

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER JESSE GONZALEZ, STAR #7451) No. 01-2458
DEPARTMENT OF POLICE, CITY OF CHICAGO) CR#258353
)

FINDINGS & DECISION

On April 16, 2001, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police officer Jesse Gonzalez, Star #7451, (hereinafter sometimes referred to as "Respondent") for violating the following Rules:

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

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.

Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

Rule 14: Making a false report, whether written or oral.

The Police Board of the City of Chicago received a Stipulation And Agreement in which Officer Gonzalez stipulated "that if the Superintendent presented evidence in his case in chief witnesses would testify to the events outlined in the charges and specifications. Gonzalez agrees to accept a suspension of ten (10) months based on the charges and specifications without admitting or denying the charges and specifications."

The members of the Police Board read and reviewed the

Stipulation and Agreement (a copy of which is attached hereto as Exhibit A) and Michael G. Berland, 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, finds and determines that:

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

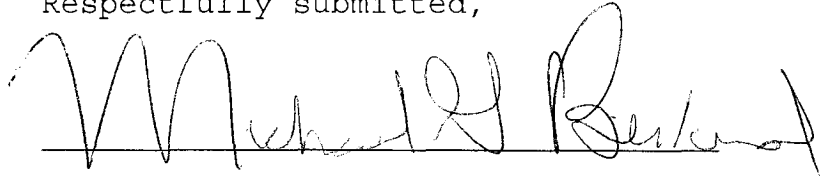
2. The charges were filed in writing and a Notice, stating the time, date and place, when and where a hearing of the charges was to be held, together with a copy of the original charges, was served upon the Respondent more than five (5) days prior to the hearing on the charges.

4. Throughout these proceedings Respondent was represented by counsel of his choice.

5. The Police Board accepts and approves the Stipulation And Agreement filed by the Superintendent and the Respondent.

By reason of the fact that the parties have executed the Stipulation And Agreement and the Police Board has accepted this Stipulation And Agreement which provided for a suspension of ten (10) months, Officer Jesse Gonzalez is hereby suspended from his position as a Police Officer from April 18, 2001 to and including February 17, 2002 with restoration of all rights and benefits thereafter.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael G. Berland", written over a horizontal line.

Michael G. Berland, Hearing Officer

DECISION

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, Michael G. Berland, and having conferred with the Hearing Officer, hereby adopts all findings and;

IT IS HEREBY ORDERED that Police Officer Jesse Gonzalez, Star#7451, is guilty of violating Rules 2, 6, 8, 9, and 14. The Superintendent has recommended a suspension of ten (10) months and the Board has agreed to a suspension for Officer Jesse Gonzalez, Star#7451, for that period of time. Therefore, Officer Jesse Gonzalez is hereby suspended from his position as a Police Officer from April 18, 2001 to and including February 17, 2002 with restoration of all rights and benefits thereafter.

DATED AT CHICAGO, ILLINOIS, COUNTY OF COOK, STATE OF ILLINOIS, THIS 21st DAY OF November, A.D., 2001.

William C. Krofting

Scott Durr

Patricia C. Bobb

Sydney

Phyllis Spethauer

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.

Vito Amato

James E. Conway

RECEIVED A COPY OF THE
FOREGOING COMMUNICATION

THIS 29th DAY OF November, 2001.



SUPERINTENDENT OF POLICE

BEFORE THE POLICE BOARD
OF
THE CITY OF CHICAGO

IN THE MATTER OF

JESSE GONZALEZ,

Respondent.

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No. 01-2458

STIPULATION AND AGREEMENT

Respondent, Jesse Gonzalez, by and through his attorney, Paul Geiger, and the Superintendent of Police, Terry G. Hillard, by and through his attorney, Mara S. Georges, Corporation Counsel of the City of Chicago, hereby stipulate and agree to the following:

1. Respondent, Police Officer Jesse Gonzalez ("Gonzalez"), Star Number 7451, has been employed by the Chicago Police Department ("the Department") since December 13, 1993.

