

COOK COUNTY SHERIFF'S MERIT BOARD

IN THE MATTER OF:)
)
CORRECTIONAL OFFICER) **Docket Number: 1942**
DELPHINE BRIDGES)
EMPLOYEE # [REDACTED])
STAR # 14268)
)
Respondent.)

DECISION

This matter coming on to be heard pursuant to notice before Juan Leonardo Baltierres, Board Member, on June 11, 2018; July 20, 2018; August 1, 2018 and August 2, 2018, the Cook County Sheriff's Merit Board finds as follows:

Jurisdiction

DELPHINE BRIDGES, hereinafter Respondent, was appointed a Correctional officer in January 26, 1990. Respondent's position as a Correctional 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. Comminssioners 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 November 29, 2016. Regardless of whether or not Merit Board Members were properly

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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 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 commencing 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 November 29, 2016 and an amended complaint on January 23, 2018. The Sheriff is requesting termination of employment.

On January 16, 1990, Correctional Officer Delphine Bridges (hereinafter referred to as "Officer Bridges") was appointed a Correctional Officer (Tr. at 271 and 272). On August 24, 2015, Officer Bridges was assigned as "core officer" for "C-POD" at the Cook County Jail – Division 11, located at 2650 South California, Chicago, Illinois 60608.

On or about November 2015, Officer Bridge's case was assigned to the Cook County Sheriff's Office of Professional Review, Investigator [REDACTED] (hereinafter referred to as "Investigator [REDACTED]") (Tr. at 49 thru 55). Investigator [REDACTED] obtained copies of [REDACTED]'s (hereinafter referred to as "Detainee [REDACTED]") inmate grievance, reviewed Securus phone calls, videos, medical records and interviewed all relevant witnesses. (Tr. at 51 through 58)

Investigator [REDACTED] interviewed Correctional Officer Bridges who provided an audio-recorded statement (Tr. at 72 and 73, Sheriff Ex. 4). Officer Bridges stated to Investigator [REDACTED] that she did not knock or slap a property bag from detainee [REDACTED]'s (hereinafter referred to as "Detainee [REDACTED]") hand and denied striking Detainee [REDACTED] in the face with her keys (Tr. at 80 and 81). Investigator [REDACTED] testified that she reviewed several videos (approximately 5) of the dayroom and the hallway with different angles as part of her investigation. (Tr. 58, Sheriff Ex 13). Investigator [REDACTED] testified that at the 13:43:34 time marker of the video Officer Bridges is observed knocking a bag from Detainee [REDACTED]'s hand (Tr. 60). Investigator [REDACTED] further testified that Officer Bridges is observed kicking that same bag and spilling its contents (Tr. 62). At the time this is occurring, Detainee [REDACTED] is facing Officer [REDACTED] (hereinafter referred to as "Officer [REDACTED]") and Officer Bridges and his hands are at his sides, palms open and up, and is complying with their direction (Tr. 62). Investigator [REDACTED] further testified that the video shows that while Officer [REDACTED] was attempting to handcuff Detainee [REDACTED] in the front, Officer Bridges stops him and grabs Detainee [REDACTED]'s wrists and turned him to the back. (Tr. 63). At that time Sgt. [REDACTED] (hereinafter referred to as "Sergeant [REDACTED]") came into the picture on the video after Detainee [REDACTED] had been turned around and was being handcuffed in the back. (Tr. 64). The video next shows Detainee [REDACTED] handcuffed behind the back walking around the indoor recreation space by himself. (Tr. 66). Investigator [REDACTED] testified

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that the cameras worked in such a way that they pan from right and left at various times and that it does not appear that the video captured the excessive force that Respondent Bridges used on the detainee (Tr. 68 and 69). Investigator [REDACTED] testified that the video does not show Detainee [REDACTED] at any time making any offensive contact with Respondent Bridges and that the video corroborates Detainee [REDACTED]'s complaint register regarding his interactions with Respondent Bridges (Tr. 69).

Mr. [REDACTED] (hereinafter referred to as "Mr. [REDACTED]") testified that he had been employed by the Cook County Sheriff's Department for 11 years and retired with the rank of sergeant. On August 24, 2015, he was working in the Cook County Jail, Division 11 (Tr. 157). At that time he came into contact with a detainee who was complaining of an injury which turned out to be [REDACTED] (Tr. 158) Once he learned of the injury, he was required to see if the detainee wanted to give a statement on video (Tr. 158, Sheriff's Ex. 14) The interview video of the recording with Detainee [REDACTED] was played for the hearing (Tr. 160). The video demonstrated bruising and swelling to Detainee [REDACTED]'s right eye and lip (Tr. 161). Mr. [REDACTED] testified that the video truly and accurately depicts detainee at the time he took the video. (Tr. 162). Mr. [REDACTED] also testified that it is the duty of the sergeant on staff to make sure a detainee gets medical attention if it is needed (Tr. 175).

