## COOK COUNTY SHERIFF'S MERIT BOARD

Sheriff of Cook County	)	
	)	
VS.	)	
	)	Docket No. 2278
Marvin K. Anderson		
<b>Deputy Sheriff</b>		
Star # 16084		

#### **DECISION**

This matter coming on to be heard pursuant to notice before Terrence Walsh, Board Member, on March 14, 2023, the Cook County Sheriff's Merit Board finds as follows:

## Jurisdiction

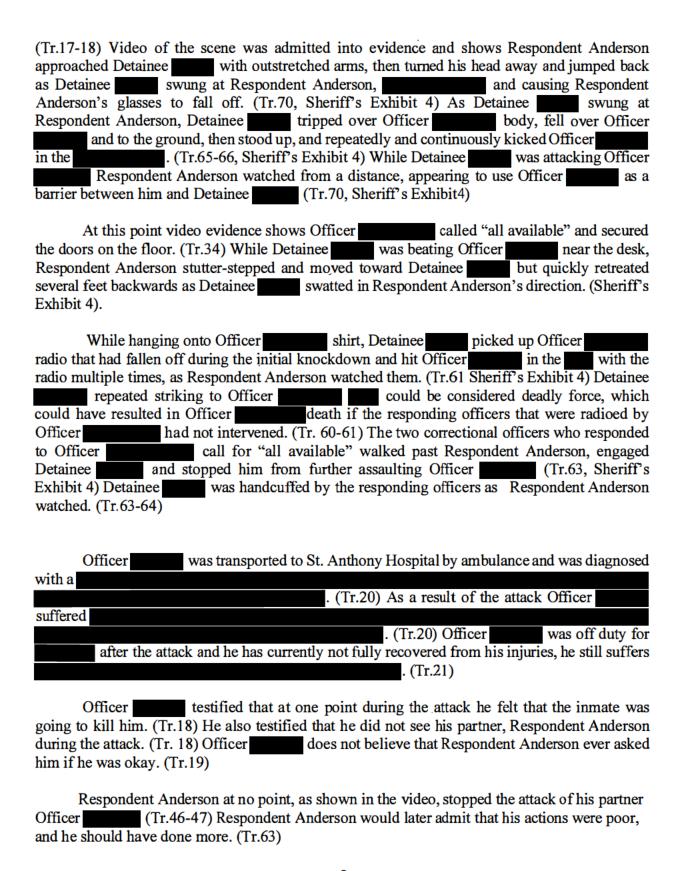
Marvin K. Anderson, hereinafter Respondent Anderson, was appointed a Deputy Sheriff on September 18, 2006. Respondent Anderson's position as a Deputy Sheriff involves duties and responsibilities to the public; each member of the Cook County Sheriff's Merit Board, hereinafter Board, has been duly appointed 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 Respondent Anderson 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.

# **Findings of Fact**

The Sheriff filed a complaint on February 10, 2022. The Sheriff is requesting termination.

On Sep	tember 18, 2006 Respond	dent Anderson wa	s appointed a Depu	ıty Sheriff. On April
5, 2020, Respo	ondent Anderson was as	signed to the Co	ok County Departs	ment of Corrections
("CCDOC") as	a correctional officer. C	On August 29, 202	20, at or around 1:	28 AM, Respondent
Anderson was	working overtime in D	oivision II of Coo	ok County Departi	nent of Corrections
("CCDOC"), in	the Officers' Desk area	in the hallway wi	th two other correct	ctional officers,
("Offi	cer and	("Of	ficer	(Tr. 13-14) When
the officers we	re at the desk an inmate	e ("Detainee	approached the	e desk and began to
	Officer			
would pay for	'that". (Tr.14) Officer	stood up ar	nd gave Detainee	a verbal order
to stop and to re	eturn to his tier. (Tr.15-16)	6) Detainee	initially complied	and Officer
and Responder	t Anderson escorted hin	n toward his tier.	(Tr. 16) As they a	approached the door
Detainee	struck Officer	causing him to	fall to the floor. (	Tr.16) At this point
Detainee	continuously struck ar	nd kicked Officer	while he	was on the ground.

