



Eddie T. Johnson  
Superintendent  
Chicago Police Department  
3510 S. Michigan Avenue  
Chicago, Illinois

September 6, 2017

**Re: Log#1072664  
Officer John Gorman #14913  
Disciplinary Recommendations**

Dear Superintendent Johnson:

This outlines disciplinary recommendations arising from the above-captioned investigation:

**I. BACKGROUND**

On 23 November 2014 at approximately 16:20 hours, an off-duty Merrionette Park Police Officer, [REDACTED] and his friend, [REDACTED] observed Police Officer John Gorman, driving recklessly on 111th St. [REDACTED] and [REDACTED] also observed Police Officer Timothy Neylon, riding in the passenger seat of PO Gorman's vehicle. [REDACTED] and [REDACTED] observed PO Gorman speeding, swerving in and out of traffic, and almost striking a pedestrian with his vehicle. While PO Gorman was stopped at a red light, [REDACTED] exited the vehicle of [REDACTED] who was the driver, and walked to PO Gorman's driver side window. [REDACTED] displayed his police badge and yelled at PO Gorman regarding his reckless driving. [REDACTED] observed beer containers in PO Gorman's vehicle (as did [REDACTED] while in the driver's seat of his vehicle that was alongside PO Gorman's vehicle). Neither PO Gorman, nor PO Neylon, announced that they were police officers and PO Gorman accelerated through the traffic light. [REDACTED] and [REDACTED] continued to follow the police officers while calling 911 to report PO Gorman's reckless driving. PO Gorman stopped at 1901 W. Pryor Avenue. [REDACTED] stopped his vehicle approximately six to eight car-lengths behind PO Gorman's vehicle.

PO Gorman and PO Neylon exited PO Gorman's 2006 Buick Lacrosse, at which time PO Gorman un-holstered his firearm. PO Gorman aimed the gun at the windshield of [REDACTED] car. [REDACTED] accelerated past PO Gorman in order to avoid being shot. After they had driven

past PO Gorman, [REDACTED] and [REDACTED] heard approximately five gunshots. [REDACTED] and [REDACTED] did not know the direction in which PO Gorman's firearm was pointed when it was discharged.

According to PO Gorman, he un-holstered his gun because he was in fear of the two individuals who had been following him, but that he never pointed his gun at them. PO Gorman stated that, as he exited his vehicle, the individuals accelerated towards him in their large truck nearly striking PO Gorman. PO Gorman discharged his firearm five times.

[REDACTED] truck was inspected by CPD Evidence Technicians on the night of the incident. A hole, consistent with that of a bullet strike, was found on the rear passenger bumper. The defect was photographed by the evidence technicians.

## **II. INVESTIGATIVE ALLEGATIONS AND FINDINGS**

**Accused:** **Officer John Gorman, #14913**

**Allegation #1:** **Sustained.** Violation of Rules 1, 2, 3 and 15 in that on 23 November 2014, between approximately 16:25 and 16:40 hours, while at or near 1901 W. Pryor Ave., and/or while on 111th St., between Cicero Ave. and 1901 W. Pryor Ave., the accused operated his motor vehicle under the influence of alcohol.

**Allegation #2** **Sustained.** Violation of Rule 1 in that on 23 November 2014, between approximately 16:25 and 16:40 hours, while at or near 1901 W. Pryor Ave., and/or while on 111th St., between Cicero Ave. and 1901 W. Pryor Ave., the accused operated his motor vehicle while in possession of an open alcoholic beverage.

**Allegation #3** **Sustained.** Violation of Rule 1 in that on 23 November 2014, between approximately 16:25 and 16:40 hours, while at or near 1901 W. Pryor Ave., and/or while on 111th St., between Cicero Ave. and 1901 W. Pryor Ave., the accused operated his motor vehicle in a reckless and unsafe manner.

**Allegation #4** **Sustained.** Violation of Rule 1, 8 in that on 23 November 2014, at approximately 16:25 hours, while at or near the intersection of 111th St. and Kedzie St., the accused operated his motor vehicle in an unsafe manner, nearly striking a pedestrian.

**Allegation #5** **Sustained.** Violation of Special Order S06-05-02, III-D, "Firearm Concealed Carry Act" in that on 23 November 2014, between approximately 16:25 and 16:40 hours, while at or near 1901 W. Pryor Ave., and/or while on 111th St., between Cicero Ave. and

1901 W. Pryor Ave., the accused possessed a firearm, while impaired, due to his consumption of alcoholic beverages.

**Allegations #6 and #7**

**Sustained.** Violation of General Order 03-02-03, II-A, “Deadly Force” in that on 23 November 2014 at approximately 16:40 hours, while at or near 1901 W. Pryor Ave., the accused discharged his firearm at or in the direction of [REDACTED] and [REDACTED] without justification, as the subjects were driving away from the accused and posed no immediate threat.

**Allegation #8**

**Sustained.** Violation of General Order 03-02-03, II-B, “Deadly Force” in that on 23 November 2014 at approximately 16:40 hours, while at or near 1901 W. Pryor Ave., the accused discharged his firearm at or in the direction of [REDACTED] moving vehicle, without justification, because sworn members are not authorized to fire into a moving vehicle unless it is to prevent death or great bodily harm to an individual, and such circumstances were not present.

