

**BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO**

<b>IN THE MATTER OF CHARGES FILED AGAINST )</b>	
<b>POLICE OFFICER KATHLEEN NELSON, STAR # )</b>	
<b>5475, DEPARTMENT OF POLICE, CITY OF )</b>	<b>CASE #02-2500</b>
<b>CHICAGO, )</b>	
<b>RESPONDENT. )</b>	<b>C. R. #277214</b>

**FINDINGS AND DECISION**

On September 12, 2002, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the separation of Police Officer **KATHLEEN NELSON**, Star #5475, 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 8** - "Disrespect 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 15** - "Intoxication on or off duty."

The Police Board of the City of Chicago, caused a hearing on these charges against Police Officer **KATHLEEN NELSON**, Star #5475 to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board of the City of Chicago, on January 17, 2003 and January 28, 2003. Additionally, on December 19,

**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**

**PAGE 2**

2003, on the remand of Cook County Circuit Court Judge Dorothy Kirie Kinnaird, a hearing was held in mitigation and aggravation pertaining to the charges. Following the Hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing, and viewed the videotape of the hearing in mitigation and aggravation. **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 in 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) The Respondent, Police Officer **KATHLEEN NELSON**, Star 5475, 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 December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she directed one and/or more profanities towards one and/or more members of the Skokie Police

**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**

**PAGE 3**

Department, and/or on duty Skokie Fire Department personnel, and/or members of the public, in violation of Illinois Compiled Statutes, Chapter 720 Section 5/26-1(a) (1);

B. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she kicked Skokie Police Sergeant Fred Brehmer, at or near the groin area, in violation of Illinois Compiled Statutes, Chapter 720, Section 5/26-1 (a) (1) and Chapter 720 Section 5/12-4(b)(6);

C. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she kicked and/or struggled with on duty Skokie Police Officers during the course of her arrest, in violation of Illinois Compiled Statutes, Chapter 720 Section 5/26-1(a)(1).

(5) The Respondent, Police Officer **KATHLEEN NELSON**, Star #5475, 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 December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things, refused to cooperate with one and/or more verbal requests made by one and/or more on-duty Skokie Fire Department Personnel, and/or one and/or more Skokie Police Officers;

**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**

**PAGE 4**

- B. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things, directed one and/or more profanities towards one and/or more members of the Skokie Police Department, and/or on duty Skokie Fire Department personnel, and/or members of the public;
- C. On or about December 22, 2001 at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things, kicked Skokie Police Sergeant Fred Brehmer at or near the groin area, in violation of Illinois Compiled Statutes Chapter 720 Section 5/12-4(b)(6);
- D. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things, kicked and/or struggled with on duty Skokie Police Officers during the course of her arrest;
- E. On or about December 22, 2001, at approximately 1830 hours, at on near One Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things kicked a display case within the Marshall Field's department store;
- F. On or about December 22, 2001, at approximately 0056 hours, at or near the 14<sup>th</sup> District of the Chicago Police Department, while off duty, she, among other things, was intoxicated.

(6) The Respondent, Police Officer **KATHLEEN NELSON**, Star #5475, as charged herein, is guilty of violating, to-wit:

**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**

**PAGE 5**

**RULE 8** – “Disrespect to or maltreatment of any person while on or off duty”, in the following instances:

- A. On or about December 22, 2001, at approximately 1830 hours, at or near Old Orchard Mall in Skokie Illinois, while off duty, she refused to cooperate with one and/or more members of the Skokie Fire Department personnel and one and/or more members of the Skokie Police Department;
- B. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she directed one and/or more profanities towards one and/or more members of the Skokie Police Department and one and/or more on duty Skokie Fire Department personnel and/or members of the public;
- C. On or about December 22, 2001, at approximately 1830 hours, at or near One Orchard Mall in Skokie, Illinois, while off duty, she kicked Skokie Police Sergeant Fred Bremher at or near the groin area;
- D. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she kicked and/or struggled with on duty Skokie Police Officers during the course of her arrest.

