

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)	
POLICE OFFICER ERIC RUIZ,)	CASE # 03-2529
STAR # 12233, DEPARTMENT OF POLICE,)	
CITY OF CHICAGO,)	CR # 274410
)	
RESPONDENT.)	

FINDINGS AND DECISION

On October 10, 2003, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the termination of Police Officer **ERIC S. RUIZ**, Star # 12233, 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 6:** "Disobedience or an order or directive, whether written or oral."
- RULE 8:** "Disrespect of maltreatment of nay person, while on or off duty."

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer **ERIC S. RUIZ**, Star # 12233, to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board of the City of Chicago, on June 24 and June 25, 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

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videotapes of the proceedings. **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, **ERIC S. RUIZ**, Star #12233, 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 September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, without lawful authority, he displayed and/or pointed an unregistered firearm at Roig I. Maya, a minor, placing him in reasonable apprehension of receiving a battery, in violation of Illinois Compiled Statutes Chapter 720 Section 5/12-2(a);

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- B) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, without lawful authority, he displayed and /or pointed an unregistered firearm at Dale J. Sopoci, placing him in reasonable apprehension of receiving a battery, in violation of Illinois Compiled Statutes Chapter 720 Section 5/12-2(a);
- C) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, without lawful authority, he displayed and/or pointed an unregistered firearm at Roig I. Maya, a minor, thereby engaging in disorderly conduct by unreasonably alarming or disturbing another and/or provoking a breach of the peace, in violation of Illinois Compiled Statutes Chapter 720 Section 5/26-1(a) (1);
- D) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, without lawful authority, he displayed and/or pointed an unregistered firearm at Dale J. Sopoci, thereby engaging in disorderly conduct by unreasonably alarming or disturbing and/or provoking a breach of peace, in violation of Illinois Compiled Statutes Chapter 720 Section 5/26-1(a) (1);
- E) From on or about March 14, 1989 to the present, or for some time therein, at or near 2200 N. Merrimac, Chicago, Illinois, he failed to register a firearm in his possession, namely a Smith & Wesson, Model 60, .38 caliber 5 shot

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revolver, Serial Number BBW5610, in violation of Chapter 8 of the Chicago Municipal Code, Section 20-040.

(5) Respondent, Police Officer, **ERIC S. RUIZ**, Star #12233, 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 September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, he displayed and/or pointed an unregistered firearm, without lawful authority, at Roig I. Maya, a minor, placing him in reasonable apprehension of receiving a battery, in violation of Illinois Compiled Statutes 720 Section 5/12-2(a);
- B) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, he displayed and/or pointed an unregistered firearm, without lawful authority, at Dale J. Sopoci, placing him in reasonable apprehension of receiving a battery, in violation of Illinois Compiled Statutes Chapter 720 Section 5/12-2(a);
- C) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, he, among other things, displayed and/or pointed an unregistered firearm without lawful authority at Roig I. Maya, a minor,

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thereby unreasonably provoking a breach of the peace, in violation of Illinois Compiled Statutes Chapter 720 Section 5/26-1(a)(1);

D) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, he, among other things, displayed and/or pointed an unregistered firearm without lawful authority at Dale J. Sopoci, thereby unreasonably provoking a breach of the peace, in violation of Illinois Compiled Statutes Chapter 720 Section 5/26-1(a)(1);

E) From on or about March 14, 1989 to the present, or for some time therein, at or near 2200 N. Merrimac, Chicago, Illinois, he failed to register a firearm in his possession, namely a Smith & Wesson, Model 60, .38 caliber 5 shot revolver, Serial Number BBW5610, in violation of Chapter 8 of the Chicago Municipal Code, Section 20-040;

F) On or about June 26, 2002, he was found guilty of one and/or more counts of disorderly conduct, Illinois Compiled Statutes Chapter 720 Section 5/26-1(a)(1), by the Circuit Court of the 15th Judicial District, located in Lee County, Illinois.

(6) Respondent, Police Officer, **ERIC S. RUIZ**, Star #12233, 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 September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, he consumed alcoholic beverages while in possession of an unregistered

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firearm, a Smith & Wesson, Model 60, .38 caliber 5 shot revolver, Serial Number BBW5610, thereby violating General Order 92-3, Article III, Section C.

