

CHARGES

Sgt. John R. Noigebauer, Star #1573, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- 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 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.

SPECIFICATIONS

1. Sgt. John R. Noigebauer, Star #1573, is charged with violating 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 the following instances:

- Count I: On or about October 28, 1999, at approximately 2130 hours at or near 6303 N. Western Ave., Chicago, Illinois, he called Officer Kelly Chavez a hillbilly, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the department.
- Count II: On or about October 28, 1999, at approximately 2130 hours at or near 6303 N. Western Ave., Chicago, Illinois, he said to Officer Kelly Chavez that she must have seen the ceiling of vans a lot of times, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the department.
- Count III: In that in November 1999, at or about Peterson and California Avenues, Chicago, Illinois, he commented on the sexual orientation of Officers Battaglia and Carsten, as to which one wore the strap, and said that Officer Battaglia did because she looks like she could kick his ass, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the department.
- Count IV: In that in November 1999, at or about Peterson and California Avenues, Chicago, Illinois, he commented on the sexual orientation of Officer Felipe Perez by calling him Officer Kelly

Chavez' girlfriend, referring that he was gay, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the department.

- Count V: In that in November 1999, near Thanksgiving Day, at the Walgreen's store located at or about Ridge and Broadway, Chicago, Illinois, he compared Officer Kelly Chavez's buttocks with the buttocks of Officer Rene Contreras, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the Department.
- Count VI: In that between October and December 1999, at 0100 hours at the 20th District, 1940 West Foster Ave., Chicago, Illinois, he touched Officer Kelly Chavez's buttocks, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the Department.
- Count VII: In that between October and December 1999, at 1730 hours at the 20th District, 1940 West Foster Ave., Chicago, Illinois, he slapped Officer Kelly Chavez's buttocks as she was leaving the roll call room, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the Department.
- Count VIII: In that between October and December 1999, between 1900 and 2000 hours, in the hallway of the 20th District, 1940 W. Foster Ave., Chicago, Illinois, he slapped Officer Kelly Chavez's buttocks as she walked past, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the Department.
- Count IX: In that during the first week of March 2000, at approximately 1730 hours, at the 20th District, 1940 W. Foster Ave., Chicago, Illinois, he touched Officer Kelly Chavez's right breast, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the Department.
- Count X: In that between September 1999 and March 2000, he sent a message via the PDT to Officers Janice Scott and Michele Wilkoszewski that their sergeant was in the bushes naked waiting for them, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the Department.
- Count XI: In that from September 1999 to March 2000, he would make derogatory remarks regarding Officer Janice Scott within her earshot, to wit: useless bitch, dumb fucking broad, thereby impeding the Department's efforts to achieve its policy and goals

and/or brings discredit upon the Department.

- Count XII: In that from September 1999 to March 2000, he would refer to Officers Battaglia and Carsten's beat car as the dykemobile, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the Department.
- Count XIII: In that from September 1999 to March 2000, he would refer to Officer Felipe Perez as a little fag, thereby impeding the Department's efforts to achieve its policy and goals and/or brings discredit upon the Department.
- Count XIV: In that from September 1999 to March 2000, he would call Officer Janice Scott a fat ass, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.
- Count XV: In that from September 1999 to March 2000, he would call Officer Kristi Pooler a fat ass, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.
- Count XVI: In that from September 1999 to March 2000, he would call Officer Michele Wilkoszewski a bitch and a fucking useless Polack almost on a daily basis, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.
- Count XVII: In that between September 1999 and March 2000, he sent a message via the PDT to Officer Michele Wilkoszewski telling her that Sgt. Zafiris wanted to take her on his boat so that she could give Sgt. Zafiris a blow job, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.
- Count XVIII: In that between September 1999 and March 2000, he informed Michele Wilkoszewski that assigning her to work with Officers Battaglia and Carsten would be great, three dykes on the same car because he knew that she was a dyke or lesbian in hiding, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.
- Count XIX: In that between September 1999 and March 2000, he called Officer Christopher Karney a fat tub of shit, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count XX: In that between September 1999 and March 2000, he told Officer Christopher Karney that the Field Training Officer Patch (FTO) he wore stood for fat, tubby and obese, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count XXI: In that in November 1999, he said to Officer Christopher Karney after Officer Karney explained that his wife had a moderate to severe case of Cerebral Palsy, that explains a lot, a fat fucker like you can only get a cripple for a wife, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count XXII: In that between February and March 2000, at or about 4848 N. Winthrop, Chicago, Illinois, he pulled the hair of Officer Tracey Plachno, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count XXIII: In that in March 2000, in an elevator on Winthrop Ave., Chicago, Illinois, he pulled the hair of Officer Tracey Plachno, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

