

COOK COUNTY SHERIFF'S MERIT BOARD

Sheriff of Cook County)	
)	
vs.)	
)	Docket No. 2036
Lashon Shaffer)	
Sheriff's Police Officer)	
Star # 435)	

DECISION

This matter coming on to be heard pursuant to notice before Kim R. Widup, Board Member, on June 14, 2018, the Cook County Sheriff's Merit Board finds as follows:

Jurisdiction

Lashon Shaffer, hereinafter Respondent, was appointed a Correctional officer on July 21, 1999, and then was promoted on July 10, 2000, as a Police Officer. Respondent's position as a Police Officer involves duties and responsibilities to the public; each member of the Cook County Sheriff's Merit Board, hereinafter Board, has been duly appointed to serve as a member of the Board pursuant to confirmation by the Cook County Board of Commissioners, State of Illinois, to sit for a stated term; the Board has jurisdiction of the subject matter of the parties in accordance with 55 ILCS 5/3-7001, *et seq*; and the Respondent was served with a copy of the Complaint and notice of hearing and appeared before the Board with counsel to contest the charges contained in the Complaint.

As a threshold matter, a proceeding before the Merit Board is initiated at the time the Sheriff files a written charge with the Merit Board, 55 ILCS 5/3-7012. A document is considered filed, in this case with the Merit Board, "when it is deposited with and passes into the exclusive control and custody of the [Merit Board administrative staff], who understandingly receives the same in order that it may become a part of the permanent records of his office." See *Dooley v. James A. Dooley Associates Employees Retirement Plan*, 100 Ill.App.3d 389, 395 (1981) (quoting *Gietl v. Commissioners of Drainage District No. One*, 384 Ill. 499, 501-502 (1943) and citing *Hamilton v. Beardslee*, 51 Ill. 478 (1869)); accord *People ex rel. Pignatelli v. Ward*, 404 Ill. 240, 245 (1949); *in re Annex Certain Terr. To the Village of Lemont*, 2017 IL App (1st) 170941, ¶ 18; *Illinois State Toll Highway Authority v. Marathon Oil Co.*, Ill. App. 3d 836 (1990) ("A 'filing' implies delivery of a document to the appropriate party with the intent of having such document kept on file by that party in the appropriate place." (quoting *Sherman v. Board of Fire & Police Commissioners*, 111 Ill. App. 3d 1001, 1007 (1982)); *Hawkyard v. Suttle*, 188 Ill. App. 168, 171 (1914) ("A paper is considered filed when it is delivered to the clerk for that purpose").

The original Complaint in this matter was filed with the Merit Board's administrative staff on July 20, 2017. Regardless of whether or not Merit Board Members were properly appointed during a given term, the Merit Board, as a quasi-judicial body and statutorily created legal entity, maintained at all times a clerical staff not unlike the Clerk of the Circuit Court (Administrative Staff). These Administrative Staff members receive and date stamp complaints, open a case file, assign a case number, and perform all of the functions typically handled by the circuit

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clerk's office. Just as a timely filed complaint would be accepted by the circuit clerk even if there were no properly appointed judges sitting on that particular day, so too was the instant Complaint with the Administrative Staff of the Merit Board. Accordingly, the Complaint filed on July 20, 2017, commenced the instant action, was properly filed, and will be accepted as the controlling document for calculating time in this case.

Findings of Fact

The Sheriff filed a complaint on July 20, 2017, and an amended complaint on January 25, 2018. The Sheriff is requesting termination.

Respondent testified that he had been employed by the Cook County Sheriff's Office for 19 years and currently works with the Sheriff's Police (TR43). He joined the Sheriff's Police in 2000 and attended numerous in-service training (programs) approximately two or three times a year, every year (TR44). Part of that training was to keep updated on regulations, policies and orders that are currently in effect (TR45). The Respondent said that it is his responsibility to keep up to date on the rules and policies of the Cook County Sheriff's Office (TR45). A violation of the rules, regulations, orders or policies of the Sheriff's Office would subject them to discipline (TR45).