7) Respondent, Police Officer, **ERIC S. RUIZ**, Star #12233, as charged herein, is **guilty** of violating, to-wit:

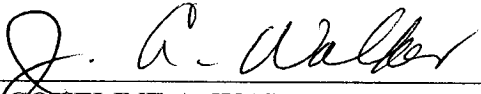
RULE 8: "Disrespect or maltreatment of any person, while off duty, in one or more of the following instances:

- A) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, without lawful authority, he displayed and/or pointed an unregistered firearm at Roig I. Maya, a minor;
- B) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, without lawful authority, he displayed and/or pointed an unregistered firearm at Dale J. Sopoci.
- C) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, he refused to cooperate with one and/or more of the Lee County Sheriff's Department, and/or members of the Woodhaven Lakes Association;
- D) On or about September 1, 2001, at approximately 20:30 hours, at or near Woodhaven Lakes Association, 507 LaMoille Road, Sublette, Illinois, while off duty, he directed one and/or more profanities towards one and/or

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more of the Lee County Sheriff's Department, and/or members of the public.

BY REASON of the findings of fact and of guilt herein, cause exists for the suspension of Respondent, Police Officer **ERIC S. RUIZ**, Star # 12233, from the Department of Police and from the services of the City of Chicago from October 16, 2003 to, up to and including, October 15, 2004.



JACQUELINE A. WALKER
Hearing Officer

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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 the 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, 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, **Police Officer Eric Ruiz**, Star # 12233, as a result of having been found guilty of the charges in Police Board Case No. 03-2529, is hereby suspended from his position as a Police Officer, and from the services of the City of Chicago, from October 16, 2003, to and including October 15, 2004.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 21st DAY
OF September, 2004.

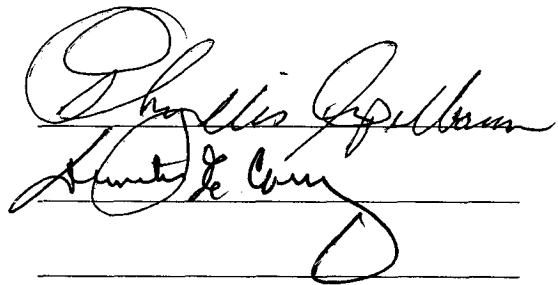
Sgt. J. Davis
William C. Kuching
John L. ...
...
...
...
Patricia Bold

...
...
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.



Handwritten signature of Phillip J. Repellman, Sheriff of Santa Fe County, on a line.

RECEIVED A COPY OF THIS COMMUNICATION

THIS _____ DAY OF _____, 2004

SUPERINTENDENT OF POLICE

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

12 July 2002

TO: COMMANDING OFFICER UNIT 121
FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION
SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

<u>RUIZ</u>	<u>ERIC</u>	<u>12233</u>	<u>014</u>
NAME	(LAST, FIRST M.I.)	STAR	UNIT
<u>M</u>	<u>H</u>	<u>[REDACTED]</u>	
SEX	RACE	S.S.N.	

REFERENCE: COMPLAINT REGISTER NUMBER(S) 274-410

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

<u>SGT</u>	<u>BRODERDORF</u>	<u>1125</u>	<u>[REDACTED]</u>	<u>121</u>
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. KAREN CALAHAN
FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

NONE

EXA

C. R. 274410
ATTACHMENT # 39

Chicago Police Department
Personnel Division

07/12/2002

COMPLIMENTARY HISTORY

<u>Name</u>	<u>Title</u>	<u>SSN</u>	<u>Star</u>	<u>Unit</u>	<u>Detail Unit</u>
RUIZ ERIC	9161		12233	014	376

HONORABLE MENTIONS

18

COMPLIMENTARY LETTERS

2

DEPT. COMMENDATIONS

AWARD NUMBER:

1

2

3

4

5

0

6

7

8

9

10

OTHER AWARDS: 0

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
Supt. 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 BRODERDORF RAY SERGEANT

STAR: 01125

UNIT: 121

Completed by:

CR #: 274410

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

C. R. 274410
ATTACHMENT # 40

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