(7) The Respondent, Police Officer **KATHLEEN NELSON**, Star #5475, as charged herein, is guilty of violating, to-wit:

**RULE 9** – “Engaging in any unjustified verbal or physical altercation with any person while on or off duty” in the following instances:

**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**

**PAGE 6**

- A. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she engaged in an unjustified verbal altercation with one and/or more on duty Skokie Police Officers and/or on duty Skokie Fire Department personnel, whereby she refused to cooperate with one and/or more verbal requests;
- B. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she engaged in an unjustified verbal altercation with one and/or more members of the Skokie Police Department and/or on duty Skokie Fire Department personnel, and/or members of the public, whereby she directed one and/or more profanities towards one and/or more individuals;
- C. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she engaged in an unjustified physical altercation with Skokie Police Sergeant Fred Brehmer, whereby she kicked him at or near the groin area;
- D. On or about December 22, 2001 at approximately 1830 hours, at or near Old Orchard Mall in Skokie, Illinois, while off duty, she engaged in an unjustified physical altercation with one and/or more on duty Skokie Police Officers, whereby she kicked and/or struggled during the course of her arrest.

(8) The Respondent, Police Officer **KATHLEEN NELSON**, Star #5475, as charged herein, is guilty of violating, to-wit:

**RULE 15** –“Intoxication on or off duty”, in that:

**FINDINGS & DECISION, CONT'D:**


**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**

**PAGE 7**

On or about December 23, 2001, at approximately 0056 hours, at or near the 14<sup>th</sup> District of the Chicago Police Department, while off duty, she was administered a Breathalyzer test and the results were .202, thereby indicating she was intoxicated.

**BY REASON** of these findings of fact, the Police Board of the City of Chicago found the respondent guilty of violating Rules 1, 2, 8, 9, and 15, and separated her from her position as a Police Officer within the Police Department of the City of Chicago.

Police Officer Nelson then timely sought administrative review of the Police Board's decision in the Circuit Court of Cook County. On September 19, 2003, Circuit Court Judge Dorothy Kirie Kinnaird entered her Order, stating that the board's decision that cause exists for petitioner's discharge was arbitrary, unreasonable, and unrelated to the requirements of the service under the specific facts of this case, and considering petitioner's history with the Department and treatment of her condition. Circuit Court Judge Kinnaird remanded the matter to the Police Board of the City of Chicago for consideration of a penalty less than discharge.

  
JACQUELINE A. WALKER  
Hearing Officer

**DECISION**

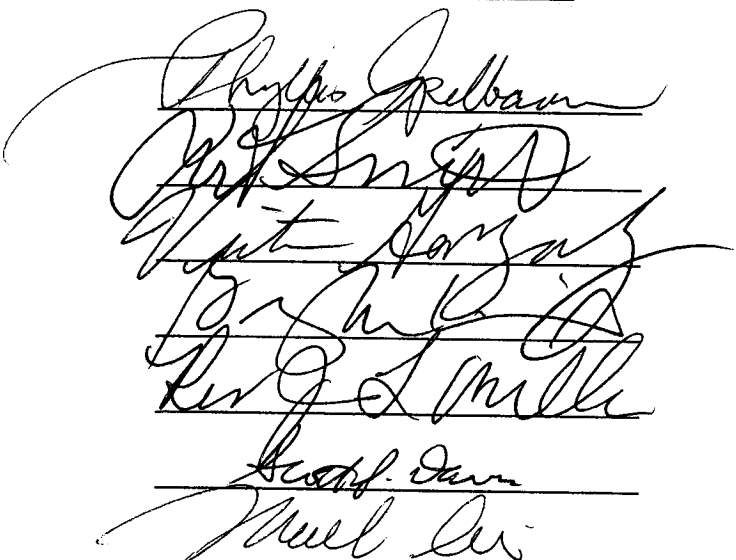
The members of the Police Board have read and reviewed the certified copy of the transcription of the hearing, having viewed the videotapes of the hearing, have received a new oral report of the Hearing Officer, **JACQUELINE A. WALKER**, and have conferred with the Hearing Officer on the credibility of the witnesses and the evidence, have reviewed the findings set forth above, and have reviewed the order of Judge Dorothy Kirie Kinnaird of the Circuit Court of Cook County, dated September 19, 2003.

The Police Board has again considered all of the evidence in this case, including the testimony, exhibits, and departmental complimentary and disciplinary history. The Police Board remains convinced that Police Officer Nelson's conduct renders her unfit for employment as a Police Officer the Police Department of the City of Chicago.

