

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)	
CROSSING GUARD THERESA BOYLE)	CASE #03-2520
EMPLOYEE #540116, DEPARTMENT OF POLICE,)	
CITY OF CHICAGO,)	CR # 264193
)	
RESPONDENT.)	

FINDINGS AND DECISION

On July 10, 2003, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the termination of Crossing Guard **THERESA BOYLE**, Employee # 540116, 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 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."

The Police Board of the City of Chicago caused a hearing on these charges against Crossing Guard **THERESA BOYLE**, Employee # 540116, to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board of the City of Chicago, on November 4, 2003, November 5, 2003, December 5, 2003, December 30, 2003 and January 8, 2004.

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Following the Hearing, the members of the Police Board read and reviewed the certified transcription of the 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 Crossing Guard 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 a union representative;

(4) Respondent, Crossing Guard, **THERESA BOYLE**, Employee #540116, as charged herein, is guilty of violating, to-wit:

RULE 1: "Violation of any law or ordinance."

(A) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she, committed the offense of Battery, in that she pushed Debra Costantini on or about the shoulder, in violation of 720 ILCS 5/12-3.

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(B) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she committed the offense of Battery, in that she spat at or on Joseph Costantini's face, in violation of 720 ILCS 5/12-3.

(C) On or about 23 July 2000, at or near 5740 South New England Avenue, Chicago, Illinois, she committed the offense of Aggravated Battery, in that she pushed Police Officer Deborah Kosaka in or about the chest and /or grabbed Police Officer Deborah Kosaka's arms and /or wrists, in violation of 720 ILCS 5/12-4

(D) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she committed the offense of Assault, in that she threatened to kick Jessica Murphy's ass and /or kill Jessica Murphy, in violation of 720 ILCS 5/12-1; and

(E) On or about 23 July 2000, at or near 5740 South New England Avenue, Chicago, Illinois, she committed the offense of Resisting or Obstructing a Peace Officer or Correctional Institution Employee, in that she resisted arrest, in violation of 720 ILCS 5/31-1.

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

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- (A) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she pushed Debra Costantini on or about the shoulder;
- (B) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she spat at or on Joseph Costantini's face;
- (C) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she pushed Police Officer Deborah Kosaka on or about the chest and /or grabbed Police Officer Deborah Kosaka's arms and /or wrists;
- (D) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she directed profanities at Debra Costantini;
- (E) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she directed profanities at Joseph Constantini;
- (F) On or about 23 July 2000, at or near 5744 south New England Avenue, Chicago, Illinois, she directed profanities at Jessica Murphy;
- (G) On or about 23 July 2000, at or near 5744 south New England Avenue, Chicago, Illinois, she directed profanities at Marcus Perez;

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(H) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she threatened to kick Jessica Murphy's ass and /or kill Jessica Murphy;

(I) On or about 23 July 2000, at or near 5740 South New England Avenue, Chicago, Illinois, she resisted arrest; and

(J) On or about 30 July 2001, at or near 1340 S. Michigan Ave., Branch 64, Room 202, she was found guilty of the offense of Battery.

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

(A) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she pushed Debra Costantini on or about the shoulder;

(B) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she spat at or on Joseph Costantini's face;

(C) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she pushed Police Officer Deborah Kosaka on or about the chest and /or grabbed Police Officer Deborah Kosaka's arms and /or wrists;

(D) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she directed profanities at Debra Costantini;

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(E) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she directed profanities at Joseph Constantini;

(F) On or about 23 July 2000, at or near 5744 south New England Avenue, Chicago, Illinois, she directed profanities at Jessica Murphy;

(G) On or about 23 July 2000, at or near 5744 south New England Avenue, Chicago, Illinois, she directed profanities at Marcus Perez; and

(H) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she threatened to kick Jessica Murphy's ass and /or kill Jessica Murphy.

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

(A) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she pushed Debra Costantini on or about the shoulder;

(B) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she spat at or on Joseph Costantini's face;

(C) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she pushed Police Officer Deborah Kosaka

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on or about the chest and /or grabbed Police Officer Deborah Kosaka's arms and /or wrists;

(D) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she directed profanities at Debra Costantini;


(E) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she directed profanities at Joseph Constantini;

(F) On or about 23 July 2000, at or near 5744 south New England Avenue, Chicago, Illinois, she directed profanities at Jessica Murphy;

(G) On or about 23 July 2000, at or near 5744 south New England Avenue, Chicago, Illinois, she directed profanities at Marcus Perez;
and

(I) On or about 23 July 2000, at or near 5744 South New England Avenue, Chicago, Illinois, she threatened to kick Jessica Murphy's ass
and /or kill Jessica Murphy.