The Respondent has known [REDACTED] ([REDACTED]) since 2015 after responding to a domestic call involving [REDACTED] and his wife, [REDACTED] (TR45). [REDACTED] obtained the Respondent's cell phone number during this timeframe while he was filling out reports for the domestic incident (TR46). The Respondent visited [REDACTED]'s home on approximately four occasions between December 15, 2015, and January 7, 2016 (TR47). The Respondent spoke with [REDACTED] approximately ten times during that timeframe (TR47). [REDACTED] gave the Respondent a key to his residence in early June 2016 (TR49). The Respondent was aware of [REDACTED]'s marital issues between December 15, 2015, and July 11, 2016. [REDACTED] told the Respondent that he thought his wife was cheating on him (TR51). The Respondent learned of [REDACTED]'s arrest at his residence on June 11, 2016, for aggravated criminal sexual assault of his wife, [REDACTED] (TR52). The Respondent spoke with [REDACTED]'s mother, [REDACTED] ([REDACTED]), after the arrest (TR52). The Respondent discussed with [REDACTED] that his wife ([REDACTED]) should recant her story of what transpired on June 11, 2016 (TR54). The Respondent had discussions with [REDACTED] about having [REDACTED]'s wife recant her testimony (TR54).

The Respondent was working July 7, 2016 (TR56) and was in uniform in a marked squad car (TR57). A call came for [REDACTED] in Des Plaines, (IL), which the Respondent knew to be the [REDACTED]' residence (TR57). The Respondent was not specifically called to the scene (TR58). The Respondent responded to the scene (TR58). When the Respondent arrived, Officer [REDACTED] and Sergeant [REDACTED] were already on the scene (TR59). The Respondent did not tell either Officer [REDACTED] or Sergeant [REDACTED] that he had been in touch with [REDACTED] outside of his professional duties (TR59). The Respondent did not tell Officer [REDACTED] or Sergeant [REDACTED] that [REDACTED] had his cell phone number and called him on numerous occasions (TR59). The Respondent did not tell Officer [REDACTED] or Sergeant [REDACTED] that [REDACTED] had given him a key to his house (TR59-60). The Respondent did not tell Officer [REDACTED] or Sergeant [REDACTED] that he had been to the [REDACTED] house within the last month for lunch (TR60).

The Respondent did not tell Officer [REDACTED] or Sergeant [REDACTED] that he knew the circumstances surrounding [REDACTED]'s arrest and incarceration in the Cook County Jail (TR60).

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The Respondent did not tell Officer [REDACTED] or Sergeant [REDACTED] that he had communicated with [REDACTED] regarding the charges against him in Cook County Jail (TR60).

The Respondent testified that prior to the call coming to dispatch for the incident on July 7, 2016, the Respondent had spoken with [REDACTED], [REDACTED]'s mother, either that morning or the day before (TR60). The Respondent discussed with [REDACTED] what to do if she was aware that someone had stolen items and she had an idea of who it was (TR61). The Respondent did not tell Sergeant [REDACTED] or Officer [REDACTED] that he knew [REDACTED] was the one making the allegations on July 7, 2016 (TR61). The Respondent did not tell them that he had previous conversations with [REDACTED] (TR62). The Respondent did not tell either Officer [REDACTED] or Sergeant [REDACTED] that he had discussed the issue of the alleged stolen vehicle and personal items inside the home with prior to her making the call (TR62). The Respondent did not tell either Sergeant [REDACTED] or Officer [REDACTED] that he had spoken to [REDACTED] on 9 to 10 occasions prior to July 7, 2016 (TR62).

The Respondent testified that [REDACTED] talked with him about [REDACTED]'s case (TR64). The Respondent was aware that Officer [REDACTED] was talking to [REDACTED] on [REDACTED]'s cell phone on July 7, 2016 (TR67). The Respondent spoke with [REDACTED] on July 7, 2016, for approximately 7 minutes (TR 67-68). [REDACTED] told the Respondent on July 7, 2016, that [REDACTED] ([REDACTED]) was thinking about recanting her story (TR68). The Respondent, during the conversation with detainee [REDACTED] on July 7, 2016, stated that he did not want to talk too much because he knew the conversation was being recorded (TR69-70). The Respondent stated to detainee [REDACTED] that he would go to [REDACTED]'s place of employment and "take it from there" (TR71).