In order to comply with the Order of the Circuit Court of Cook County, the Police Board will impose a penalty on Police Officer Nelson of less than separation. The Police Board does so solely to permit appellate review of the Circuit Court's Decision in this matter, and urges the Superintendent of Police to seek such review.

IT IS HEREBY ORDERED that the Respondent, **Police Officer Kathleen Nelson**, Star # 5475, as a result of having been found guilty of the charges in Police Board Case No. 02-2500, is hereby suspended from her position as a Police Officer, and from the services of the City of Chicago, from September 13, 2002, to and including March 13, 2005.

**DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS** 12<sup>th</sup> **DAY**  
**OF** MARCH, 2004.

  
\_\_\_\_\_  
Executive Director, Police Board



**FINDINGS & DECISION ON REMAND, CONT'D:**  
**P.O. KATHLEEN NELSON, STAR #5475, C.R. # 277214**  
**PAGE 9**

**DISSENT**

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED A COPY OF THIS COMMUNICATION

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

\_\_\_\_\_  
SUPERINTENDENT OF POLICE

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST )	
POLICE OFFICER KATHLEEN NELSON, STAR # )	
5475, DEPARTMENT OF POLICE, CITY OF )	CASE #02-2500
CHICAGO, )	
)	C. R. #277214
RESPONDENT. )	

**FINDINGS AND DECISION**

On September 12, 2002, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the separation of Police Officer **KATHLEEN NELSON**, Star #5475, 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 8** - "Disrespect 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 15** - "Intoxication on or off duty."

The Police Board of the City of Chicago, caused a hearing on these charges against Police Officer **KATHLEEN NELSON**, Star #5475 to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board of the City of Chicago, on January 17, 2003 and January 28, 2003. Following the Hearing, the members of the Police Board read and reviewed the certified transcription of the

**FINDINGS & DECISION, CONT'D:**  
**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**  
**PAGE 2**

proceedings 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 in 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) The Respondent, Police Officer **KATHLEEN NELSON**, Star 5475, 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 December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she directed one and/or more profanities towards one and/or more members of the Skokie Police Department, and/or on duty Skokie Fire Department personnel, and/or members of the public, in violation of Illinois Compiled Statutes, Chapter 720 Section 5/26-1(a) (1);
- B. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she kicked Skokie Police

**FINDINGS & DECISION, CONT'D:**  
**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**  
**PAGE 3**

Sergeant Fred Brehmer, at or near the groin area, in violation of Illinois

Compilied Statutes, Chapter 720, Section 5/26-1 (a) (1) and Chapter 720 Section 5/12-4(b)(6);

C. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she kicked and/or struggled with on duty Skokie Police Officers during the course of her arrest, in violation of Illinois Compilied Statutes, Chapter 720 Section 5/26-1(a)(1).

(5) The Respondent, Police Officer **KATHLEEN NELSON**, Star #5475, 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 December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things, refused to cooperate with one and/or more verbal requests made by one and/or more on-duty Skokie Fire Department Personnel, and/or one and/or more Skokie Police Officers;
- B. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things, directed one and/or more profanities towards one and/or more members of the Skokie Police Department, and/or on duty Skokie Fire Department personnel, and/or members of the public;

**FINDINGS & DECISION, CONT'D:**  
**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**  
**PAGE 4**

C. On or about December 22, 2001 at approximately 1830 hours, at or near One

Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things, kicked Skokie Police Sergeant Fred Brehmer at or near the groin area, in violation of Illinois Compiled Statutes Chapter 720 Section 5/12-4(b)(6);

D. On or about December 22, 2001, at approximately 1830 hours, at or near One

Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things, kicked and/or struggled with on duty Skokie Police Officers during the course of her arrest;

E. On or about December 22, 2001, at approximately 1830 hours, at on near One

Old Orchard Mall in Skokie, Illinois, while off duty, she, among other things kicked a display case within the Marshall Field's department store;

F. On or about December 22, 2001, at approximately 0056 hours, at or near the 14<sup>th</sup> District of the Chicago Police Department, while off duty, she, among other things, was intoxicated.

