

## CHARGES AGAINST POLICE OFFICER MELVINA BOGARD

Police Officer Melvina Bogard, Star Number 3018, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department (“Department”), which were in full force and effect on the date of the alleged violations:

- Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department’s efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 7: Insubordination or disrespect toward a supervisory member on or off duty.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10: Inattention to duty.
- Rule 11: Incompetency or inefficiency in the performance of duty.
- Rule 38: Unlawful or unnecessary use or display of a weapon.
- Rule 51(B): Failure to cooperate when called to give evidence or statements by any investigative branch or superior officer of the Chicago Police Department or the Police board when the evidence or statements sought relate specifically, directly and narrowly to the performance of his official duties. If the member properly asserts a constitutional privilege, he will be required to cooperate if advised that by law any evidence or statements given by him cannot be used against him in a subsequent criminal prosecution.

## SPECIFICATIONS

1. On or about February 28, 2020, at approximately 4:11 p.m., at or near 521 N. State St., Chicago, Illinois, in the Chicago Transit Authority’s (“CTA”) Red Line Train Station, Police Officer Melvina Bogard (“Bogard”) failed to comply with Department policy regarding Taser use when she discharged her Taser against Ariel Roman (“Roman”). Officer Bogard thereby violated:
  - a. 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;

- b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: General Order 03-02-04 (“Taser Use Incidents”);
  - c. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty;
  - d. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty; and/or
  - e. Rule 11, which prohibits incompetency or inefficiency in the performance of duty.
2. On or about February 28, 2020, at approximately 4:11 p.m., at or near 521 N. State St., Chicago, Illinois, in the CTA’s Red Line Train Station, Officer Bogard failed to comply with Department policy regarding Oleoresin Capsicum (“OC”) spray when she discharged her OC spray in the direction of Roman. Officer Bogard thereby violated:
  - a. 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;
  - b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: General Order 03-02-05 (“Oleoresin Capsicum (OC) Devices and Other Chemical Agency Use Incidents”);
  - c. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty;
  - d. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty; and/or
  - e. Rule 11, which prohibits incompetency or inefficiency in the performance of duty.
3. On or about February 28, 2020, at approximately 4:11 p.m., at or near 521 N. State St., Chicago, Illinois, in the CTA’s Red Line Train Station, Officer Bogard used deadly force that was not necessary to prevent death or great bodily harm from an imminent threat posed to Officer Bogard or another person, and was not necessary to prevent an arrest from being defeated where the person to be arrested posed an imminent threat of death or great bodily harm to Officer Bogard or another person unless arrested without delay, when she discharged her firearm and fired one or more shots in the direction of Roman striking Roman about the body. Officer Bogard thereby violated:
  - a. 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;
  - b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: General Order 03-02 (“Use of Force”);
  - c. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty;
  - d. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty; and/or
  - e. Rule 38, which prohibits unlawful or unnecessary use or display of a weapon.

4. On or about February 28, 2020, at approximately 4:11 p.m., at or near 521 N. State St., Chicago, Illinois, in the CTA's Red Line Train Station, Officer Bogard, without justification, fired one or more shots in the direction of Roman and in the presence of bystander(s). Officer Bogard thereby violated:
  - a. 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;
  - b. Rule 10, which prohibits inattention to duty;
  - c. Rule 11, which prohibits incompetency or inefficiency in the performance of duty; and/or
  - d. Rule 38, which prohibits unlawful or unnecessary use of display of a weapon.
  
5. On or about February 28, 2020, at approximately 4:11 p.m., or at or near 521 N. State St., Chicago, Illinois, in the CTA's Red Line Train Station, Officer Bogard failed to use de-escalation techniques when she attempted to stop and/or detain Roman. Officer Bogard thereby violated:
  - a. 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;
  - b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;
  - c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: General Order 03-02-01 ("Force Options").
  
