

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER ANDRE WOODS, STAR #18851,) No. 02-2483
DEPARTMENT OF POLICE, CITY OF CHICAGO) CR#254758
)

FINDINGS & DECISION

On January 4, 2002, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police Officer Andre Woods, Star #18851, (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 8: Disrespect to or maltreatment of any person, while on or off duty.

The Police Board of the City of Chicago caused a hearing on these charges against Andre Woods to be had before Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago on September 23, 2002, September 24, 2002, November 18, 2002, January 22, 2003, January 23, 2003, February 11, 2003 and March 5, 2003.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing. 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.

3. The hearing was conducted before Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago, on September 23, 2002, September 24, 2002, November 18, 2002, January 22, 2003, January 23, 2003, February 11, 2003 and March 5, 2003.

4. Throughout the hearing the Respondent did appear in person and was represented by counsel of his choice.

5. Respondent Police Officer Andre Woods, Star # 1386 charged herein, contrary to the Rules and Regulations, is not guilty of violating, to wit:

Rule 1: Violation of any law or ordinance.

1. From about November 1997 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not commit the offense of Predatory Criminal Sexual Assault of a Child with C.C., a minor and a foster child under his care.

2. From about November 1997 through June 1999 at 447 E. 87th

Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not commit the offense of Aggravated Criminal Sexual Abuse with C.C., a minor, and a foster child under his care.

3. The Superintendent dismissed with prejudice Specification 1, Count 111.

4. From about December 1998 through June 1999 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not commit the offense of Predatory Criminal Sexual Abuse with Ja.C., a minor, and a foster child under his care.

5. From about December 1998 through June 1999 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not commit the offense of Aggravated Criminal Sexual Abuse with Ja.C., a minor, and a foster child under his care.

6. From about December 1998 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not commit the offense of Predatory Criminal Sexual Abuse with Je.C., a minor, and a foster child under his care.

7. From about December 1998 through June 1999 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not commit the offense of Aggravated Criminal Sexual Abuse with Je.C., a minor, and a foster child under his care.

8. From about June 1997 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not commit the offense of Aggravated Criminal Sexual Abuse with M.J., a minor.

9. The Superintendent dismissed with prejudice Specification 1, Count 1X.

10. The Superintendent dismissed with prejudice Specification 1, Count X.

11. The Superintendent dismissed with prejudice Specification 1, Count X1.

12. The Superintendent dismissed with prejudice Specification 1, Count X11.

13. The Superintendent dismissed with prejudice Specification 1, Count X111.

6. Respondent Andre Woods, Star # 18851, charged herein, contrary to the Rules and Regulations, is not guilty of violating, to wit:

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

1. From about November 1997 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not engage in sexual behavior with C.C., a minor, and a foster child under his care.

2. The Superintendent dismissed with prejudice Specification 11, Count 11.

3. From about December 1998 through June 1999 at 447 E. 87th

Place, Chicago, Illinois, and/or at places(s) where he formerly resided, did not engage in sexual behavior with Ja.C, a minor, and a foster child under his care.

4. From about December 1998 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, did not engage in sexual behavior with Je.C, a minor, and foster child under his care.

5. From about December 1998 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, did not engage in sexual behavior with M.J., a minor.

6. The Superintendent dismissed with prejudice Specification 11, Count VI.

7. The Superintendent dismissed with prejudice Specification 11, Count VII.

8. The Superintendent dismissed with prejudice Specification 11, Count VIII.

9. The Superintendent dismissed with prejudice Specification 11, Count IX.

10. The Superintendent did not prove in its case that in or about June 2001, after a trial before Juvenile Court Judge Michael Brown, relating to juveniles under the care of Police Officer Andre Woods, that Judge Brown found that Woods maintained an injurious environment and that there existed a substantial risk of physical injury to children under the care of Officer Woods. The Respondent's counsel properly made a motion for directed verdict as to this charge at the close of the

Superintendent's case, which the Board grants. The evidence adduced in the Respondent's case as to this charge at page 748 was presented too late and, furthermore, was legally insufficient.

7. Respondent Andre Woods, Star # 18851, charged herein, contrary to the Rules and Regulations, is not guilty of violating, to wit:

Rule 8: Disrespect to or maltreatment of any person, while on or off duty.

1. From about November 1997 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not disrespect and maltreat C.C. by engaging in sexual behavior with C.C., a minor, and a foster child under his care.

2. The Superintendent dismissed with prejudice Specification 131, Count 11,

3. From about December 1998 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not disrespect and maltreat Ja.C. by engaging in sexual behavior with Ja.C., a minor, and a foster child under his care.

4. From about December 1998 through June 1999 at 447 E. 87th Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not disrespect and maltreat Je.C. by engaging in sexual behavior with Je.C., a minor, and a foster child under his care.

5. From about June 1997 through June 1999 at 447 E. 87th

Place, Chicago, Illinois, and/or at places(s) where he formerly resided, Police Officer Andre Woods did not disrespect and maltreat M.J. by engaging in sexual behavior with M.J., a minor.

6. The Superintendent dismissed with prejudice Specification 111, Count VI.

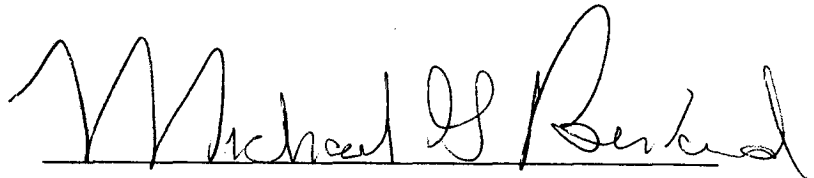
7. The Superintendent dismissed with prejudice Specification 111, Count VII.

8. The Superintendent dismissed with prejudice Specification 111, Count VIII.

9. The Superintendent dismissed with prejudice Specification 111, Count IX.

By reason of the fact that Police Officer Andre Woods is not guilty of violating Rules 1, 2, and 8 of the Rules and Regulations of the Chicago Police Department, Officer Woods shall be reinstated as a Police Officer effective immediately with reinstatements of all rights and benefits retroactive to January 4, 2002.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael G. Berland". The signature is written in a cursive style and is positioned above a horizontal line.

Michael G. Berland, 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 viewed the videotapes of the hearing, and having received the oral report of the Hearing Officer, Michael G. Berland, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence; and;

IT IS HEREBY ORDERED that the respondent Police Officer Andre Woods, Star # 18851, as a result of having been found not guilty of the charges in Police Board Case 02-2483, is hereby restored to his position as a Police Officer, and to the services of the City of Chicago, effective January 8, 2002.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 1st DAY OF MAY, 2003.

Rep. J. L. Miller
William G. ...
Patricia C. ...

Michael ...
Executive Director, Police Board

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.

Deborah J. Cunniff
Vicki H. Hays
Phyllis G. Pullen
Scott Daves

RECEIVED A COPY OF THE FOREGOING
COMMUNICATION THIS _____ DAY
OF _____, 2003.

SUPERINTENDENT OF POLICE