

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER DUANE BLACKMAN) Case No. 03-2530
STAR NO. 13615)

FINDINGS AND DECISION

On October 27, 2003, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police Officer Duane Blackman, Star No. 13615 (hereinafter sometimes referred to as "Respondent"), for violating the following rules:

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 5: Failure to perform any duty.

Rule 10: Inattention to duty.

Rule 21: Failure to report promptly to the Department any information concerning any crime or other unlawful action.

Rule 22: Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders, or directions of the Department.

The Police Board of the City of Chicago investigated these charges and caused a hearing on these charges against Police Officer Duane Blackman, Star No. 13615, to be had before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on May 18, 2004 and June 1, 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 May 18, 2004 and June 1, 2004.

4. Throughout the hearing, Police Officer Duane Blackman, Star No. 13615, was present and represented by counsel.

5. The Respondent Police Officer Duane Blackman, Star No. 13615, charged herein, contrary to the Rules and Regulations, is not 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, which charged that:

On or about 24 December 2002, at or near the Saks Fifth Avenue department store located at 700 North Michigan Avenue, Chicago, Illinois, after observing Police Officer Aaron Long, Star Number 19500, commit the offense of Retail Theft and after learning that Officer Long had committed the offense of Retail Theft, Officer Blackman failed to take appropriate police action and failed to report promptly to the Department information concerning

Officer Long's crime and failed to report to the Department Officer Long's improper conduct and violation of Rules and Regulations.

Rule 5: **Failure to perform any duty**, which charged that:

On or about 24 December 2002, at or near the Saks Fifth Avenue department store located at 700 North Michigan Avenue, Chicago, Illinois, after observing Police Officer Aaron Long, Star Number 19500, commit the offense of Retail Theft and after learning that Officer Long had committed the offense of Retail Theft, Officer Blackman failed to take appropriate police action and failed to report promptly to the Department information concerning Officer Long's crime and failed to report to the Department Officer Long's improper conduct and violation of Rules and Regulations.

Rule 10: **Inattention to duty**, which charged that:

On or about 24 December 2002, at or near the Saks Fifth Avenue department store located at 700 North Michigan Avenue, Chicago, Illinois, after observing Police Officer Aaron Long, Star Number 19500, commit the offense of Retail Theft and after learning that Officer Long had committed the offense of Retail Theft, Officer Blackman failed to take appropriate police action and failed to report promptly to the Department information concerning Officer Long's crime and failed to report to the Department Officer Long's improper conduct and violation of Rules and Regulations.

Rule 21: **Failure to report promptly to the Department any information concerning any crime or other unlawful action**, which charged that:

On or about 24 December 2002, at or near the Saks Fifth Avenue department store located at 700 North Michigan Avenue, Chicago, Illinois, after observing Police Officer Aaron Long, Star Number 19500, commit the offense of Retail Theft and after learning that Officer Long had committed the offense of Retail Theft, Officer Blackman failed to take appropriate police action and failed to report promptly to the Department information concerning Officer Long's crime and unlawful action.

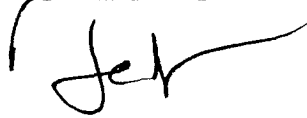
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Rule 22: Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department, which charged that:

On or about 24 December 2002, at or near the Saks Fifth Avenue department store located at 700 North Michigan Avenue, Chicago, Illinois, after observing Police Officer Aaron Long, Star Number 19500, commit the offense of Retail Theft and after learning that Officer Long had committed the offense of Retail Theft, Officer Blackman failed to report to the Department Officer Long's improper conduct and violation of Rules and Regulations.

By reason of the findings of fact, the Respondent is **not guilty** of violating Rules 2, 5, 10, 21 and 22.

Respectfully submitted,



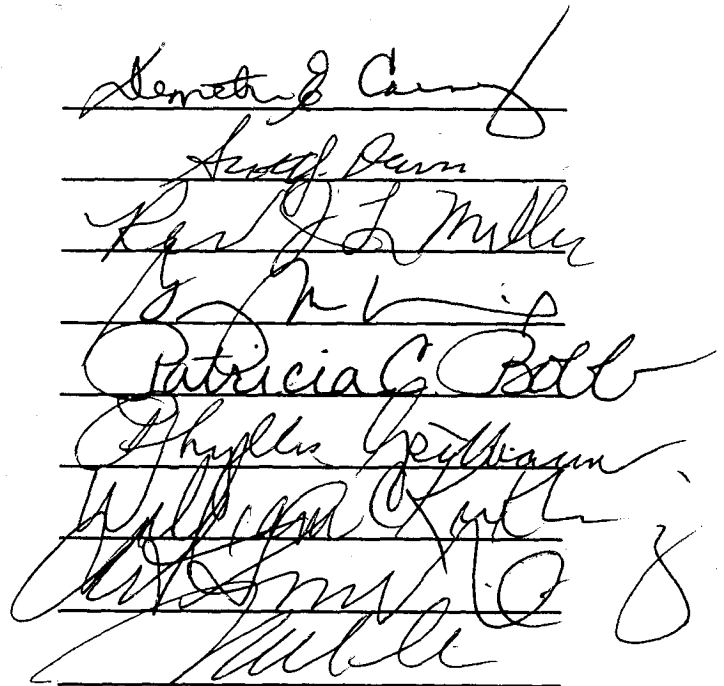
THOMAS E. JOHNSON
Hearing Officer

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 Duane Blackman, Star # 13615, as a result of having been found not guilty of the charges in Police Board Case No. 03-2530, is hereby restored to his position as a Police Officer, and to the services of the City of Chicago, effective October 29, 2003.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
29th DAY OF JUNE, 2004.

A series of eight handwritten signatures, each written over a horizontal line. The signatures are: Kenneth J. Carey, George Davis, Robert J. Miller, G. R. [unclear], Patricia G. Bell, Phyllis G. [unclear], William [unclear], and [unclear].

Interim 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 _____ DAY OF _____, 2004

SUPERINTENDENT OF POLICE