The Respondent did accompany Officer [REDACTED] to Lutheran General Hospital (TR71). The Respondent was present when [REDACTED] was arrested (TR71). [REDACTED] was charged with criminal trespass to vehicle and theft (TR71). The Respondent spoke privately with [REDACTED] on July 7, 2016 (TR71). The Respondent understood that [REDACTED] was charged in her criminal case (TR73). The Respondent was aware that on August 23, 2016, the criminal charges were dismissed against [REDACTED] (TR73).

The Respondent was interviewed by OPR (Office of Professional Responsibility, Cook County Sheriff) on October 12, 2016 (TR73-74). The Respondent stated to OPR that [REDACTED] was just an acquaintance (TR74). The Respondent told OPR that [REDACTED] had told him that she was making payments on detainee [REDACTED]'s car (TR74). The Respondent told OPR that he did not give [REDACTED] advice on how to handle detainee [REDACTED]'s arrest (TR75).

The Respondent was interviewed a second time by OPR on January 20, 2017 (TR75). During the second OPR interview, the Respondent stated that he did speak with detainee [REDACTED] while he was incarcerated but was "to say hi" (TR75-76). The Respondent stated that he did not believe he lied to OPR but that he had just forgotten that he had spoken to [REDACTED] while he was incarcerated (TR76). The Respondent stated to OPR during the second interview after he heard the recorded conversation of July 7, 2016, that he believed that conversation with detainee [REDACTED] was unethical (TR76).

The Respondent admitted in his OPR interview that it was a violation of the Cook County Sheriff's Police Department policies to have that telephone conference (TR76). The Respondent testified that during the January 20, 2017, OPR interview, he admitted that he knew it was

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wrong to discuss detainee [REDACTED]'s criminal case with him shortly before going out to arrest [REDACTED] (TR77).

The Respondent testified he visited the [REDACTED] house on Memorial Day in 2016 without it being official business (TR78-79). The Respondent had been assigned to the Skokie District for approximately nine years (TR85). He testified as an officer on his beat, he gets to know residents within his district (TR90). He said as a cover car, you can roam freely, you can do traffic stops, premise stops, or when other officers get calls you back them up (TR92).

Officer [REDACTED], Sergeant [REDACTED] and another officer were present when the Respondent arrived on July 7, 2016, at the [REDACTED] household (TR97). [REDACTED] was present when he arrived (TR97) and was showing Officer [REDACTED] a court Order regarding certain possessions (TR98). The Respondent became aware that Officer [REDACTED] was talking to [REDACTED] (TR99-100). The Respondent knew it was detainee [REDACTED] on the phone prior to him being handed the phone by [REDACTED] (TR100). [REDACTED] told him that [REDACTED] had taken the specific items and the vehicle on July 7, 2016 (TR102). The Respondent did not do anything to try and stop Officer [REDACTED] from arresting [REDACTED] (TR103-104) The Respondent did not have any conversations with Officer [REDACTED] about the arrest of [REDACTED] while on the scene (TR104).

The Respondent learned that [REDACTED] was incarcerated either June 15th or June 16th (TR106). The Respondent learned of [REDACTED]'s arrest from [REDACTED] (TR109).

The Respondent has been a police officer for 19 years, has gone through all the appropriate training, carries a gun to work, and is exposed to potentially very dangerous situations (TR114). The Respondent admitted that in assisting Officer [REDACTED] it would be important for him to tell her about the domestic background between [REDACTED] and [REDACTED] (TR116). The Respondent admits it was crucial to tell the responding Officer [REDACTED] why [REDACTED] was in the Cook County Department of Corrections after having been charged with numerous felonies including aggravated criminal sexual assault of [REDACTED] (TR116). [REDACTED] called the Respondent shortly after his arrest ([REDACTED]'s) (TR117).

