

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
PROPERTY CUSTODIAN DEMETREUS E. BOYKIN) Case No. 00-2431
EMPLOYEE NO. 309404

CORRECTED
FINDINGS AND DECISION

On October 18, 2000, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Property Custodian Demetreus E. Boykin, Employee No. 309404 (hereinafter sometimes referred to as "Respondent"), for violating the following rules:

Rule 1: Violation of any law or ordinance.

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 15: Intoxication on or off duty.

The Police Board of the City of Chicago investigated these charges and caused a hearing on these charges against Property Custodian Demetreus E. Boykin to be had before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on June 12, 2001.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing. Thomas E. Johnson, Hearing Officer, made an oral report and conferred with the Police Board before it rendered a decision.

The Police Board of the City of Chicago, as a result of its investigation of the charges, found and determined that:

1. The Respondent was at all times employed as a property custodian by the Department of Police of the City of Chicago.

2. The charges were filed in writing and a Notice, stating the time, date and place, when and where a hearing of the charges was to be held, together with a copy of the original charges, was served upon the Respondent more than five (5) days prior to the hearing on the charges.

3. The hearing was conducted before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on June 12, 2001.

4. Throughout the hearing, Property Custodian Demetreus E. Boykin was represented by counsel.

5. The Respondent Property Custodian Demetreus E. Boykin, Employee No. 309404, charged herein, contrary to the Rules and Regulations, is guilty of violating to wit:

Rule 1: Violation of any law or ordinance, in that:

- A. On or about May 21, 2000, at or near 1915 West 14th Street, Chicago, Illinois, Property Custodian Demetreus E. Boykin committed the offense of Unlawful Use of Weapons, in that he possessed, in his vehicle, a .38 caliber Rossi revolver, 3 inch barrel, Serial Number D587736, thereby violating Chapter 720 ILCS 5/24-1(a)(4).
- B. On or about May 21, 2000, at or near 1915 West 14th Street, Chicago, Illinois, Property Custodian Demetreus E. Boykin committed the offense of Failure to Register a Firearm, in that he possessed, in his vehicle, a .38 caliber Rossi revolver, 3 inch barrel, Serial Number D587736, which was not registered, thereby violating City of Chicago Municipal Code, Chapter 8-20, Section 040.
- C. On or about May 21, 2000, at or near 1300 South Paulina, Chicago, Illinois, Property Custodian Demetreus E. Boykin operated a motor vehicle while his blood alcohol concentration was approximately .171, thereby violating Chapter 625 ILCS 5/11-501(a)(1).

- D. On or about May 21, 2000, at or near 1300 South Paulina, Chicago, Illinois, Property Custodian Demetreus E. Boykin operated a motor vehicle while under the influence of alcohol, thereby violating Chapter 625 ILCS 5/11-501(a)(2).
- E. On or about May 21, 2000, at or near 1300 South Paulina, Chicago, Illinois, Property Custodian Demetreus E. Boykin committed the offense of reckless driving in that he drove without due caution in a manner so as to endanger or likely to endanger any person or property, thereby violating Chapter 625 ILCS 5/11-503(a).

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in that:

- A. On or about May 21, 2000, at or near 1915 West 14th Street, Chicago, Illinois, Property Custodian Demetreus E. Boykin committed the offense of Unlawful Use of Weapons, in that he possessed, in his vehicle, a .38 caliber Rossi revolver, 3 inch barrel, Serial Number D587736, thereby impeding the Department's efforts to achieve its policy and goals and bringing discredit upon the Department.
- B. On or about May 21, 2000, at or near 1915 West 14th Street, Chicago, Illinois, Property Custodian Demetreus E. Boykin committed the offense of Failure to Register a Firearm, in that he possessed, in his vehicle, a .38 caliber Rossi revolver, 3 inch barrel, Serial Number D587736, which was not registered, thereby impeding the Department's efforts to achieve its policy and goals and bringing discredit upon the Department.
- C. On or about May 21, 2000, at or near 1300 South Paulina, Chicago, Illinois, Property Custodian Demetreus E. Boykin operated a motor vehicle while his blood alcohol concentration was approximately .171, thereby impeding the Department's efforts to achieve its policy and goals and bringing discredit upon the Department.
- D. On or about May 21, 2000, at or near 1300 South Paulina, Chicago, Illinois, Property Custodian Demetreus E. Boykin operated a motor vehicle while under the influence of alcohol, thereby impeding the Department's efforts to

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Property Custodian Demetreus E. Boykin
Employee No. 309404

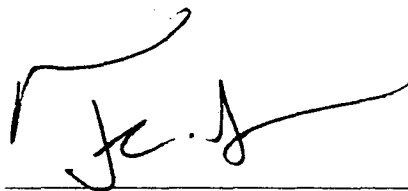
achieve its policy and goals and bringing discredit upon the Department.

