

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER ROSE ANN PHILLIPS) Case No. 03-2518
STAR NO. 19733, CR# 271306)

FINDINGS AND DECISION

On July 1, 2003, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police Officer Rose Ann Phillips, Star No. 19733 (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 6: Disobedience of an order or directive, whether written or oral.

Rule 25: Failure to actually reside within the corporate boundaries of the City of Chicago.

Rule 26: Failure to provide the Department with a current address and telephone number.

The Police Board of the City of Chicago investigated these charges and caused a hearing on these charges against Police Officer Rose Ann Phillips, Star No. 19733, to be had before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on December 1, 2003, December 16, 2003, and January 16, 2004.

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. Thomas E. Johnson, 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, found and determined that:

1. The Respondent was at all times employed as a police officer 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 Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on December 1, 2003, December 16, 2003, and January 16, 2004.

4. Throughout the hearing, Police Officer Rose Ann Phillips, Star No. 19733, was present and represented by counsel.

5. The Respondent Police Officer Rose Ann Phillips, Star No. 19733, charged herein, contrary to the Rules and Regulations, is **not guilty** of violating to wit:

Rule 1: **Violation of any law or ordinance**, which charged that:

From in or about May 2001 to the present, or for some period of time therein, Police Officer Rose Ann Phillips engaged in conduct prohibited by the Municipal Code of the City of Chicago, in that she, while an employee of the City of Chicago, failed to be an actual resident of the City of Chicago, contrary to Title 2, Chapter 152, Section 340 of the Municipal Code of the City of Chicago.

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

Count I: From in or about May 2001 to the present, or for some period of time therein, Police Officer Rose Ann Phillips engaged in conduct prohibited by the Municipal Code of the City of Chicago, in that she, while an employee of the City of Chicago, failed to be an actual resident of the City of Chicago, contrary to Title 2, Chapter 152, Section 340 of the Municipal Code of the City of Chicago.

Count II: On one or more occasions from in or about May 2001 to the present, or for some period of time therein, Police Officer Rose Ann Phillips, changed residence and failed to submit a Personnel Change Notice or Residential Declaration/Change of Address form to the Chicago Police Department in violation of General Order 94-5, Addendum 8, Article III, Section A(1) and A(2) and General Order 94-5, Addendum 8, Article III, Section C.

Count III: From in or about May 2001 to the present, or for some period of time therein, Police Officer Rose Ann Phillips failed to provide the Chicago Police Department with a current address or telephone number.

Rule 6: **Disobedience of an order or directive, which charged that:**

On one or more occasions from in or about May 2001 to the present, or for some period of time therein, Police Officer Rose Ann Phillips changed residence and failed to submit a Personnel Change Notice or Residential Declaration/Change of Address form to the Chicago Police Department in violation of General Order 94-5, Addendum 8, Article III, Section A(1) and A(2) and General Order 94-5, Addendum 8, Article III, Section C.

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Rule 25: **Failure to actually reside within the corporate boundaries of the City of Chicago, which charged that:**

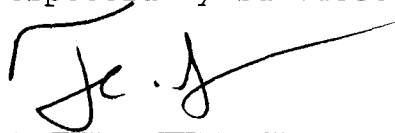
From in or about May 2001 to the present, or for some period of time therein, Police Officer Rose Ann Phillips failed to be an actual resident of the City of Chicago.

Rule 26: **Failure to provide the Department with a current address and telephone number, which charged that:**

From in or about May 2001 to the present, or for some period of time therein, Police Officer Rose Ann Phillips failed to provide the Chicago Police Department with a current address or telephone number.

By reason of the findings of fact, the Respondent is **not guilty** of violating Rules 1, 2, 6, 25 and 26.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T.E. Johnson', written over a horizontal line.

THOMAS E. JOHNSON
Hearing Officer


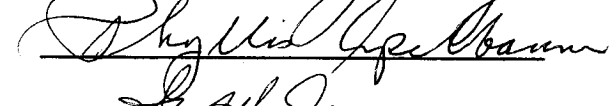
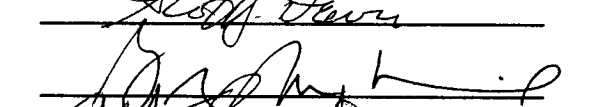

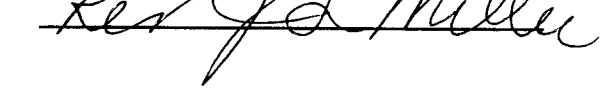
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D E C I S I O N

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, having received the oral report of the Hearing Officer, Thomas E. Johnson, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopt all findings herein, and,

IT IS HEREBY ORDERED that the Respondent, Police Officer Rose Ann Phillips, Star # 19733, as a result of having been found not guilty of the charges in Police Board Case No. 03-2518, is hereby restored to her position as a Police Officer, and to the services of the City of Chicago, effective July 3, 2003.

DATED 26th AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
DAY OF FEBRUARY, 2004.

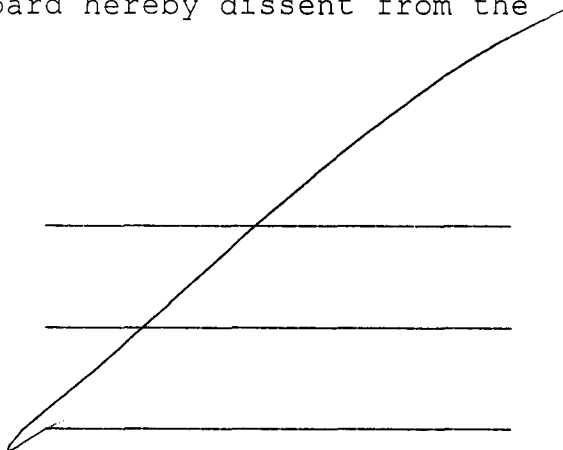







Executive Director, Police Board

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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.



RECEIVED A COPY OF THIS COMMUNICATION

THIS 27 DAY OF February, 2004

Philip J. Cline
SUPERINTENDENT OF POLICE