6. On or about June 25, 2020, at the office of the Civilian Office of Police Accountability (COPA) located at 1615 W. Chicago Ave., Chicago, Illinois, Lieutenant Levester Denham gave Officer Bogard a direct order to cooperate with COPA's investigation regarding Log Number 2020-988 and, thereafter, Officer Bogard refused to answer questions regarding the matter which was the subject of Log Number 2020-988. Officer Bogard thereby violated:
  - a. 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
  - b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: General Order 08-01-02(II)(A)(2) ("Specific Responsibilities Regarding Allegations of Misconduct");
  - c. Rule 7, which prohibits insubordination or disrespect toward a supervisory member on or off duty; and/or
  - d. Rule 51(B), which prohibits failure to cooperate when called to give evidence or statements by any investigative branch or superior officer of the Chicago Police Department or the Police board when the evidence or statements sought relate specifically, directly and

narrowly to the performance of his official duties. If the member properly asserts a constitutional privilege, he will be required to cooperate if advised that by law any evidence or statements given by him cannot be used against him in a subsequent criminal prosecution.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Melvina Bogard, Star Number 3018, be discharged from the Chicago Police Department.

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FILED: April 06, 2021  
POLICE BOARD  
Case No. 21 PB 2991-1

## CHARGES AGAINST POLICE OFFICER BERNARD D. BUTLER

Police Officer Bernard D. Butler, Star Number 3036, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department (“Department”), which were in full force and effect on the date of the alleged violations.

- Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department’s efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 10: Inattention to duty.
- Rule 11: Incompetency or inefficiency in the performance of duty.

## SPECIFICATIONS

1. On or about February 28, 2020, at approximately 4:11 p.m., at or near 521 N. State St., Chicago, Illinois, in the Chicago Transit Authority’s (“CTA”) Red Line Train Station, Police Officer Bernard Butler (“Butler”), while in public stated to his partner Officer Melvina Bogard (“Bogard”) “shoot him,” or words to that effect, referring to Ariel Roman (“Roman”), after which Officer Bogard deployed Oleoresin Capsicum Spray and/or a firearm in the direction of Roman. Officer Butler thereby violated:
  - a. 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; and/or
  - b. Rule 11, which prohibits incompetency or inefficiency in the performance of duty.
2. On or about February 28, 2020, at approximately 4:11 p.m., at or near 521 N. State St., Chicago, Illinois, in the CTA’s Red Line Train Station, Officer Butler failed to comply with Department policy regarding Taser use when he discharged his Taser against Roman. Officer Butler thereby violated:
  - a. 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;
  - b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: General Order 03-02-04 (“Taser Use Incidents”);

- c. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty;
  - d. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty; and/or
  - e. Rule 11, which prohibits incompetency or inefficiency in the performance of duty.
  
3. On or about February 28, 2020, at approximately 4:11 p.m., at or near 521 N. State St., Chicago, Illinois, in the CTA's Red Line Train Station, Officer Butler grabbed Roman by his arm without justification and thus used unauthorized force against Roman. Officer Butler thereby violated:
  - a. 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;
  - b. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: General Order 03-02 ("Use of Force");
  - c. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty; and/or
  - d. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
  
4. On or about February 28, 2020, at approximately 4:11 p.m., at or near 521 N. State St., Chicago, Illinois, in the CTA's Red Line Train Station, Officer Butler recklessly grabbed Roman by his arm while Roman was standing along the edge of the platform next to the train tracks, placing Roman in danger of falling off the platform. Officer Butler thereby violated:
  - a. 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;
  - b. Rule 8, which prohibits disrespect to or maltreatment of any person, while on or off duty;
  - c. Rule 9, which prohibits engaging in any unjustified verbal or physical altercation with any person, while on or off duty;
  - d. Rule 10, which prohibits inattention to duty; and/or
  - e. Rule 11, which prohibits incompetency or inefficiency in the performance of duty.
  
5. On or about February 28, 2020, at approximately 4:11 p.m., or at or near 521 N. State St., Chicago, Illinois, in the CTA's Red Line Train Station, Officer Butler failed to use de-escalation techniques when he attempted to stop and/or detain Roman Officer Butler thereby violated:
  - a. 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;

- b. Rule 3, which prohibits any failure to promote the Department's efforts to implement its policy or accomplish its goals;
- c. Rule 6, which prohibits disobedience of an order or directive, whether written or oral, to wit: General Order 03-02-01 ("Force Options"); and/or
- d. Rule 11, which prohibits incompetency or inefficiency in the performance of duty.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Bernard D. Butler, Star Number 3036, be discharged from the Chicago Police Department.



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DAVID O. BROWN  
Superintendent of Police

APPROVED AS TO FORM:

*/s/ Theresa Smith Conyers*

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THERESA SMITH CONYERS  
Senior Counsel  
Labor Division

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