



Lori E. Lightfoot
Mayor

Department of Police · City of Chicago
3510 S. Michigan Avenue · Chicago, Illinois 60653

David O. Brown
Superintendent of Police

October 4, 2022

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability
1615 W. Chicago Ave., 4th Floor
Chicago, IL. 60622

**Re: Superintendent's Concurrence as to Findings and Non-Concurrence as to Penalty
Log #1091556, Field Training Officer Mark Johnson Star #8781, Employee # [REDACTED]**

Dear Chief Administrator Kersten:

Based on a review of the above-referenced complaint register (CR), the Chicago Police Department (CPD) concurs with the recommended findings in regards to the sustained allegations.

However, as will be detailed further below, CPD does not concur with the recommended penalty of a 366 day suspension. CPD agrees the evidence of misconduct supports the sustained findings and supports the imposition of a serious penalty. Therefore, CPD proposes a 365 day suspension as penalty in this case. In accordance with the Municipal Code of Chicago, MCC 2-78-130, the Superintendent provides the following comments when there is a disagreement as to the investigative findings and/or proposed penalty.

COPA recently recommended a 180 day suspension for Officer Levon London, CRs #2022-0002202, 2020-0002142, 2020-0002206, where Officer London, while attempting to affect an arrest struck an individual several times with his baton and punched him in the face. Here, while the officer used his hands rather than a baton, we have the aggravating factor that FTO Johnson was interacting with a child at his school, a place where he should feel safe. The Department believes that more than doubling the penalty in London to 365 days is an appropriate penalty in this matter.

The penalty recommendation of 366 days offered by COPA is problematic and can only be viewed as an attempt to circumvent FTO Johnson's contractual rights. By contractual agreement, a penalty recommendation of 366 days places the matter in front of the Police Board, as opposed to a 365 day suspension, which would be subject to arbitration. COPA offers no justification or rationale for the one additional day of suspension time, which radically alters the trajectory this disciplinary matter would take. The Department is of the view that FTO Johnson should take a substantial suspension for his misconduct, and therefore puts forward a recommendation of 365 days, one day less than COPA's proposed penalty.

CPD looks forward to discussing this matter with you pursuant to MCC-2-78-130(a)(iii).

Sincerely,

[REDACTED]
David O. Brown
Superintendent of Police
Chicago Police Department