

COOK COUNTY SHERIFF'S MERIT BOARD

Sheriff of Cook County)	
)	
vs.)	
)	Docket No. 1842
Enrique Meza, Jr.)	
Correctional Officer)	
Star # 16542)	

DECISION

This matter was remanded back to the Cook County Sheriff's Merit Board (Board) on March 19, 2019, by the Honorable Sophia H. Hall, Judge, Cook County Circuit Court, for the reconsideration of the penalty phase of the Board's original order in this matter. The Court directed the Board review the matter regarding Respondent Enrique Meza's (Respondent) conduct as addressed in the hearing before Kim R. Widup, Board Member, on June 23, 2016, without consideration of certain hearsay evidence that was admitted in front of the Board. The Court further ordered that the Board prepare its penalty phase order based on evidence regarding the Respondent's "*uncooperativeness, the gun in the car and being intoxicated*" (page 31 of hearing transcript in front of the Honorable Judge Hall on March 19, 2019). The Board has heard the evidence presented by the Sheriff and the Respondent and has evaluated the credibility of the witnesses and supporting evidence. The initial decision of the Board is incorporated in this decision by reference without any reliance upon hearsay evidence and the Cook County Sheriff's Merit Board finds as follows:

Jurisdiction

Enrique Meza, Jr., hereinafter Respondent, was appointed a Correctional Officer for the Cook County Department of Corrections (CCDOC) on October 12, 2010. Respondent's position as a Correctional Officer involves duties and responsibilities to the public; and

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; and

The Board has jurisdiction of the subject matter of the parties in accordance with Chapter 55 of the Illinois Compiled Statutes; and

The Respondent was personally 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.

Background

On October 12, 2010, the Respondent was appointed a Correctional Officer. On January 27, 2011, the Respondent was assigned to Division VI of the CCDOC, 2801 S. Sacramento Avenue, Chicago, IL. On November 1, 2012, the Respondent was assigned to Division X of the CCDOC, 2950 S. California Avenue, and on August 26, 2013, the Respondent was assigned to Division VIII of the CCDOC, 2800 S. California Avenue, Chicago, IL.

Complaint of the Sheriff, dated October 21, 2015, alleged, in pertinent part:

On April 15, 2012, at approximately 03:52 hours, while off duty, the Respondent was involved in a physical fight with [REDACTED] ([REDACTED]) at the Atlantis Gentlemen's Club (Atlantis), 1897 Stony Island, Ford Heights, IL. During the fight the Respondent kicked [REDACTED] in the groin area.

On April 15, 2012, as Security personnel from Atlantis attempted to handcuff the Respondent, he broke free, ran toward [REDACTED] and kicked [REDACTED] in the head twice, causing further injury to [REDACTED].

On April 15, 2012, the Respondent was arrested by the Police Officer [REDACTED], Cook County Sheriff's Police Department (CCSPD). Officer [REDACTED] detected a strong odor of alcohol coming from Respondent as he was being handcuffed during his arrest. The Respondent was charged with the offense of Battery in violation of 720 ILCS 5/12-3(a)(2).

On April 15, 2012, the Respondent's duty weapon, a Glock 17 9MM semi-automatic handgun (serial # [REDACTED]), was found unsecured and inside the trunk of the Respondent's vehicle. During his arrest processing, the Respondent was uncooperative with CCSPD and he threatened to file a lawsuit against all the officers involved in the arrest. The Respondent failed to maintain a professional demeanor and the Respondent's conduct throughout the incident was unbecoming of an officer of the Cook County Sheriff's Office.

On January 15, 2014, the Respondent was interviewed and provided a signed statement to investigators from the Cook County Sheriff's Office of Professional Review (OPR). The Respondent falsely reported that he was knocked unconscious when he was head butted by one man. The Respondent falsely reported to investigators from the OPR that when he woke up he was in handcuffs and taken into custody by the CCSPD. The Respondent further falsely reported to investigators from the OPR that he did not kick [REDACTED] either in the groin or in the head.

Issues Presented

By complaint dated October 21, 2015, upon a finding of guilt, the Petitioner sought the removal of the Respondent from the Cook County Sheriff's Department.

The Respondent was charged based on his actions detailed above with violations of the Rules and Regulations and General Orders of the Cook County Sheriff's Department,

specifically that the Respondent violated General Order 4.1, Section III, A5&17; General Order 3.8, Section III, A1&4, B6, and D6; Sheriff's Order 09-1, Sections II, IV, A-C, and VI; Sheriffs Order 11.2.20.0, Sections II and VI, A2, D25, H4 and I1; and Article X, Paragraph B1 and 3, of the Rules of the Cook County Sheriff's Merit Board.

This matter was called for trial on June 23, 2016, after the case was continued on several occasions based upon the needs of the Petitioner (Sheriff) and/or the Respondent's request through counsel, and the completion of all discovery matters. At the trial, with a court reporter being present, all witnesses were sworn under oath. The Respondent did testify. During the trial documents were introduced by the Sheriff and the Respondent that were received into evidence. The Sheriff and Respondent made closing arguments addressing issues in the trial.

Decision

The Board finds by a preponderance of the evidence through the testimony of the witnesses; the Respondent's interview with OPR (Exhibit 2); the Respondent's own testimony; and the supporting evidence that the Respondent left his service weapon unattended in his vehicle, while he was in a strip club/bar consuming at least two mixed vodka drinks. The Respondent admitted that he had a low tolerance to alcohol and further admitted he was intoxicated from the amount of alcohol he consumed. The Respondent admitted he was in a fight with [REDACTED], but his recollection of the fight was inconsistent with the facts.

The Respondent's Cook County ID and star were recovered from him at the scene of the bar fight. The Respondent's service weapon was later recovered from the trunk of his car after being towed to the Markham Station from the bar.

The Respondent's conduct; his consumption of alcohol while knowing he had a low tolerance of alcohol; bringing his weapon with him while knowing in advance he was going to a bar; securing his weapon in the trunk of his personal vehicle in the parking lot of a bar/strip club; knowing the CCSO prohibition of leaving a weapon unattended; getting in a fight at a bar after consuming alcohol; attempting to use his position as a law enforcement officer to mitigate the situation; being arrested after consuming alcohol and fighting; and his failure to be candid with OPR, were not in compliance with the standards set for and expected of members of the CCSO.

Based on the evidence presented and after reassessing the credibility of the witnesses and the weight to be given the evidence in the record as directed by the Circuit Court in the remanding of this case back to the Board for the penalty phase, the Board finds that Respondent Enrique Meza, Jr., Star Number 16542, Correctional Officer, CCDOC, did violate General Order 4.1, Section III, A5&17; General Order 3.8, Section III, A1&4, B6, and D6; Sheriff's Order 09-1, Sections II, IV, A-C, and VI; Sheriffs Order 11.2.20.0, Sections II and VI, A2, D25, H4 and I1; and Article X, Paragraph B1 and 3, of the Rules of the Cook County Sheriff's Merit Board.

Wherefore, based on the foregoing, it is hereby ordered that the Respondent Enrique Meza, Jr., be and is separated from employment with the Cook County Sheriff's Office effective October 21, 2015.

Enrique Meza Jr. #1842
Correctional Officer

[Redacted]

James P. Nally, Chairman

[Redacted]

John Dalicandro, Secretary

[Redacted]

Vincent T. Winters, Board Member

[Redacted]

Patrick M. Brady, Board Member

[Redacted]

Byron Brazier, Vice-Chairman

[Redacted]

Kim R. Widup, Board Member

[Redacted]

Juan L. Baltierres, Board Member

Kimberly Pate Godden, Board Member

Date 5/17/19