2. Sgt. John R. Noigebauer, Star #1573, is charged with violating Rule 3, "Any failure to promote the Department's efforts to implement its policy or accomplish its goals," in the following instances:

Count I: On or about October 28, 1999, at approximately 2130 hours at or near 6303 N. Western Ave., Chicago, Illinois, he called Officer Kelly Chavez a hillbilly, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

Count II: On or about October 28, 1999, at approximately 2130 hours at or near 6303 N. Western Ave., Chicago, Illinois, he said to Officer Kelly Chavez that she must have seen the ceiling of vans a lot of times, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

Count III: In that in November 1999, at or about Peterson and California Avenues, Chicago, Illinois, he commented on the sexual orientation of Officers Battaglia and Carsten, as to which one wore the strap, and said that Officer Battaglia did because she looks like she could kick his ass, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

- Count IV: In that in November 1999, at or about Peterson and California Avenues, Chicago, Illinois, he commented on the sexual orientation of Officer Felipe Perez by calling him Officer Kelly Chavez' girlfriend, referring that he was gay, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count V: In that in November 1999, near Thanksgiving Day, at the Walgreen store located at or about Ridge and Broadway, Chicago, Illinois, he compared Officer Kelly Chavez's buttocks with the buttocks of Officer Rene Contreras, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count VI: In that between October and December 1999, at 0100 hours at the 20th District, 1940 West Foster Ave., Chicago, Illinois, he touched Officer Kelly Chavez's buttocks, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count VII: In that between October and December 1999, at 1730 hours at the 20th District, 1940 West Foster Ave., Chicago, Illinois, he slapped Officer Kelly Chavez's buttocks as she was leaving the roll call room, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count VIII: In that between October and December 1999, between 1900 and 2000 hours, in the hallway of the 20th District, 1940 W. Foster Ave., Chicago, Illinois, he slapped Officer Kelly Chavez's buttocks as she walked past, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count IX: In that during the first week of March 2000, at approximately 1730 hours, at the 20th District, 1940 W. Foster Ave., Chicago, Illinois, he touched Officer Kelly Chavez's right breast, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count X: In that between September 1999 and March 2000, he sent a message via the PDT to Officers Janice Scott and Michele Wilkoszewski that their sergeant was in the bushes naked waiting for them, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count XI: In that from September 1999 to March 2000, he would make

derogatory remarks regarding Officer Janice Scott within her earshot, to wit: useless bitch, dumb fucking broad, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

- Count XII: In that from September 1999 to March 2000, he would refer to Officers Battaglia and Carsten's beat car as the dykemobile, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count XIII: In that from September 1999 to March 2000, he would refer to Officer Felipe Perez as a little fag, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count XIV: In that from September 1999 to March 2000, he would call Officer Janice Scott a fat ass, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count XV: In that from September 1999 to March 2000, he would call Officer Kristi Pooler a fat ass, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count XVI: In that from September 1999 to March 2000, he would call Officer Michele Wilkoszewski a bitch and a fucking useless Polack almost on a daily basis, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count XVII: In that between September 1999 and March 2000, he sent a message via the PDT to Officer Michele Wilkoszewski telling her that Sgt. Zafiris wanted to take her on his boat so that she could give Sgt. Zafiris a blow job, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count XVIII: In that between September 1999 and March 2000, he informed Michele Wilkoszewski that assigning her to work with Officers Battaglia and Carsten would be great, three dykes on the same car because he knew that she was a dyke or lesbian in hiding, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.
- Count XIX: In that between September 1999 and March 2000, he called Officer Christopher Karney a fat tub of shit, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

Count XX: In that between September 1999 and March 2000, he told Officer Christopher Karney that the Field Training Officer Patch (FTO) he wore stood for fat, tubby and obese, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

Count XXI: In that in November 1999, he said to Officer Christopher Karney after Officer Karney explained that his wife had a moderate to severe case of Cerebral Palsy, that explains a lot, a fat fucker like you can only get a cripple for a wife, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

Count XXII: In that between February and March 2000, at or about 4848 N. Winthrop, Chicago, Illinois, he pulled the hair of Officer Tracey Plachno, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

Count XXIII: In that in March 2000, in an elevator on Winthrop Ave., Chicago, Illinois, he pulled the hair of Officer Tracey Plachno, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

3. Sgt. John R. Noigebauer, Star #1573, is charged with violating Rule 6, "Disobedience of an order or directive, whether written or oral," in the following instances:

Count I: In that on or about March 8, 2000, at or about 2154 hours, he sent an inappropriate message to Officer Kelly Chavez, to wit: You can service your sergeant, via the PDT, thereby violating General Order 97-6-II.