The Respondent admitted in his testimony that taking the key from [REDACTED] was inappropriate (TR325). The Respondent said he spoke by telephone to [REDACTED] approximately five times (TR328). The Respondent learned on July 7, 2016, during his conversation with [REDACTED] that he was on a recorded Securitas Cook County Jail call and that [REDACTED] was incarcerated (TR329-330). The Respondent said he told OPR that he went to [REDACTED]'s house for a barbeque (TR340). The Respondent testified that he returned to [REDACTED]'s house approximately a day or two later to return a water bottle, but he did not return the key (TR341). The Respondent said he did not disclose to OPR that he had contacted [REDACTED] on several occasions (TR341-342).

OPR Investigator [REDACTED] (Investigator [REDACTED]) was assigned to investigate this case (TR121). OPR Investigator [REDACTED] has been with the OPR for more than eight years (TR120). Investigator [REDACTED] reviewed the complaint register, performed interviews, reviewed reports, court orders and conducted additional interviews (TR121-122). Investigator [REDACTED] interviewed Sergeant [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED] and the Respondent (TR122). The OPR interview of the Respondent was recorded and summarized in a report and was made part of the record (TR123). During the interview process with the Respondent, all the appropriate forms were completed, including right

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to counsel, the actual complaint allegations against him and his right to have a union representative present (TR124). The Respondent signed all of the appropriate forms including Exhibit 2 (TR126). The audio recording in Exhibit 5 is a true and accurate account of the interview from October 12, 2016, of the Respondent (TR128). A second recorded interview (Exhibit 6) occurred with the Respondent and OPR after additional investigation revealed additional facts (TR129).

Investigator [REDACTED] testified the second interview was prompted by the revelation to Investigator [REDACTED] by Officer [REDACTED] that she had spoken with detainee [REDACTED] on the date of the arrest of [REDACTED] (TR129). Investigator [REDACTED] pulled all of the Securus tapes for inmate [REDACTED] (TR129). Investigator [REDACTED] said he heard the conversation [REDACTED] had with [REDACTED] as well as the conversation between the Respondent with [REDACTED] the same day (TR130). The second interview of the Respondent took place on January 20, 2017 (TR130). The allegations from OPR against the Respondent were that on July 7, 2016, he improperly arrested [REDACTED] for theft and criminal trespass to a motor vehicle at her place of employment, that the Respondent did not use every lawful means at his disposal to investigate [REDACTED]'s arrest, and that he was not truthful in his OPR interview on October 12, 2016, about this incident (TR131-132). Investigator [REDACTED] advised the Respondent that based on his investigation he was alleging that the Respondent was untruthful to OPR (TR132). Exhibit 6 is the recording of the second interview of the Respondent (TR132).

Investigator [REDACTED] determined that the Respondent improperly contacted a detainee at the Cook County Jail prior to assisting in the arrest of [REDACTED] (TR134). Investigator [REDACTED] determined that the Respondent violated Sheriff's Police General Order ROC-00-4.2, which states no member of the Department will make false official records reports, will report any inaccurate, false or improper information (TR134); the Respondent violated Police Order ROC-00-12.28, which states, except as part of their official duties members will not reveal the existence of or any information regarding Department projects, investigations or operations aimed at the apprehension of criminals or control or suppression of vice activities (TR134-135); the Respondent violated Cook County Sheriff Police General Order ROC-00-12.9 (TR139); the Respondent violated Cook County Sheriff Police General Order ROC-00-13.1 (TR139); the Respondent violated Cook County Sheriff Police General order ROC-00-13.26 (TR136); and that the Respondent violated Article X of the Merit Board's Rules and Regulations (TR136).

Investigator [REDACTED] determined that the arrest of [REDACTED] was not proper (TR143) and that the Court Order (Exhibit 8) did not prohibit [REDACTED] from being at [REDACTED], Des Plaines (TR146). The only recording (Exhibit 7) between the Respondent and detainee [REDACTED] that Investigator [REDACTED] located was the one from July 7, 2016 (TR149).

