** Whether the respondent conducted himself in a professional and ethical manner while off duty, violated state and federal statutes, violated the policies and guidelines of the Cook County Sheriff's Department, attempted to use his position as a deputy sheriff to gain influence or authority for nonofficial business or activity, used inappropriate language or gestures directed at any person that is considered to be abusive, harassing, or insolent, and demonstrating conduct unbecoming of a Cook County deputy sheriff.

**Resolution of Issues Presented:** After review of all testimony and by the preponderance of evidence presented by the States Attorney and the Respondent's Attorney, the Merit Board finds that the respondent's conduct did violate:

Sheriff's Order 11. 2. 20. 1. (Effective: March 12, 2015) section II., III, IV, V. A (and not B), VI B-I (and not h) and E- 42, 43.

The

Cook County Sheriff's Merit Board Rules and Regulations, Article X, paragraph B, section 1, 2, 3.

**Findings of Fact:** An evidentiary hearing in this matter began on January 19, 2017 and the charges and associated evidence were presented by the States Attorney. The Respondent was present and represented by counsel.


The testimony of Officer [REDACTED] consistently represented the items documented in the original complaint except for two points. The first point was how the respondent exited his car upon request by the officer. The officer's testimony was that he kicked the door open with his left foot while the videotape reflects that he opened the door with his hand. Secondly, after listening to the audiotape several times, there was no audible use of a racial slur.

During the testimony of Deputy Brown, he did admit that he had consumed alcohol earlier in the day and that he did use profane language in the presence of the officer. The video tape also


shows that the arresting officer's actions to determine sobriety appears to be consistent with Deputy Brown being under the influence of alcohol. However, in the Circuit Court trial, the respondent was only convicted of speeding, improper signaling, and an improper lane change. He paid his fines as directed by the court.

**Conclusions of Law:** Given the narrative of the charges in the original complaint and the evidence presented in the merit board hearing and given the outcome of the Circuit Court trial, the Merit Board finds that by the preponderance of evidence that the respondent did violate Sheriff's Order 11. 2. 20. 1. (Effective: March 12, 2015) section II., III, IV, V. A (and not B), VI B-I (and not h) and E- 42, 43.

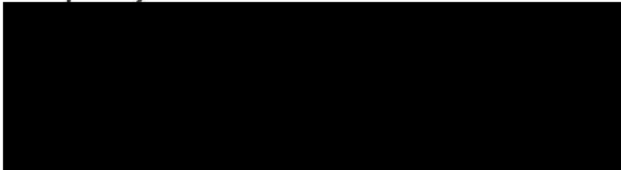
**Order:** Wherefore, based on the foregoing, it is hereby ordered that the respondent Deputy Roy L Brown be suspended from the Cook County Sheriff's Department for 120 days.


  
James P. Nally, Chairman

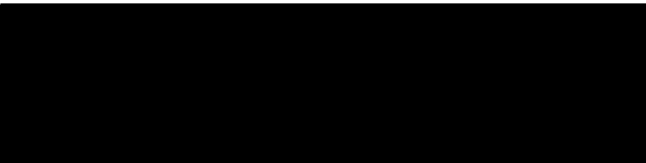
  
Byron Brazier, Vice-Chairman

  
John J. Dalicandro, Secretary

  
Kim R. Widup, Board Member

  
Vincent T. Winters, Board Member

  
Patrick M. Brady, Board Member

  
Cray Mateo-Harris, Board Member

Date July 27, 2017



# COOK COUNTY SHERIFF'S MERIT BOARD



SHERIFF OF COOK COUNTY

vs.

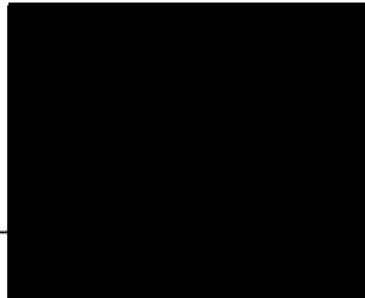
Roy L. Brown, Deputy Sheriff

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DOCKET NO.: 1913

## DISSENT ON DECISION

Board Member Patrick Brady concurs in the findings of fact but dissent in the disposition in that in my opinion the Respondent should be terminated.



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Commissioner