BY REASON of the findings of fact and of guilt herein, cause exists for the discharge of Respondent, Crossing Guard Theresa Boyle, Employee #540116, from the Department of Police and from the services of the City of Chicago.


JACQUELINE A. WALKER
Hearing Officer

FINDINGS & DECISION, CONT'D:

CROSSING GUARD THERESA BOYLE, EMPLOYEE #540116, C.R. # 264193

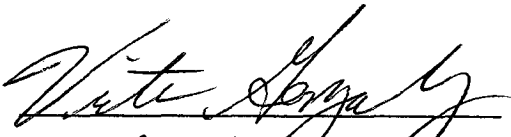
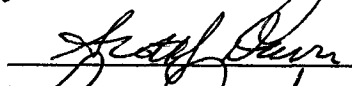
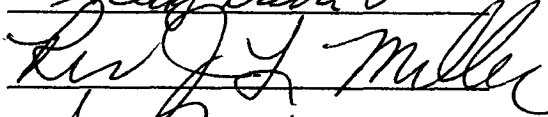
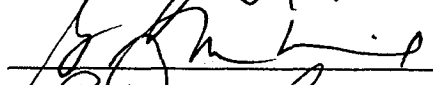
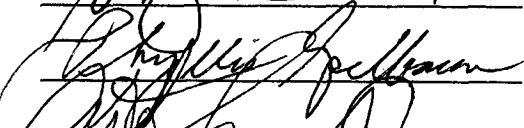

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DECISION

The members of the Police Board, having read and reviewed the certified copy of the transcription of the hearing, having 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, a copy of which is attached hereto as Exhibit A; and,

IT IS HEREBY ORDERED that the Respondent, Crossing Guard **THERESA BOYLE**, Employee # 540166, as a result of having been found guilty of the charges in Police Board Case No. 03-2520, is hereby separated and discharged from her position as a Crossing Guard, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 12th DAY OF MARCH, 2004.


Executive Director, Police Board

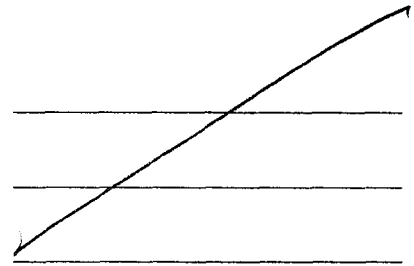
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DISSENT

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



RECEIVED A COPY OF THIS COMMUNICATION

THIS _____ DAY OF _____, 2004

SUPERINTENDENT OF POLICE

13 SEP 2001

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

TO:

COMMANDING OFFICER OF UNIT

113

FROM:

RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT:

PREVIOUS DISCIPLINARY RECORD OF:

BOYLE THERESA 1958 008/163

NAME (LAST, FIRST, M.I.) STAR UNIT

SEX F RACE [REDACTED] S.S.N. [REDACTED]

REFERENCE:

COMPLAINT REGISTER NUMBER(S) 264-193

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

SUPV. LINN 112 # [REDACTED] 113

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.

NONE

VERIFIED/PREPARED BY:

IVY KNOX

FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

Exh. A

ONLY

Chicago Police Department
Personnel Division

9/13/01

COMPLIMENTARY HISTORY

<u>Name</u>	<u>Title</u>	<u>SSN</u>	<u>Star</u>	<u>Unit</u>	<u>Detail Unit</u>
BOYLE THERESA M	9111		01958	003	

DEPT. COMMENDATIONS

0

HONORABLE MENTIONS

0

COMPLIMENTARY LETTERS

0

AWARD NUMBER:

OTHER AWARDS:

SPECIAL AWARDS:

Jr. Chamber . of Comm = 0

Honored Police Star = 0

Rich. J Daley Award = 0

Life Saving Awd= 0

Police Medal = 0

Hnd Cld Med. of Val = 0

Supt. Awd of Valor = 0

Fitness Award= 0

Supt. Awd of Merit = 0

Appearance Award = 0

Police Blue Star = 0

Special Commendation = 0

Officer of The Month = 0

Partnership Award = 0

Unit Meritorious = 0

Special Serv. Award = 0

Lambert Tree = 0

Problem Solving Awd= 0

Carter Harrison = 0

Blue Shield Awd = 0

WGN Award = 0

Complimentary History Requested By:

NAME: LINN LESLEY R TITLE OPS SUPERVISOR STAR: 00112 UNIT: 113

CR #: 264193

Completed by:

Demetra Berry
Personnel Division
Records Section -2089-2092
Pax 0-342 or Bell 5-5390

PERSONNEL SERVICES

SEP 13 2001

CHICAGO POLICE DEPARTMENT