Detective [REDACTED] testified that she has been employed with the Cook County Sheriff's Office since 2013 (TR164). Detective [REDACTED] worked with the Respondent in Skokie (TR166). On July 7, 2016, Detective [REDACTED] received a call from dispatch regarding a vehicle and property missing at [REDACTED], in Des Plaines (TR166), at the location she met with [REDACTED] the mother of [REDACTED] (TR166-167), and was joined at the location were by the Respondent, Officer [REDACTED], Officer [REDACTED] and Sergeant [REDACTED] (TR167). [REDACTED] was reporting that a vehicle and property were stolen (TR167). Detective [REDACTED] was shown a civil Order by [REDACTED] regarding ownership of certain property while [REDACTED] was incarcerated (TR168). During Detective [REDACTED]'s investigation, she determined that the vehicle was in the possession of [REDACTED] (TR168).

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Detective [REDACTED] learned that [REDACTED] was the daughter-in-law of [REDACTED] (TR168) who alleged items were taken from the residence by [REDACTED] (TR169). During the investigation, Detective [REDACTED] spoke with [REDACTED] and briefly spoke with detainee [REDACTED] on the phone (TR169). Detective [REDACTED] understood that [REDACTED] was incarcerated at the time she spoke with him (TR169). [REDACTED] signed a complaint and the automobile was located later that day (TR170). Detective [REDACTED] and the Respondent went to Lutheran General Hospital where [REDACTED] worked (TR170). The Respondent told Detective [REDACTED] that he knew [REDACTED] and [REDACTED] but did not tell her the extent of his knowledge of these individuals (TR171-172). The Respondent did not tell Detective [REDACTED] that he had been in touch with [REDACTED] outside of his capacity as a Cook County police officer (TR171-172); he did not tell Detective [REDACTED] that [REDACTED] had the Respondent's cell phone number and had given him a key to detainee [REDACTED]'s residence (TR172-173); did not tell Detective [REDACTED] that he had gone to the [REDACTED] location for a meal with [REDACTED] outside of work (TR173); and the Respondent did not tell Detective [REDACTED] that he knew the circumstances surrounding Young's arrest and incarceration (TR173).

Detective [REDACTED] testified all of these facts would have been relevant to her investigation (TR173). It would have been relevant to her investigation had she known that [REDACTED] had been charged with numerous felony charges including aggravated criminal sexual assault of his wife, [REDACTED] (TR173). It would have been relevant to her investigation to know that the Respondent and detainee [REDACTED] were discussing the possibilities of [REDACTED] recanting her story in the criminal case (TR174). She testified the Respondent never disclosed to her that he communicated with [REDACTED] regarding his charges while he was incarcerated in the Cook County Jail (TR174). The Respondent did not disclose to her that he knew [REDACTED]'s mother [REDACTED] or that he had spoken to [REDACTED] approximately 9 to 10 times prior to arriving on the scene on July 7, 2016 (TR175). The Respondent never disclosed to Detective [REDACTED] that he had discussed detainee [REDACTED]'s pending criminal felony charges with [REDACTED] (TR175). The Respondent did not disclose to her that he had spoken with [REDACTED] either the morning of July 7, 2016, or the day before (TR175).

Detective [REDACTED] testified that the Respondent did not disclose to her that the Respondent had known several days prior to July 7, 2016; that [REDACTED] was, in fact, driving the subject vehicle; and this information would have been important for the purposes of her investigation (TR175). She stated that having all of this information would have been important for the investigation and likely changed her actions (TR175-176).