Respondent Marvin K. Anderson Deputy Sheriff Star #16084



Respondent Marvin K. Anderson Deputy Sheriff Star #16084

#### Conclusion

Based on the evidence presented, and after assessing the credibility of witnesses and the weight given by the evidence in the record, the Board finds, by a preponderance of the evidence, that Respondent Anderson did violate the Cook County Sheriff's Department Rules and Regulations, specifically:

Respondent Anderson violated the CCDOC Conduct policy when he neglected his duty to assist his partner Officer and failed to take any substantial actions when Detainee was violently attacking Officer on August 29, 2020. Furthermore, Respondent Anderson violated the CCDOC Conduct Policy when he jeopardized the health, safety and welfare of CCDOC members and the facility on August 29, 2020. Respondent Anderson failed to conduct himself while on duty in such a manner to reflect favorably on the Cook County Sheriff's Office and failed to maintain a professional demeanor and Respondent Anderson's conduct was unbecoming of an Officer of the Cook County Sheriff's Office.

Respondent Anderson's conduct and inaction are in violation of:

#### COOK COUNTY DEPARTMENT OF CORRECTIONS CUSTODY MANUAL

Any failure or refusal of a member to properly perform the function and duties of an assigned position.

Furthermore, the RESPONDENT's actions violated the Rules and Regulations of the Cook County Sheriff's Merit Board, specifically:

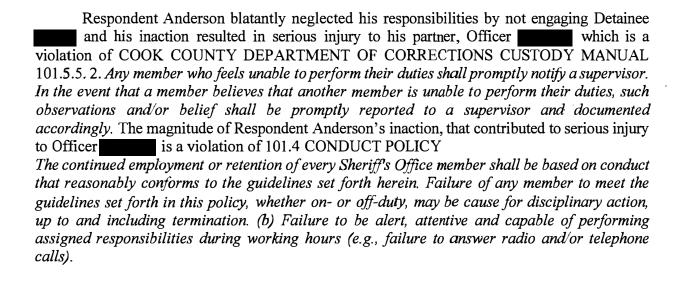
COOK COUNTY SHERIFF'S DEPARTMENT MERIT BOARD RULES AND REGULATIONS, in its entirety, including but not limited to, the following subparts:

Article X, Paragraph B

No Police Officer, Police Sergeant, Police Lieutenant of the Cook County Sheriff's Police Department, Correctional Officer, Correctional Sergeant, Correctional Lieutenant, Correctional Captain of the Cook County Department of Corrections or Deputy Sheriff, Deputy Sergeant, Deputy Lieutenant of the Cook County Sheriff's Court Services Department will:

3. Violate any of the Sheriff's Executive Orders, General Orders, Special Orders, Directives, Rules and Regulations of the Cook County Sheriff's Department or Cook County Sheriff's Merit Board Rules and Regulations.

Respondent Marvin K. Anderson Deputy Sheriff Star #16084



The evidence presented sustains the charges filed against him. Respondent Anderson, during his interview with Investigator , stated that he did not use force and he gave multiple reasons why he did not use force. (Tr.81) One reason he gave for not using force to help protect his partner was because the department failed to provide him with sufficient defensive tactics training. (Tr. 89) This is not convincing because the officers who arrived on the scene were able to immediately remedy the situation and take Detainee into custody. Respondent Anderson also testified that Officer talked down to Detainee which caused Detainee to react the way he did. (Tr.81-83) Respondent Anderson went on to say that he would not have had any problems if he had handled the situation. (Tr.81-83) Respondent Anderson's inability to take any responsibility for his inaction and to go on to blame the department and even his seriously injured partner, Officer show that he is not remorseful.

#### Order

Wherefore, based on the foregoing, it is hereby ordered that Respondent Marvin K. Anderson be terminated from the Cook County Sheriff's Office effective February 10, 2022.

JOHN J. DALICANDRO, Chairman BYRON BRAZIER, Vice-Chairman VINCENT T. WINTERS, Secretary KIMBERLY PATE GODDEN, Board Member TERRENCE J. WALSH, Board Member MARLA M. KAIDEN, Board Member WADE INGRAM SR. Board Member JAMES J. SEXTON, Board Member



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# COOK COUNTY SHERIFF'S MERIT BOARD

69 West Washington - Suite 1100 Chicago, IL 60602

Marvin K. Anderson Deputy Sheriff Docket No. 2278

This Decision is adopted and entered by a majority of the Members of the Merit Board:

Voted Yes:

John J. Dalicandro, Byron Brazier, Vincent T. Winters, Kimberly Pate Godden, Terrence J. Walsh, Marla M. Kaiden, Wade Ingram Sr. and James J. Sexton

Voted No: None

Not Present: None

DATED AT COUNTY OF COOK, STATE OF ILLINOIS, THIS 10th DAY OF JULY, 2023.