

**BEFORE A MEMBER OF THE POLICE BOARD
OF THE CITY OF CHICAGO**

IN THE MATTER OF THE)	
RECOMMENDATION FOR DISCIPLINE OF)	No. 19 RR 12
POLICE OFFICER ANDRE GORLEWSKI,)	
STAR No. 7804, DEPARTMENT OF POLICE,)	
CITY OF CHICAGO)	(CR No. 1090066)

REQUEST FOR REVIEW

On May 6, 2019, the Office of the Police Board of the City of Chicago received from the Chief Administrator of the Civilian Office of Police Accountability (“COPA”) a request for review of the Chief Administrator’s recommendation for discipline of Police Officer Andre Gorlewski, Star No. 7804, arising out of the investigation of Complaint Register No. 1090066 (“Request for Review”).

The Chief Administrator recommended that the following allegations against Officer Gorlewski be *Sustained*:

Allegation No. 3: On or about June 30, 2018, at approximately 12:17 a.m., in the vicinity of 150 West 63rd Street, Chicago, during a street stop, Officer Gorlewski took [an individual’s] bag without justification, in violation of Rule 1, which prohibits violation of any law or ordinance (in that he violated the Fourth Amendment to the U.S. Constitution), and Rule 6, which prohibits disobedience of an order or directive, whether written or oral (in that he disobeyed Special Order S04-13-09).

Allegation No. 4: On or about June 30, 2018, at approximately 12:17 a.m., in the vicinity of 150 West 63rd Street, Chicago, Officer Gorlewski searched [an individual’s] bag without justification, in violation of Rule 1 and Rule 6.

Allegation No. 5: On or about June 30, 2018, at approximately 12:17 a.m., in the vicinity of 150 West 63rd Street, Chicago, Officer Gorlewski was rude and unprofessional when he threw [an individual’s] bag out of the squad car window onto the ground, in violation of 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.

Allegation No. 6: On or about June 30, 2018, at approximately 12:17 a.m., in the vicinity of 150 West 63rd Street, Chicago, Officer Gorlewski failed to document his contact with [an

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individual], in violation of Rule 6 (in that he disobeyed Special Order S04-13-09).

The Chief Administrator recommended that Officer Gorlewski be suspended for a period of fifteen days.

The Superintendent concurred with the Chief Administrator's recommendations that Allegation Nos. 5 and 6 be *Sustained*. The Superintendent objected to the Chief Administrator's recommendations regarding Allegation Nos. 3 and 4 and the penalty. The Superintendent recommended that Allegation Nos. 3 and 4 be classified as *Unfounded*, and recommended that Officer Gorlewski be given a Reprimand.

According to the Certificate submitted by the Chief Administrator: (1) the Chief Administrator issued the recommendation for discipline on February 25, 2019; (2) the Chief Administrator received the Superintendent's written response on April 16, 2019; (3) the Chief Administrator's designees met with the Superintendent's designees and discussed this matter on April 26, 2019; and (4) the Request for Review was sent via email to the Executive Director of the Police Board on May 3, 2019.

The Executive Director of the Police Board prepared and forwarded the Request for Review file to John P. O'Malley Jr., the member of the Police Board who was selected on a random basis, pursuant to Article VI of the Police Board's Rules of Procedure ("Reviewing Member"). The Reviewing Member considered the Request for Review pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago and Article VI of the Police Board's Rules of Procedure.

OPINION

It is my opinion that the Superintendent did not meet his burden of overcoming the Chief Administrator's recommendation for discipline. Based on a thorough review of the Request for

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Review file, I agree with the Chief Administrator that there is sufficient evidence to sustain the allegations and suspend Officer Gorlewski for fifteen days. In addition, I believe Officer Gorlewski should be given additional training on proper search and seizure as well as how to better handle encounters with individuals, even those persons that may be disrespectful and belligerent.

Therefore, pursuant to Section 2-78-130(a)(iii) of the Municipal Code of Chicago, the Chief Administrator's recommendation for discipline—that Allegation Nos. 3-6 be classified as *Sustained* and that Officer Gorlewski be suspended for fifteen days—shall be deemed accepted by the Superintendent.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 10th DAY OF MAY, 2019.

/s/ JOHN P. O'MALLEY JR.
Member
Police Board

Attested by:

/s/ MAX A. CAPRONI
Executive Director
Police Board