



Brandon Johnson
Mayor

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

Larry B. Snelling
Superintendent

April 15, 2024

Andrea Kersten
Chief Administrator
Civilian Office of Police Accountability
1615 West Chicago Avenue, 4th Floor
Chicago, Illinois 60622

Re: Superintendent's Non-Concurrence with Penalty Recommendation
Complaint Log No. 2021-0000537

Dear Chief Administrator Kersten:

After a careful review of the above referenced complaint log number, the Chicago Police Department (Department) concurs with all three of the recommended findings but does not concur with the penalty recommendation as they pertain to Officer Demarkus Brady, Star No. 8240. Pursuant to the Municipal Code of Chicago, the Department provides the following comments.

The COPA investigation recommended a suspension of 180 up to 365 days for Officer Brady after concluding that he:

1. Was intoxicated;
2. Had his weapon on his person while intoxicated;
3. Failed to control/maintain possession of his weapon.

The Department concurs with the sustained finding for all three allegations. But the Department believes that the penalty recommendation is highly excessive. The Department recommends a 15-day suspension. The Department has numerous arbitration decisions in which the penalty for failing to secure a firearm is a suspension in the range of 5-10 days depending on mitigating and aggravating factors.

In this specific case, the fact that the member was intoxicated is definitely an aggravating factor that the Department believes is serious enough to warrant a 15-day suspension. This member has a respectable complimentary history and only a reprimand for a preventable traffic crash in his disciplinary history. So the seriousness of these findings support the principal of progressive discipline. Further, if the purpose of discipline is to correct errant behavior, then discipline should be imposed as soon after the conduct as possible. As this conduct occurred more than three years ago, a higher penalty would be punitive and would not be in this member's or the Department's best interest.

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

Sincerely,



Larry B. Shelling
Superintendent
Chicago Police Department