Mr. [REDACTED] (hereinafter referred to as Mr. [REDACTED]) was a detainee in Cook County Jail on and around August 24, 2015. (Tr. 184) Mr. [REDACTED] testifies that he witnessed an altercation between Officer Bridges and Detainee [REDACTED] (Tr. 187). The altercation started out as verbal at which time Officer Bridges stated Detainee [REDACTED] was not getting any new shoes. (Tr. 187). He also heard Officer Bridges state to Detainee [REDACTED] that he needed to pack his "shit" and that he was going to the "hole" (Tr. 187 and 188). Mr. [REDACTED] further testified that after being told to go get his stuff, detainee [REDACTED] went to go do that and came back to the "bubble area" (Tr. 188 and 189). Detainee [REDACTED] was cooperative when he returned with his belongings. At that point, Officer Bridges threw Detainee [REDACTED]'s belongings all over the hallway (Tr. 189). Mr. [REDACTED] testified that Sergeant [REDACTED] (hereinafter referred to as "Sergeant [REDACTED]") and Correctional Officer [REDACTED] (hereinafter referred to as "Officer [REDACTED]") were also present during this altercation (Tr. 190). Mr. [REDACTED] testified that Officer Bridges then kicked Detainee [REDACTED]'s property down the hallway. Officer [REDACTED] had a clear view of the altercation between the detainee and Officer Bridges (Tr. 192 and 193). Detainee [REDACTED] made no physical motion toward Officer Bridges and he did not attempt to strike her at any time (Tr. 193). Officer [REDACTED] began to handcuff Detainee [REDACTED] after the verbal altercation with Officer Bridges (Tr. 194). Officer Bridges told Officer [REDACTED] to handcuff him and Detainee was placed with his back against the glass in the hallway (Tr. 194). At that point, Officer Bridges took keys from her left hand, put them in her right hand and struck Detainee [REDACTED] in the face (Tr. 195). Mr. [REDACTED] testified that he believes she struck him approximately 3 or 4 times (Tr. 195 and 196). Officer Bridges struck Detainee [REDACTED] in the cheek and eye area (Tr. 196). At some point, Respondent Sgt. [REDACTED] came in between them and said enough, enough and broke it up. (Tr. 196). Officer [REDACTED] and Sergeant [REDACTED] were in the hallway when Bridges was striking Detainee [REDACTED] (Tr. 198). The next time he saw Detainee [REDACTED] was when Detainee [REDACTED] was looking to go to medical about an hour later (Tr. 200). Mr. [REDACTED] observed Detainee

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██████'s face and his eye was "all messed up" and his face was red like blood around the eye area and like the cheek right below the eye (Tr. 200 and, 201). Mr. ██████ did not see Officer Bridges, Sgt. ██████ or Officer ██████ attempt to help Detainee ██████ after the incident. (Tr. 201). Mr. ██████ was not friends with detainee ██████ and did not know him previously and has no reason to be biased for him (Tr. 202) He was not promised anything or threatened for his testimony (Tr. 202). Mr. ██████ had no conversation with Detainee ██████ prior to the altercation between Detainee ██████ and Officer Bridges (Tr. 209 and 210).

Mr. ██████ (hereinafter referred to as "Mr. ██████") was in Cook County in August of 2015 in Division 11 (Tr. 238). He was present near the "bubble" by the kiosk when the incident between Officer Bridges and Detainee ██████ took place (Tr. 239 and 240). He saw an altercation with a white guy (Detainee ██████) and a black female CO (Officer Bridges) (Tr. 242). The incident happened in the hallway (Tr. 243). He saw Detainee ██████ was handcuffed and Officer Bridges punching him in the face (Tr. 243). The inmate was handcuffed behind his back (Tr. 243). Officer Bridges was using her fists and punching him several times and he did not know if it was a ring or something in her hand (Tr. 244). Officer Bridges struck Detainee ██████ at least 5 or 6 times (Tr. 244). Other COs were standing and watching and at first did not do anything (Tr. 245). Then one of the COs grabbed the female CO and stopped her from punching (Tr. 245). He observed a black male officer stop her (Tr. 245). Mr. ██████ was not friends with the detainee inside the jail and did not ever speak to him before or after the incident (Tr. 247). He was not threatened or provided any compensation for his statement or testimony (Tr. 248).

Conclusion

This is an incident in which the Respondent, a correctional officer, was involved in a response to resistance/ use of force incident with detainee ██████ at the Cook County Jail on August 24, 2015. On that date, the Respondent failed to make immediate documented notification detailing the specifics involving her use of excessive force against detainee ██████ as required by the Sheriff and Merit Board policy and/ or procedures. Respondent's statements to the Cook County Sheriff's Office of Professional Review were inconsistent with video evidence and witness testimony admitted at trial. Respondent also failed to secure medical attention for detainee ██████

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 that Respondent violated Cook County Court Sheriff's Order 11.2.1.0 – Response to Resistance/ Use of Force Policy and Notifications and Reporting Procedures; General Order 24.9.1.0 – Reporting Incidents; Sheriff's Order 11.2.20.1 – Conduct Policy; and Cook County Sheriff's Department Merit Board Rules and Regulations – Article X.

Order

Wherefore, based on the foregoing, it is hereby ordered that the Respondent, Delphine Bridges, be separated from the Cook County Sheriff's Office effective November 29, 2016.

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[Redacted]

James P. Nally, Chairman

[Redacted]

Byron Brazier, Vice Chairman

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John L. Dalicandro, Secretary

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Patrick M. Brady, Board Member

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Vincent T. Winters, Board Member

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Kim R. Widup, Board Member

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Juan L. Baltierres, Board Member

[Redacted]

Gray Mateo-Harris, Board Member

Dated: December 4, 2018