- E. On or about May 21, 2000, at or near 1300 South Paulina, Chicago, Illinois, Property Custodian Demetreus E. Boykin committed the offense of reckless driving in that he drove without due caution in a manner so as to endanger or likely to endanger any person or property, thereby impeding the Department's efforts to achieve its policy and goals and bringing discredit upon the Department.

Rule 15: **Intoxication on or off duty**, in that on or about May 21, 2000, at or near 1300 South Paulina, Chicago, Illinois, Property Custodian Demetreus E. Boykin was intoxicated as evidenced by a Breathalyzer reading of .171.

By reason of the findings of fact, the Respondent is guilty of violating Rules 1, 2, and 15.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T.E. Johnson', written over a horizontal line.

THOMAS E. JOHNSON
Hearing Officer

D E C I S I O N

The members of the Police Board, having read and reviewed the certified copy of the transcription of the hearing, having received the oral report of the Hearing Officer, Thomas A. Johnson, and having conferred with the hearing Officer on the credibility of the witnesses and the evidence, hereby adopt all findings herein and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the respondent's complimentary and disciplinary history, which is attached hereto as Exhibit A; and

IT IS HEREBY ORDERED that the respondent, Property Custodian Demetrius E. Boykin, Employee # 309404, as a result of having been found guilty of the charges in Police Board Case #00-2431, is hereby separated and discharged from his position as a Property Custodian, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 9th
DAY OF APRIL, 2002.

Phyllis Gelbaum
William C. Kufner
Barbara D
Scott Davis
Victor [unclear]
Demetrius E. Curry
[Signature]
Executive Director, Police Board

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Employee # 309404

D I S S E N T

The following members of the Police Board hereby dissent from the decision of the majority of the Board.

RECEIVED A COPY OF THE FOREGOING
COMMUNICATION THIS _____ DAY
OF _____, 2002

SUPERINTENDENT OF POLICE

COMPLIMENTARY HISTORY

NAME Boykin, Demetreus RANK Civ SSN [REDACTED] STAR UNIT 169

RECOMMENDATIONS:

HONORABLE
MENTIONS: 000

COMPLIMENTARY
LETTERS: _____ 000 _____

Complimentary History Requested By:

NAME Koconis, Peter **RANK** Sgt **STAR** 805 **UNIT** 121

C.R.# 262464

Completed By: Demetra Berry
Personnel Division
Records Section-Room 803
Pax 0-342 or Bell 5-5390

[illegible]

MAY 26 2000

CHICAGO POLICE DEPARTMENT

CR

ATTACHMENT

25 MAY 2000

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

TO:

COMMANDING OFFICER UNIT 121-C.I.S.

FROM:

RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT:

PREVIOUS DISCIPLINARY RECORD OF:

BOYKIN, DEMETREUSE CIV. 169
NAME (LAST, FIRST, M.I.) STAR UNIT

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

M. B. [REDACTED]
SEX RACE S.S.N.

REFERENCE:

COMPLAINT REGISTER NUMBER(S) 262464

FROM:

RECORDS SECTION

THE PREVIOUS DISCIPLINARY RECORD OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

SUBJECT:

SGT. KOCONIS, PETE 805 [REDACTED] 121-C
RANK NAME STAR S.S.N. UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE REFERENCED COMPLAINT REGISTER NUMBER.

THE RECORDS SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING DISCIPLINARY ACTION(S) ADMINISTERED TO THE SUBJECT ACCUSED, FOR THE PAST FIVE (5) YEARS.

REFERENCE:

FROM:

RECORDS SECTION

THE PREVIOUS DISCIPLINARY RECORD OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

NONE

VERIFIED/PREPARED BY:

JERELENE PORTE

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE REFERENCED COMPLAINT REGISTER NUMBER.

THE RECORDS SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING DISCIPLINARY ACTION(S) ADMINISTERED TO THE SUBJECT ACCUSED, FOR THE PAST FIVE (5) YEARS.

FOR: COMMANDING OFFICER

RECORDS SECTION

INTERNAL AFFAIRS DIVISION

CR # 262464

ATTACHMENT

Ex. A