

**COOK COUNTY SHERIFF'S MERIT BOARD**

**Sheriff of Cook County** )  
)  
**vs.** )  
) **Docket No. 2102**  
**Michael Doyle** )  
**Police Officer** )

**Decision**

This matter coming on to be heard pursuant to a third Order of Remand dated February 11, 2021 to determine “just cause of Plaintiff’s termination, including the factors and concerns the Merit Board considered in relation to Plaintiff’s conduct and discipline and efficiency of the Sheriff’s Office, possible mitigating factors, similarly disciplined cases.”

The Cook County Sheriff’s Merit Board issued its original decision on this matter on December 17, 2018 granting the termination of the Respondent Michael Doyle, Police Officer, and setting forth in detail the rules, regulations and violations that were charged in the complaint, as well as a detailed exposition of the evidence through witness testimony and documents admitted into evidence. The Merit Board found while Respondent was drinking at a bar on July 20, 2017, he backed the bartender into a corner, grabbed him by the throat, and held a folding knife to the victim’s face. Respondent claimed that it was “just a joke” and that he was “just trying to scare” the victim.

In the first remand order the court asked the Merit Board to identify the specific rules and orders that were violated, and for the Merit Board to clarify which factors went into its decision to terminate Respondent. On January 23, 2020, the Merit Board issued its Decision on Remand. Therein, the Merit Board identified the specific rule violations sustained against Respondent.

On March 10, 2020, the District Court remanded the case to the Merit Board “for further decision on whether there was just cause of Plaintiff’s termination, including the factors and concerns the Merit Board considered in relation to Plaintiff’s conduct and discipline and efficiency of the Sheriff’s Office, possible mitigating factors, similarly disciplined cases.”

The Merit Board again finds that the Respondent’s conduct warrants termination. As set forth in the December 17, 2018 and the March 19, 2020 Decisions, which are adopted as if set forth herein, the Respondent’s conduct violated several Cook County Sheriff’s Office (CCSO) policies.

For example, the Rules and Regulations state that “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” and that “any violation of this Sheriff’s Order may result in disciplinary action up to and including termination.” (CCSO Policy 321.4 – Conduct). Further, “CCSO employees shall maintain a professional demeanor while on duty and will not engage in off-duty behavior that would reflect negatively on the CCSO.” (CCSO Policy 321.3). The Rules also state that CCSO employees shall “maintain a level of conduct in their business affairs that is in keeping with the highest standards of the law enforcement profession.” (CCSO Policy 321.5.5).

Police Officers with the CCSO are held to high standards and are expected to lead by example while in the community. Here, Respondent choked and brandished a weapon at a civilian as a "joke." It is the position of the Merit Board that termination is the proper outcome anytime a Cook County Sheriff's Police Officer physically attacks and assaults a member of the public with a deadly weapon with no justification other than he was "joking." The Merit Board is not aware of a situation where an employee who committed the same infractions as Respondent received a lesser punishment, and no such evidence was offered by the Respondent here.

As noted by the District Court, the Respondent presented evidence that he was intoxicated at the time of the incident. The Merit Board has considered this factor but does not believe that it warrants a lesser or alternative discipline. [REDACTED]

[REDACTED] Further, it is true that Respondent has no sustained complaints on his disciplinary history. In fact, Respondent received advanced training and several certificates of appreciation from other law enforcement entities. While admirable, these factors are insufficient to overcome the seriousness of Respondent's infractions. The very nature of Respondent's role as a police officer requires him to maintain the faith and trust of the public. The fact that he was intoxicated and had no previous discipline at the time he committed an unprovoked physical attack on a private citizen is insufficient to allow for any alternative discipline.

In the transcript of the District Court's remand, the Court quotes the definition of firing for "cause" set forth by the Illinois Supreme Court in *Walsh v. Board of Fire & Police Commissioners*, 96 Ill.2d 101, 105 (1983). Cause is defined as "some substantial shortcoming which renders [the employee's] continuance in his office or employment in some way detrimental to the discipline and efficiency of the service and something which the law and a sound public opinion recognize as a good cause for his no longer occupying the place." (Internal quotation marks omitted). The "service" provided by the CCSO Police is to protect and serve the citizens of Cook County. Instead of protecting and serving, on July 20, 2017, Respondent choked and terrorized a civilian. Respondent was not defending himself or protecting other patrons. He attacked a bartender as a "joke." The Merit Board finds that allowing Respondent to remain employed as a police officer after such an egregious breach of the public trust would be detrimental to the discipline and efficiency of the CCSO as a whole. Such behavior cannot be tolerated, even given the alleged mitigating circumstances presented in this case.

#### Order

Wherefore, based on the foregoing, as well as on the legal and factual findings set forth in the December 17, 2018 and the March 19, 2020 Decisions of the Merit Board, it is hereby ordered that the Sheriff's request to terminate and remove Michael Doyle, respondent, from the Cook County Sheriff's Office is granted.

Effective February 13, 2018.

**JOHN J. DALICANDRO**, Chairman  
**BYRON BRAZIER**, Vice-Chairman  
**VINCENT T. WINTERS**, Secretary  
**KIM R. WIDUP**, Board Member  
**KIMBERLY PATE GODDEN**, Board Member  
**ELENI P. SIANIS**, Board Member



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**SHERIFF'S MERIT BOARD**  
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Michael Doyle  
Police Officer  
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This Remand Decision is adopted and entered by a majority of the Members of the Merit Board:

John J. Dalicandro, Byron Brazier, Vincent T. Winters, Kimberly Pate Godden and Eleni P. Sianis.

Not Present: Kim R. Widup

DISSENT

The following Members of the Merit Board dissent from the Findings and Decision of the majority of the Board.

[NONE]

DATED AT COUNTY OF COOK, STATE OF ILLINOIS, THIS 15<sup>th</sup> DAY OF APRIL, 2021.