



October 25, 2018

Ms. Cara Hendrickson
Chief, Public Interest Division
Office of the Illinois Attorney General
100 West Randolph Street, Floor 12
Chicago, Illinois 60601

Mr. Edward N. Siskel
Corporation Counsel
City of Chicago
121 North LaSalle Street, Suite 600
Chicago, Illinois 60602

RE: City of Chicago Police Department Independent Monitoring Proposal – Supplemental Information

Dear Ms. Hendrickson and Mr. Siskel:

Thank you for the opportunity to respond to your October 11, 2018 letter regarding the request for supplemental information.

Our team can answer ‘**no**’ to the first two questions: (1) *been terminated from employment or a consulting contract, or resigned from employment, a consulting contract, or a professional board or organization because of a report or allegation of misconduct*, and (2) *been accused or adjudicated to have engaged in professional misconduct (for attorneys, only report sustained complaints to the Bar)*.

Regarding the third question — (3) *been sued for professional or employment related actions and the case was settled, either by the member or an employer of the member, or adjudicated* — four team members can answer ‘**yes,**’ but all cases were dismissed. Please see their responses below.

- 1 **Jeffrey Cramer, J.D.** was sued in 2016 by his former employer, Kroll, in an effort to enforce a non-compete agreement that Kroll alleged was valid when Mr. Cramer and his team joined Berkeley Research Group (BRG). Mr. Cramer contended that the agreement was not enforceable. A court denied Kroll’s application for a temporary restraining order and the case was settled.
- 2 **Chief Will Johnson**, while employed as Chief of Police, was sued as an individual for the conduct of two of officers related to an allegation of improper use of force. The cases were dismissed with prejudice. Please see the cases’ information below.
 - **Case Name:** Carreno v. The City of Arlington Texas, et al.
Court: U.S. District Court for the Northern District of Texas, Ft. Worth Division
Cause Number: 4:13-CV-009110-0
Cause of Action: 42 U.S.C., Section 1983
Disposition: Dismissed with prejudice - 8/24/15
 - **Case Name:** Waters v. City of Arlington Texas, et al.
Court: U.S. District Court for the Northern District of Texas, Ft. Worth Division
Cause Number: 4:15-CV-385-A
Cause of Action: 42 U.S.C., Section 1983
Disposition: Dismissed without prejudice - 8/21/15



3 **Ken Bouche**, during his time with the Illinois State Police (ISP), was personally named in his official capacity along with the plaintiffs' chain of command in a lawsuit filed in 1999. No allegations of wrongdoing were alleged against him or ISP members under his command. The primary cause of action was civil rights and failure to promote. The matter was dismissed with prejudice pursuant to a settlement agreement made by the ISP's attorneys. Please see the case information below.

- **Case Name:** *Tammra Byers and Paula Trehey v. ISP, et al* (Gainer, Marlin, Yokley, Kent, Johnson, Sloman, Comrie, Erlenbush, Thorpe, Bouche)
Northern District Case No. 99C8105

4 **Robert Davis**, during his time with the San Jose Police Department, was named in several cases and listed in his official capacity as Chief of Police or other command rank for the City of San Jose, California. The number of these actions reflects Northern California's extremely litigious environment.

In no case was a finding, adverse adjudication or settlement based upon any misconduct or inappropriate or illegal behavior committed by him personally or committed by another with his knowledge. All of the case docket numbers listed are from the U.S. District Court, California Northern District (San Jose). Please see the case information below.

- 5:93-c3-20744-RMW: Case dismissed with prejudice.
- 5:03-cv-04997-JW: Stipulated Dismissal.
- 5:05-cv-01986-RMW: Dismissed.
- 5:05-cv-00059-RS: Dismissed.
- 5:06-cv-04029-RMW: Dismissed.
- 5:06-cv-05302-RMW: Dismissed.
- 5:06-cv-06307-RMW: Dismissed - Summary Judgment for City.
- 5:06-cv-06331-JW: Jury Trial – Verdict for the City - Plaintiff Lost.
- 5:07-cv-02998-JF: Dismissed.
- 5:07-cv-03687-JW: Dismissed With Prejudice.
- 5:07-cv-05490-PSG: Dismissed.
- 3:07-cv-05596-SI: Dismissed with Prejudice against me. Summary Judgment for Remaining Defendants (Dismissed).
- 5:08-cv-00820-PSG: Dismissed.
- 5:08-cv-01213-JW: Jury Trial-Verdict for the City - Plaintiff Lost.
- 5:08-cv-01214-JW: Dismissed with Prejudice.
- 5:08-CV-01215-JW: Jury Trial – Verdict for the City - Plaintiff lost.
- 5:08-cv-02143-RS: Dismissed.
- 3:08-cv-02541-SI: Dismissed with Prejudice.
- 3:08-cv 02684-SI: Dismissed.
- 3:08-cv-02685-SI: Dismissed.
- 5:08-cv-02996-JF: Sent to Another Court
- 5:08-cv-04032-PSG: Case Reassigned to a Different Court.
- 5:08-cv-04485-RMW: Dismissed: Summary Judgment for City.
- 5:08-cv-05077-RS: Dismissed.
- 5:08-cv-05163-EGD: Dismissed.



- 4:09-cv-00176-KEW: Dismissal (Stipulated).
- 5:09-cv-00527-RMW: Dismissal With Prejudice.
- 5:09-cv-02617-PSG: Sent to Settlement Conference.
- 5:09-cv-04410-EGD: Case Dismissed (Due to Settlement).
- 5:09-cv-05758-EGD: Jury Trial - Verdict for City - Plaintiff Lost.
- 3:09-cv-05931-JSW: Summary Judgment for City.
- 5:10-cv 00953-RMW: Dismissed With Prejudice.
- 5:10-cv-01380-PSG: Dismissed.
- 3:11-cv-02362-SI: Dismissed With Prejudice Upon Settlement.
- 5:12-cv-04322-EGD: Dismissed.

I hope this completely answers your questions; however, if you require any further information, please let me know. We will respond and deliver it to you immediately.

Sincerely,

THE COAR MONITORING TEAM

Hon. Judge David Coar (Ret.)

DHC@coarmonitoringteam.com

312.229.9825

CC: Lisa T. Scruggs
Allan T. Slagel