Count II: In that on unspecified dates and times beginning in October 1999, and continuing until March 2000, he sent an inappropriate message via the PDT to Officer Kelly Chavez, commenting about her buttocks, thereby violating General Order 97-6-II.

Count III: In that on unspecified dates and times beginning in October 1999, and continuing until March 2000, he sent inappropriate messages via the PDT to Officer Kelly Chavez, commenting about a paddle he had, thereby violating General Order 97-6-II.

Count IV: In that on unspecified dates and times beginning in October 1999, and continuing until March 2000, he sent inappropriate messages via the PDT to Officer Janice Scott referring to her as either bitch or whore, thereby violating General Order 97-6-II.

- Count V: In that on unspecified dates and times beginning in October 1999, and continuing until March 2000, he sent inappropriate messages via the PDT to Officer Michele Wilkoszewski referring to her as either bitch or whore, thereby violating General Order 97-6-II.
- Count VI: In that on unspecified dates and times beginning in October 1999, and continuing until March 2000, he sent inappropriate messages via the PDT to Officer Michele Wilkoszewski informing her that Sergeant Schuler, Beat 2040, was in the bushes naked waiting for her, thereby violating General Order 97-6-II.
- count VII: In that on unspecified dates and times beginning in October 1999, and continuing until march 2000, he sent inappropriate messages via the PDT to Officer Michele Wilkoszewski informing her that Sergeant Zafiris was waiting on his boat for her so she could give him a blow job, thereby violating General Order 97-6-II.
- Count VIII: In that on or about March 4, 6, and 8, 2000, beginning at or about 1840 hours and continuing through his tour of duty, Sgt. Noigebauer used the PDT for personal messages of a sexual nature, thereby violating General Order 97-6-II.
4. Sgt. John R. Noigebauer, Star #1573, is charged with violating Rule 8, "Disrespect to or maltreatment of any person, while on or off duty," in the following instances:
- Count I: On or about October 28, 1999, at approximately 2130 hours at or near 6303 N. Western Ave., Chicago, Illinois, he called Officer Kelly Chavez a hillbilly, thereby being disrespectful to and/or maltreating any person, while on or off duty.
- Count II: On or about October 28, 1999, at approximately 2130 hours at or near 6303 N. Western Ave., Chicago, Illinois, he said to Officer Kelly Chavez that she must have seen the ceiling of vans a lot of times, thereby being disrespectful to and/or maltreating any person, while on or off duty.
- Count III: In that in November 1999, at or about Peterson and California Avenues, Chicago, Illinois, he commented on the sexual orientation of Officers Battaglia and Carsten, as to which one wore the strap, and said that Officer Battaglia did because she looks like she could kick his ass, thereby being disrespectful to and/or maltreating any person, while on or off duty.
- Count IV: In that in November 1999, at or about Peterson and California Avenues, Chicago, Illinois, he commented on the sexual orientation of Officer Felipe Perez by calling him Officer Kelly

you can only get a cripple for a wife, thereby being disrespectful to and/or maltreating any person, while on or off duty.

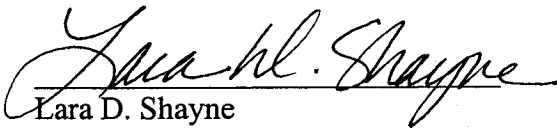
Count XXII: In that between February and March 2000, at or about 4848 N. Winthrop, Chicago, Illinois, he pulled the hair of Officer Tracey Plachno, thereby being disrespectful to and/or maltreating any person, while on or off duty.

Count XXIII: In that in March 2000, in an elevator on Winthrop Ave., Chicago, Illinois, he pulled the hair of Officer Tracey Plachno, thereby being disrespectful to and/or maltreating any person, while on or off duty.

Based on the foregoing charges and specifications, the Superintendent recommends that Sgt. John R. Noigebauer, Star #1573, be discharged from the Chicago Police Department.


TERRY HILLARD
Superintendent of Police

APPROVED AS TO FORM


Lara D. Shayne
Assistant Corporation Counsel
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