2. On April 4, 2001 the Superintendent of Police filed charges with the Police Board of the City of Chicago ("the Police Board") against Gonzalez, seeking his separation for violating those rules delineated in the attached charges. (See Exhibit A.) Generally, the charges allege that Gonzalez impeded the Department's efforts to achieve its policy and goals, or brought discredit upon the department, disobeyed an order or directive, disrespected and/or maltreated any person, engaged in any unjustified verbal and/or physical altercation with any person, and/or made a false report. Specifically, Gonzalez was charged with verbally abusing Annette Freeman ("Freeman"), unjustifiably hitting

Exh. A

and/or pushing and/or pulling Freeman, providing false information for an arrest report, and representing himself as a police officer during his secondary employment. Gonzalez was suspended from duty on April 18, 2001.

3. Gonzalez stipulates that if the Superintendent presented evidence in his case in chief, witnesses would testify to the events outlined in the charges and specifications. Gonzalez agrees to accept a suspension of ten (10) months based on the charges and specifications, without admitting or denying the charges and specifications.

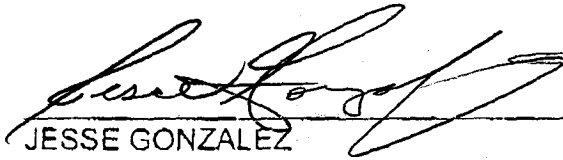
4. The Superintendent of Police hereby recommends to the Police Board that Gonzalez be suspended for a period of ten (10) months.

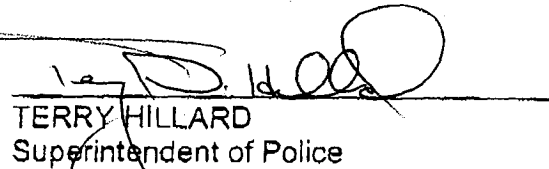
5. The parties expressly understand that the terms and obligations of this Stipulation and Agreement are subject to, and conditioned upon, acceptance of the terms by the Police Board. In the event that the Police Board does not approve the instant Stipulation and Agreement, the terms shall be deemed null and void, and this cause shall be returned to the Board's trial calendar for evidentiary proceedings, and no facts or admissions detailed in this agreement shall be used against either party.

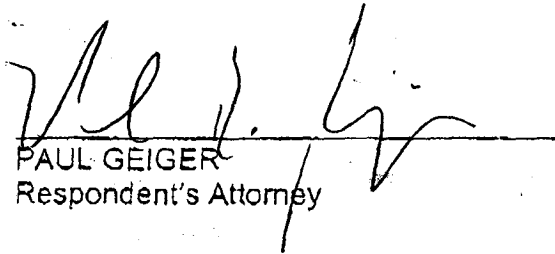
6. In the event of the entry of an Order by the Police Board accepting and adopting the provisions herein specified, Respondent, his legal representatives, successors, and assigns, expressly waive any and all forms of review, in any forum whatsoever, from or concerning the order so entered by the Police Board in this case.

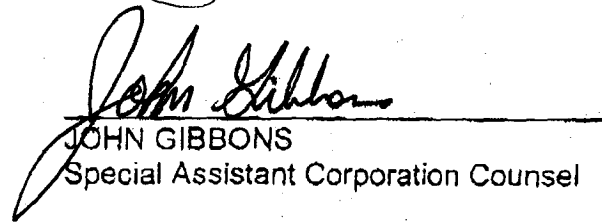
7. The parties hereto agree that this Stipulation and Agreement, and the terms hereof, are particular to this matter and shall not serve as precedent for any other case involving the Department or the City, or any department, agency, officer, agent or employee of the Department or the City.

8. The Stipulation and Agreement shall be binding on, and inure to the benefit of, the parties and their respective legal representatives, successors, and assigns. This Stipulation and Agreement contain the entire agreement between and among the parties.


JESSE GONZALEZ


TERRY HILLARD
Superintendent of Police


PAUL GEIGER
Respondent's Attorney


JOHN GIBBONS
Special Assistant Corporation Counsel

Date 9-20-01

Date 9-24-01