Detective [REDACTED] said engaging in community policing does not include going to citizen's homes for meals (TR176); community policing does not involve random citizens giving officers keys to their homes (TR177); community policing does not involve citizens sharing their marital problems when not related to the call for domestic abuse (TR177); community policing does not involve disclosing personal family members with random citizens (TR177-178); and community policing does not include communicating with citizens who are detainees at the Cook County Department of Corrections on criminal felony charges (TR178). Detective [REDACTED] testified she does not trust the Respondent and if asked by supervisors she would not want to work with him again (TR181). Detective [REDACTED] believed she had probable cause to arrest [REDACTED] based on the information she had from [REDACTED] and the documentation provided by her (TR196). The OPR interview with Detective [REDACTED] and detainee [REDACTED] was played and admitted into evidence (TR202).

Sergeant [REDACTED] has been employed with the Sheriff's Office since 1995 and the Police Department since 1999 (TR215). Sergeant [REDACTED] was on duty on July 7, 2016 and

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responded to the [REDACTED] address in Des Plaines (TR216), where Detective [REDACTED] and the Respondent were present when he arrived (TR218). The Respondent disclosed to Sergeant [REDACTED] that he knew [REDACTED] and [REDACTED] but that he did not elaborate on his relationship (TR220). The Respondent did not disclose to Sergeant [REDACTED] that he kept in touch with [REDACTED] (TR221); did not disclose to him that [REDACTED] had the Respondent's cell phone number, had called that cell phone on numerous occasions and that he had a key to [REDACTED]'s residence (TR221-222); the Respondent did not disclose to him that prior to the incident on July 7, 2016, he had been invited to [REDACTED]'s home for a meal and that he knew the circumstances surrounding [REDACTED]'s arrest (TR222). Sergeant [REDACTED] said it would have been relevant facts to his investigation had he known that [REDACTED] was incarcerated after being arrested for aggravated criminal sexual assault of his wife, [REDACTED] (TR222). The Respondent did not disclose to him that he communicated with detainee [REDACTED] regarding his charges in Cook County or that he knew and spoke with [REDACTED]'s mother, [REDACTED] (TR224). The Respondent did not disclose to Sergeant [REDACTED] that he had spoken to [REDACTED] regarding [REDACTED]'s pending criminal charges or that he had spoken to her either on or the day before July 7, 2016 (TR224-225). The Respondent did not disclose to Sergeant [REDACTED] for several days prior to July 7, 2016 that [REDACTED] had taken the vehicle in question (TR225). He testified that this information would have been relevant and important for him to know regarding this investigation as it presented a clear conflict of interest based on the intimate relationship of the parties (TR225).

He testified that community policing does not include going to citizen's homes for meals (TR226); community policing does not involve having random citizen's give you their keys, their personal cell phones, discussing the marital issues or domestic disputes or officers giving their opinions on someone's marital status or personal physical relationship (TR227); and that community policing does not include communicating with citizens who are incarcerated in the Cook County Department of Corrections on felony charges (TR227-228). Sergeant [REDACTED] said he does not trust the Respondent and given a choice in the future would not work with the Respondent (TR228). Sergeant [REDACTED] was interviewed by OPR investigator [REDACTED] regarding this incident and agrees with the summary of his interview (TR234).

[REDACTED] testified she was present at [REDACTED] on July 7, 2016, and the residence was that of her son, [REDACTED] and his first wife, [REDACTED] (TR243-244). [REDACTED] was at [REDACTED] on July 7, 2016, because her son's lawyer told her to have [REDACTED] arrested for taking the car (TR247). She said she called the Sheriff's Office to have an officer come to [REDACTED] because they wanted to get [REDACTED] arrested for stealing her son's car (TR250). [REDACTED] relayed to [REDACTED] on the phone on July 7, 2016, while he was incarcerated that the Respondent had arrived at their house (TR252-253). She gave the phone to the Respondent and he spoke with [REDACTED] (TR253). [REDACTED] did not believe the property stolen belonged to [REDACTED] (TR257-258). She said [REDACTED] was arrested for aggravated criminal sexual assault of [REDACTED] (TR 269). [REDACTED] said she has the Respondent's personal cell phone number (TR270); she has called the Respondent about [REDACTED]'s arrest (TR270); she received the Respondent's telephone number in December 2015 (TR275); and she called the Respondent on June 13th or 14th after [REDACTED] was arrested (TR276).

