

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER ROBERT T. SROGA, Jr.) CASE #02-2496
STAR # 19584, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,) CR # 262330
)
RESPONDENT.)

FINDINGS AND DECISION

On August 30, 2002, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the termination of Police Officer **ROBERT T. SROGA, Jr.**, Star # 19584, hereinafter sometimes referred to as "Respondent" for violation of 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 4: " Any conduct or action taken to use the official position for personal gain or influence."

RULE 6: "Disobedience or an order or directive, whether written or oral."

RULE 40: "Failure to inventory and process recovered property in conformance with Department orders."

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer **ROBERT T. SROGA, Jr.**, Star # 19584, to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board of the City of Chicago, on February 26, 2003, February 27, 2003, and March 14, 2003. Following the

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Hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing and viewed the videotapes of the hearing.

JACQUELINE A. WALKER, Hearing Officer made an oral report and conferred with the Police Board before it rendered a decision.

As a result of the foregoing, the Police Board of the City of Chicago finds and determines that:

(1) The Respondent was, at all times mentioned herein, 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 on the charges was to be held, together with a copy of the original charges were served upon the Respondent more than five (5) days prior to the hearing on the charges;

(3) Throughout the hearing, the Respondent appeared in person and was represented by legal counsel;

(4) Respondent, Police Officer, **ROBERT T. SROGA, Jr.**, Star #19584, as charged herein, is **guilty** of violating, to-wit:

RULE 1- "Violation of any law or ordinance", in the following instances:

(A) On or about May 9, 2000, at or near 4951 West Wellington Street, he committed the offense of Theft of Lost or Mislaid Property, in that he obtained control over lost or mislaid property; specifically, a pair of Nike Quintessential gym shoes, and was aware of a reasonable method of identifying the owner, but failed to take reasonable measures to restore the

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property to the owner, thus intending to deprive the owner permanently of the use or benefit of the property, in violation of 720 ILCS, Section 5/16-2.

(B) On or about May 13, 2000, at Kay Shoes, located at or near 2839 North Milwaukee Avenue, he committed the offense of Retail Theft in that he presented himself to the merchant as the lawful owner of a pair of Nike Quintessential gym shoes, knowing that such representation was false, to convey that property to the merchant in exchange for money, thereby violating 720 ILCS, Section 5/16A-3(f).

(5) The Respondent, Police Officer **ROBERT T. SROGA Jr.**, Star # 19584, as charged herein, is **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,” in the following instances:

(A) On or about May 9, 2000, at or near 4951 West Wellington Street, he committed the offense of Theft of Lost or Mislaid Property, in that he obtained control over lost or mislaid property; specifically, a pair of Nike Quintessential gym shoes, and was aware of a reasonable method of identifying the owner, but failed to take reasonable measures to restore the property to the owner, thus intending to deprive the owner permanently of the use or benefit of the property,.

(B) On or about May 13, 2000, at Kay Shoes, located at or near 2839 North Milwaukee Avenue, he committed the offense of Retail Theft, in that he presented himself to the merchant as the lawful owner of a pair of Nike

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Quintessential gym shoes, knowing that such representation was false, to convey that property to the merchant in exchange for money.

(6) The Respondent, Police Officer **ROBERT T. SROGA, Jr.**, Star # 19584, as charged herein, is **guilty** of violating, to-wit:

RULE 4: “Any conduct or action taken to use the official position for personal gain or influence,” in the following instances:

(A) On or about May 9, 2000, at or near 4951 West Wellington Street, while on duty and during the recovery of a stolen vehicle, he obtained control over property; specifically, a pair of Nike Quintessential gym shoes, together with a store receipt number 251362.

(B) On or about May 13, 2000, at Kay Shoes located at 2839 North Milwaukee Avenue, he represented himself as the lawful owner of said property and conveyed that property to the merchant in exchange for money.

(7) The Respondent, Police Officer **ROBERT T. SROGA, Jr.**, Star # 19584, as charged herein, is **guilty** of violating, to-wit:

RULE 6: “Disobedience of an order or directive, whether written or oral,” in that:

On or about May 9, 2000, at or near 4951 West Wellington Street, while on duty and during the recovery of a stolen vehicle, he obtained control over property; specifically, a pair of Nike Quintessential gym shoes, together with a store receipt number 251362, and failed to immediately inventory the property, thereby violating General Order 81-01-II-A.

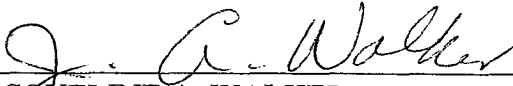
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(8) The Respondent, Police Officer **ROBERT T. SROGA, Jr.**, Star # 19584, as charged herein, is **guilty** of violating, to-wit:

RULE 40: “Failure to inventory and process recovered property in conformance with Department orders,” in that:

On or about May 9, 2000, while on duty and during the recovery of a stolen vehicle, he obtained control over the property; specifically, a pair of Nike Quintessential gym shoes, together with a store receipt number 251362, and failed to immediately inventory and/or process that property as required by General Order 81-01.

BY REASON of the findings of fact and of guilt herein, cause exists for the discharge of Respondent, Police Officer **ROBERT T. SROGA, Jr.**, Star # 19584, from the Department of Police and from the services of the City of Chicago.



JACQUELINE A. WALKER
Hearing Officer

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DECISION

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, having received the oral report of the Hearing Officer, **JACQUELINE A. WALKER**, 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, Police Officer **ROBERT SROGA**, Star # 19584, as a result of having been found guilty of the charges in Police Board Case No. 02-2496, is hereby separated and discharged from his position as a Police Officer, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 5th DAY OF June, 2003.

Scott J. Davis
[Signature]
[Signature]
[Signature]
[Signature]

[Signature]

Executive Director, Police Board

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DISSENT

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

Patricia C. Bell

RECEIVED A COPY OF THIS COMMUNICATION

THIS _____ DAY OF _____, 2003

SUPERINTENDENT OF POLICE

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

28 January 2002

TO: COMMANDING OFFICER UNIT 121

FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

SROGA JR. ROBERT 19584 025
NAME (LAST, FIRST M.I.) STAR UNIT

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

REFERENCE: COMPLAINT REGISTER NUMBER(S) 262 330

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

P.A. R. FORGUE 3255 [REDACTED] 121-G
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.

VERIFIED/PREPARED BY:

P.O. S. SASSO

FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SEE ATTACHED

Exhibit A

CR # 260330
ATTACHMENT 35

CHICAGO POLICE DEPARTMENT Sustained Complaints History Report

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
[REDACTED]	SROGA JR ROBERT T.		308821	9161	POLICE OFFICER	025
<u>Sex</u>	<u>Race</u>	<u>Birth Date</u>	<u>Appointed Date</u>	<u>No. Of CR's</u>	<u>No. Of SPAR's</u>	
M	WHITE	20-AUG-1969	17-FEB-1998	1	0	

<u>Case #</u>	<u>Incident Date</u>	<u>Suspension Dates</u>	<u>Disciplinary Action Taken</u>	<u>Final Category</u>	<u>Less Serious Transgression</u>
C 265670	13-SEP-2000		REPRIMAND	10T-REPORTS - FAILED TO SUBMIT/IMPROPER	
<u>Civil Suit #</u>			<u>Police Board #</u>		
<u>Comments</u>	SUSTAINED/100				

CR # 202337
 ATTACHMENT 251

ONLY FOR USE IN CR# 265670