(6) The Respondent, Police Officer **KATHLEEN NELSON**, Star #5475, as charged herein, is guilty of violating, to-wit:

**RULE 8** – “Disrespect to or maltreatment of any person while on or off duty”, in the following instances:

A. On or about December 22, 2001, at approximately 1830 hours, at or near Old Orchard Mall in Skokie Illinois, while off duty, she refused to cooperate with one and/or more members of the Skokie Fire Department personnel and one and/or more members of the Skokie Police Department;

**FINDINGS & DECISION, CONT'D:**  
**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**  
**PAGE 5**

B. On or about December 22, 2001, at approximately 1830 hours, at or near One

Old Orchard Mall in Skokie, Illinois, while off duty, she directed one and/or more profanities towards one and/or more members of the Skokie Police Department and one and/or more on duty Skokie Fire Department personnel and/or members of the public;

C. On or about December 22, 2001, at approximately 1830 hours, at or near One

Orchard Mall in Skokie, Illinois, while off duty, she kicked Skokie Police Sergeant Fred Bremher at or near the groin area;

D. On or about December 22, 2001, at approximately 1830 hours, at or near One

Old Orchard Mall in Skokie, Illinois, while off duty, she kicked and/or struggled with on duty Skokie Police Officers during the course of her arrest.

(7) The Respondent, Police Officer **KATHLEEN NELSON**, Star #5475, as

charged herein, is guilty of violating, to-wit:

**RULE 9** – “Engaging in any unjustified verbal or physical altercation with any person while on or off duty” in the following instances:

A. On or about December 22, 2001, at approximately 1830 hours, at or near One

Old Orchard Mall in Skokie, Illinois, while off duty, she engaged in an unjustified verbal altercation with one and/or more on duty Skokie Police Officers and/or on duty Skokie Fire Department personnel, whereby she refused to cooperate with one and/or more verbal requests;

B. On or about December 22, 2001, at approximately 1830 hours, at or near One

Old Orchard Mall in Skokie, Illinois, while off duty, she engaged in an unjustified verbal altercation with one and/or more members of the Skokie

**FINDINGS & DECISION, CONT'D:**  
**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**  
**PAGE 6**

Police Department and/or on duty Skokie Fire Department personnel, and/or

members of the public, whereby she directed one and/or more profanities towards one and/or more individuals;

C. On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, while off duty, she engaged in an unjustified physical altercation with Skokie Police Sergeant Fred Brehmer, whereby she kicked him at or near the groin area;

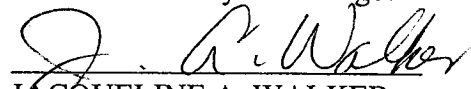
D. On or about December 22, 2001 at approximately 1830 hours, at or near Old Orchard Mall in Skokie, Illinois, while off duty, she engaged in an unjustified physical altercation with one and/or more on duty Skokie Police Officers, whereby she kicked and/or struggled during the course of her arrest.

(8) The Respondent, Police Officer **KATHLEEN NELSON**, Star #5475, as charged herein, is guilty of violating, to-wit:

**RULE 15** –“Intoxication on or off duty”, in that:

On or about December 23, 2001, at approximately 0056 hours, at or near the 14<sup>th</sup> District of the Chicago Police Department, while off duty, she was administered a Breathalyzer test and the results were .202, thereby indicating she was intoxicated.

**BY REASON** of the findings of fact and of guilt herein, cause exists for the separation and discharge of Respondent, Police Officer **KATHLEEN NELSON**, Star # 5475, from the Department of Police and from the services of the City of Chicago.

  
JACQUELINE A. WALKER  
Hearing Officer

**FINDINGS & DECISION, CONT'D:**

**POLICE OFFICER KATHLEEN NELSON, STAR # 5475, C.R. #277214**

**PAGE 7**

**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, **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 **KATHLEEN NELSON**, Star # 5475, as a result of having been found guilty of the charges in Police Board Case No. 02-2500, is hereby separated and discharged from her position as a Police Officer, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 26<sup>th</sup> DAY OF MARCH, 2003.