[REDACTED] testified that [REDACTED]'s case was dismissed, and she was at the court date (TR285). She told the State's Attorney prosecuting [REDACTED]'s case that it was none of her business how she knew the Respondent (TR286). [REDACTED] said she was not present at the time [REDACTED] was arrested for the assault of [REDACTED] and does not know specifically what property was present that night (TR287-288). [REDACTED] entered the home at [REDACTED] in Des Plaines on or about June 17,

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2016, at the direction of her son to make a list of items that he believed were missing from the home and had been taken by [REDACTED] (TR294-296). [REDACTED] did not see [REDACTED] remove any of these items (TR296). [REDACTED] said she handed the phone on July 7, 2016, to the Respondent who then talked with detainee [REDACTED] (TR299). She handed the phone to the Respondent because [REDACTED] asked her to (TR300).

The Respondent testified he did not know of marital problems (between [REDACTED] and [REDACTED] at the time he was given a key to their home (TR50). The Respondent denies that his relationship with [REDACTED] was outside of his scope of Cook County Sheriff police officer (TR51). The Respondent stated that he did not tell [REDACTED] to tell [REDACTED] that his wife needed to recant her story for him to get out of jail (TR56). The Respondent stated to OPR that he only met [REDACTED] once (TR74). The Respondent told OPR he did not have contact with detainee [REDACTED] while he was incarcerated with Cook County Department of Corrections (TR75). Phone records of the Cook County Jail of July 7, 2016 (Exhibit 7) show a recording between the Respondent and [REDACTED]

The Respondent testified that he was being honest to OPR when he stated he did not talk to [REDACTED] while he was incarcerated (TR330). The Respondent said he did not remember talking with detainee [REDACTED] on July 7, 2016, and that is why he answered the way he did at OPR (TR331).

Conclusion

The Board finds by a preponderance of the evidence through the testimony of the witnesses; the audio tape recordings of the Respondent's interviews with OPR on October 10, 2016 (Exhibit 5) and January 20, 2017 (Exhibit 6); and the supporting evidence that the Respondent was less than credible in his testimony, provided false information to OPR, attempted to improperly influence the testimony of a witness in a criminal matter, attempted to obstruct an ongoing investigation being conducted by his agency, failed to provide accurate and complete information during an ongoing investigation, maintained an inappropriate personal relationship with members of the public by using his official position to improperly influence the outcome of an official investigation and conducted other improper activities by the misuse of his official position. The Respondent told OPR he did not have contact with detainee [REDACTED] while he was incarcerated with Cook County Department of Corrections. This is contradicted by the Cook County Jail phone records of July 7, 2016 (Exhibit 7).

The Board further finds that Respondent Lashon Shaffer, did violate Cook County Sheriff's Police Department General Order ROC-00-01-A, Section IV, 4.2, Section XII, 12.9 & 12.28, Section XIII 13.1, 13.26 & 13.28; Cook County Sheriff's Police Department Law Enforcement Services Manual Policy 321, Sections 321.2, 321.3, 321.4, 321.5, 321.5.2 (f) & (h), 321.5.5 (c), (g), (l), (m), (v), (x) 3, (ac) 1-2, (ad), (am), (aq); and Article X, Paragraph B, 1-3, of the Rules of the Cook County Sheriff's Merit Board.

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Order

Wherefore, based on the foregoing, it is hereby ordered that Respondent Lashon Shaffer be separated from the Cook County Sheriff's Office effective July 25, 2017.



James P. Nally, Chairman



Byron Brazier, Vice Chairman



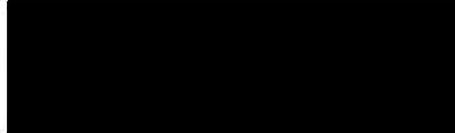
John J. Dalicandro, Secretary



Patrick M. Brady, Board Member



Vincent T. Winters, Board Member



Kim R. Widup, Board Member



Juan L. Baltierres, Board Member



Gray Mateo-Harris, Board Member

Dated: December 14, 2018