**Allegation #9**

**Sustained.** Violation of General Order 03-02-06, V-B, “Firearms Discharge Incidents Involving Sworn Members” in that on 23 November 2014 at approximately 4:40 p.m., while at or near 1901 W. Pryor Ave., the accused discharged his firearm and failed to notify the Office of Emergency Management and Communications, Department members conducting the investigation, or the station supervisor of the district of the occurrence.

**Allegation #10**

**Sustained.** Violation of General Order 03-02-06, V-B, “Firearms Discharge Incidents Involving Sworn Members” in that on 23 November 2014 at approximately 16:40 hours, while at or near 1901 W. Pryor Ave., the accused discharged his firearm and failed to remain on the scene.

**Allegation #11**

**Sustained.** Violation of Rules 1, 2, and 3, in that on 10 November 2015, the accused was arrested for Aggravated Discharge of a Firearm related to his discharge of a firearm on 23 November 2014 at approximately 16:40 hours, while at or near 1901 W. Pryor Ave.

**Allegation #12**

**Sustained.** Violation of General Order 03-02-03, III-B, “Department Prohibitions for Use of Deadly Force - Firing Warning Shots” in that on 23 November 2014 at approximately 16:40 hours, while at or near 1901 W. Pryor Ave., the accused violated department policy when he fired his firearm into the air.

### **III. DISCIPLINARY RECOMMENDATIONS**

Pursuant to the CR Matrix, the starting point for the disciplinary recommendations is to first characterize the misconduct to thereby identify the applicable penalty ranges.

Allegation 1 is represented by Category Code 02D, D.U.I. – Off-duty. The Presumptive Range for this Category Code is suspension of 30-45 days. The aggravated range is suspension of 45 days to Separation.

Officer Gorman endangered the public safety. In aggravation, Officer Gorman nearly struck a pedestrian and had a complete disregard for the risks of driving under the influence as he continued to drink open alcohol while operating his vehicle. Therefore, the recommended discipline for this violation is **Separation**.

Allegation 2 is represented by Category Code 02Z, Alcohol Abuse - Miscellaneous. The Presumptive Range for this Category Code is suspension of 1-10 days. The aggravated range is suspension of 11-20 days.

For the reasons stated for Allegation 1, the recommended discipline for this violation is suspension for **20 days**.

Allegation 3 is represented by Category Code 09D, Conduct Unbecoming (Off Duty) – Traffic Violations (Other than D.U.I.). The Presumptive Range for this Category Code is suspension of 1-5 days. The aggravated range is suspension of 6-10 days.

For the reasons stated for Allegation 1, the recommended discipline for this violation is suspension for **10 days**.

Allegation 4 is represented by Category Code 09C, Altercation/Disturbance – Traffic. The Presumptive Range for this Category Code is suspension of 1-5 days. The aggravated range is suspension of 6-10 days.

For the reasons stated for Allegation 1, the recommended discipline for this violation is suspension for **10 days**.

Allegation 5 is represented by Category Code 09N, Weapon Irregularity – Other. The Presumptive Range for this Category Code is suspension of 11-15 days. The aggravated range is suspension of 16 days to Separation.

Officer Gorman's possession of a firearm while intoxicated resulted in impaired decision-making that significantly contributed to his violation of Department policy. Therefore, the recommended discipline for this violation is **Separation**.

Allegations 6 and 7 are represented by Category Code 05H, Excessive Force – Use of Firearm/Off-duty – No Injury. The Presumptive Range for this Category Code is Separation.

Officer Gorman's actions created an unjustifiable risk of death or great bodily injury to the public. He did so while under the influence of alcohol and failed to report the discharge of his weapon. Officer Gorman's conduct demonstrated a disregard for the sanctity of human life and Department policy. Therefore, the recommended discipline for this violation is **Separation**.

Allegations 8 is represented by Category Code 05H, Excessive Force – Use of Firearm/Off-duty – No Injury. The Presumptive Range for this Category Code is Separation.

For the reasons stated for Allegations 6 and 7, the recommended discipline for this violation is **Separation**.

Allegations 9 and 10 are represented by Category Code 05Z, Miscellaneous. The Presumptive Range for this Category Code is Reprimand to suspension of 15 days. The aggravated range is suspension of 16 days to Separation.

Officer Gorman did not report the discharge of his firearm or remain at the scene in an attempt to conceal his intoxication. Not reporting the discharge or remaining at the scene placed any potential victim of the gunshots at risk of not receiving proper medical treatment. His actions impeded any Department investigation into the discharge. Therefore, the recommended discipline for this violation is **Separation**.

Allegation 11 is represented by Category Code 08M, Crime Misconduct – Other Felony. The Presumptive Range for this Category Code is Separation.

Violation of Allegation 11 falls within the presumptive range. Therefore the recommended discipline is **Separation**.

Allegation 12 is represented by Category Code 09N, Weapon Irregularity – Other. The Presumptive Range for this Category Code is suspension of 11-15 days. The aggravated range is suspension of 16 days to Separation.

For the reasons stated for Allegations 6 and 7, the recommended discipline for this violation is **Separation**.

Respectfully,



Sharon R. Fairley  
Chief Administrator