Devin J. Carney

Scott Davis

Vito Lopez

Gregory J. Miller

Phonny L. Miller

Patricia Bobb

Shayla J. Spivey

William J. Taylor

W. J. Taylor

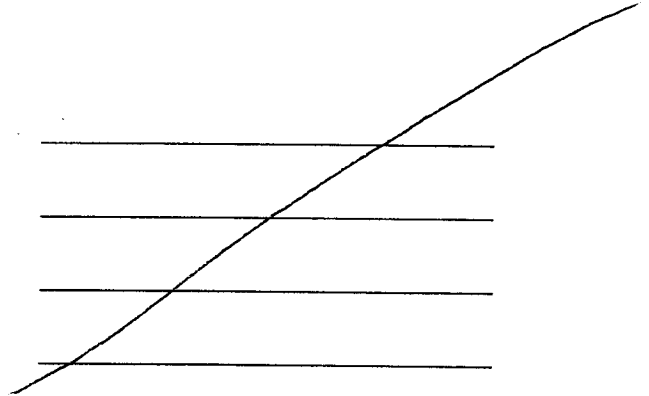
Executive Director, Police Board



**FINDINGS & DECISION, CONT'D:**  
**POLICE OFFICER KATHLEEN NELSON, STAR #5475, C.R. #277214**  
**PAGE 8**

**DISSENT**

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



RECEIVED A COPY OF THE FOREGOING COMMUNICATION

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

\_\_\_\_\_  
SUPERINTENDENT OF POLICE

04/03/2002

COMPLIMENTARY HISTORY

Name	Title	SSN	Star	Unit	Detail Unit
NELSON KATHLEEN	9161		05475	014	

HONORABLE MENTIONS

4

COMPLIMENTARY LETTERS

0

<u>DEPT. COMMENDATIONS</u>	<u>AWARD NUMBER:</u>	1	2	3	4	5
0		6	7	8	9	10

OTHER AWARDS:

**SPECIAL AWARDS:**

Jr. Chamber . of Comm	0	Unit Meritorious	0	Fitness Award	0
Rich. J Daley Award	0	Lambert Tree	0	Appearance Award	0
Police Medal	0	Carter Harrison	0	Special Commendation	0
Supt. Awd of Valor	0	WGN Award	0	Partnership Award	0
Awd of Merit	0	Honored Police Star	0	Special Serv. Award	0
Police Blue Star	0	Life Saving Awd	0	Problem Solving Awd	0
Officer of The Month	0	Hnd Cld Med. of Val	0	Blue Shield Awd	0

Complimentary History Requested By:

NAME LINN LESLEY OPS SUPERVISOR STAR: 00112 UNIT: 113

Completed by:

CR #:

Annette Steptore  
Personnel Division  
Records Section -2089-2092  
Pax 0-342 or Bell 5-5390

CHICAGO POLICE DEPARTMENT  
Sustained Complaints History Report

03-APR-2

02:47:18 PM

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
[REDACTED]	NELSON KATHLEEN M.		590190	9161	POLICE OFFICER	014

<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>
F	WHITE	22-JAN-1947	17-NOV-1986	0	1

<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>
S011667	23-APR-2001	11-MAY-2001	EXCUSED WITHOUT PAY 1 DAY		005 COURT APPEARANCE VIOLATION

Civil Suit #Police Board #Comments TRAFFIC COUR

INTERNAL AFFAIRS DIVISION  
RECORDS SECTION

03 APR 2002

TO: COMMANDING OFFICER OF UNIT

FROM: RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

NELSON KATHLEEN CIV 014

NAME (LAST, FIRST, M.I.)

STAR

UNIT

SEX

RACE

S.S.N.

277-214

REFERENCE:

COMPLAINT REGISTER NUMBER(S)

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

SUPV. LINN LESLEY 229

OPS

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 LAST FIVE (5) YEARS.

SEE ATTACHED

VERIFIED/PREPARED BY:

IVY KNOX

FOR: COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

Ex. A

ONLY

## CHARGES

Police Officer Kathleen Nelson, Star Number 5475, 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 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 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 15: Intoxication on or off duty.

## SPECIFICATIONS

1. Police Officer Kathleen Nelson, Star Number 5475, is charged with violating Rule 1, "Violation of any law or ordinance" in the following instance:
  - Count I: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, directed one and/or more profanities towards one and/or more members of the Skokie Police Department, and/or on duty Skokie Fire Department personnel, and/or members of the public, in violation of Illinois Compiled Statutes Chapter 720 Section 5/26-1(a)(1);
  - Count II: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, kicked Skokie Police Sergeant Fred Brehmer at or near the groin area, in violation of Illinois Compiled Statutes Chapter 720 Section 5/26-1(a)(1) and Chapter 720 Section 5/12-4(b)(6);
  - Count III: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, kicked and/or struggled with on duty Skokie Police Officers during the course of her arrest, in violation of Illinois Compiled Statutes Chapter 720 Section 5/26-1(a)(1).

2. Police Officer Kathleen Nelson, Star Number 5475, 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 instance:

- Count I: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, brought discredit upon the department and impeded the Department's efforts to achieve its policy and goals in that she, among other things, refused to cooperate with one and/or more verbal requests made by one and/or more on-duty Skokie Fire Department Personnel, and/or one and/or more Skokie Police Officers;
- Count II: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, brought discredit upon the department and impeded the Department's efforts to achieve its policy and goals in that she, among other things, directed one and/or more profanities towards one and/or more members of the Skokie Police Department, and/or on duty Skokie Fire Department personnel, and/or members of the public;
- Count III: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, brought discredit upon the department and impeded the Department's efforts to achieve its policy and goals in that she, among other things, kicked Skokie Police Sergeant Fred Brehmer at or near the groin area, in violation of Illinois Compiled Statutes Chapter 720 Section 5/12-4(b)(6);
- Count IV: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, brought discredit upon the department and impeded the Department's efforts to achieve its policy and goals in that she, among other things, kicked and/or struggled with on duty Skokie Police Officers during the course of her arrest;
- Count V: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, brought discredit upon the department and impeded the Department's efforts to achieve its policy and goals in that she, among other things, kicked a display case within the Marshall Field's department store;
- Count VI: On or about December 22, 2001, at approximately 1830 hours, at

or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, brought discredit upon the department and impeded the Department's efforts to achieve its policy and goals in that she, among other things, was intoxicated in a public establishment.

3. Police Officer Kathleen Nelson, Star Number 5475, is charged with violating Rule 8, "Disrespect or maltreatment of any person, while on or off duty," in one or more of the following instances:

Count I: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, refused to cooperate with one and/or more verbal requests made by one and/or more members of the Skokie Fire Department Personnel, and/or members of the Skokie Police Department, thereby being disrespectful to or maltreating any person, while on or off duty;

Count II: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, directed one and/or more profanities towards one and/or more members of the Skokie Police Department, and/or on duty Skokie Fire Department personnel, and/or members of the public, thereby being disrespectful to or maltreating any person, while on or off duty;

Count III: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, kicked Skokie Police Sergeant Fred Brehmer at or near the groin area, thereby being disrespectful to or maltreating any person, while on or off duty;

Count IV: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, kicked and/or struggled with on duty Skokie Police Officers during the course of her arrest, thereby being disrespectful to or maltreating any person, while on or off duty;

4. Police Officer Kathleen Nelson, Star Number 5475, is charged with violating Rule 9, "Engaging in any unjustified verbal or physical altercation with any person while on or off duty," in one or more of the following instances:

Count I: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, engaged in an unjustified verbal altercation with one and/or more on duty Skokie Police Officers, and/or one more on duty Skokie Fire Department Personnel, whereby she refused to

cooperate with one and/or more verbal requests;

Count II: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, engaged in an unjustified verbal altercation with, one and/or more members of the Skokie Police Department, and/or on duty Skokie Fire Department personnel, and/or members of the public, whereby she directed one and/or more profanities towards one and/or more individuals;

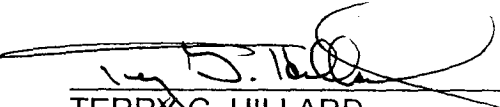
Count III: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, engaged in an unjustified physical altercation with Skokie Police Sergeant Fred Brehmer, whereby she kicked him at or near the groin area;

Count IV: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, engaged in an unjustified physical altercation with one and/or more on duty Skokie Police Officers, whereby she kicked and/or struggled during the course of her arrest.

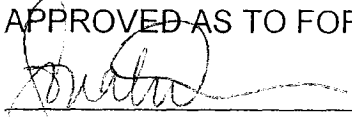
5. Police Officer Kathleen Nelson, Star Number 5475, is charged with violating Rule 15, "Intoxication on or off duty," in one of more of the following instances:

Count I: On or about December 22, 2001, at approximately 1830 hours, at or near One Old Orchard Mall in Skokie, Illinois, Officer Nelson, while off duty, was intoxicated.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Kathleen Nelson, Star Number 5475, be discharged from the Chicago Police Department.

  
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TERRY G. HILLARD  
Superintendent of Police

APPROVED AS TO FORM:

  
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Sonali Das  
Assistant Corporation Counsel