

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER JOHN KAPORIS, STAR#18741,) No.03-2532
DEPARTMENT OF POLICE, CITY OF CHICAGO) CR# 275005
)

On October 27, 2003, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police Officer John Kaporis, (hereinafter sometimes referred to as "Respondent") seeking the discharge of Respondent for violating the following Rules:

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

Before any hearing in this case was held, the Superintendent of Police's counsel and Respondent's counsel entered into a Settlement Agreement And Stipulation, ("Stipulation") which was signed by the respective counsel and the parties. (a copy of that document is attached as Exhibit A)

1. The Respondent was at all times 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 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. A Stipulation with the agreed upon punishment was signed as of April 1, 2004. (which Stipulation is attached as Exhibit A)

4. Respondent was represented by lawyers of his choice throughout this entire proceeding.

5. Respondent Police Officer John Kaporis, Star # 18741, charged herein, contrary to the Rules and Regulations, is guilty of violating, to wit:

Rule 1: Violation of any law or ordinance.

A. On or about September 10, 2001, at approximately 20:04 hours at or near 125 East First Street, Elmhurst, Illinois, Officer Kaporis, while off duty, without lawful authority, knowingly filed a police report alleging that a forgery had occurred, knowing at the time of making such a report that there existed no reasonable ground for believing that such an offense had been committed, thereby engaging in disorderly conduct in violation of Illinois Compiled Statutes Chapter 720, Section 5/26-1(a)4.

6. Respondent Police Officer John Kaporis, Star # 18741, charged herein, contrary to the Rules and Regulations, is guilty of violating, to wit:

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

A. On or about September 10, 2001, at approximately 20:04 hours at or near 125 East First Street, Elmhurst, Illinois, Officer Kaporis, while off duty, without lawful authority, knowingly filed a police report alleging that a forgery had occurred, knowing at the time of making such a report that there existed no reasonable ground for believing that such an offense had been committed, thereby impeding the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.

7. Respondent Police Officer John Kaporis, Star # 18741, charged herein, contrary to the Rules and Regulations, is guilty of violating, to wit:

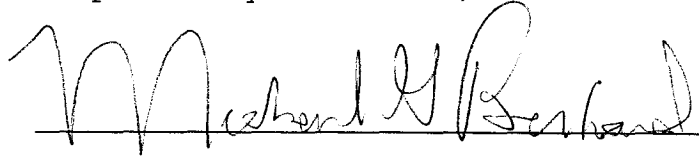
Rule 14: Making a false report, whether written or oral.

A. On or about September 10, 2001, at approximately 20:04 hours at or near 125 East First Street, Elmhurst, Illinois, Officer Kaporis, while off duty, without lawful authority, knowingly filed a police report alleging that a forgery had occurred, knowing at the time of making such a report that there existed no reasonable ground for believing that such an offense had been committed, thereby making a false report, written or oral.

By reason of the fact that Police Officer John Kaporis, Star#18741, is guilty of violating Rule 1, 2, and 14, and pursuant to the terms of the Stipulation, cause exists for the suspension of Respondent Police Officer John Kaporis from his position as a Police Officer from the Department of Police and from the

services of the City of Chicago. from October 28, 2003 to and including October 28, 2004 with restoration of all rights and privileges thereafter.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael G. Berland", is written over a horizontal line.

Michael G. Berland, Hearing Officer

D E C I S I O N

The members of the Police Board, having read and reviewed the Settlement Agreement And Stipulation, hereby accepts such Stipulation and finds as follows:

IT IS HEREBY ORDERED that Police Officer John Kaporis, Star#18741, is guilty of violating Rule 1, 2, and 14, and cause exists for the suspension of Respondent Police Officer John Kaporis from his position as a Police Officer from the Department of Police and from the services of the City of Chicago from October 28, 2003 to and including October 28, 2004 with restoration of all rights and privileges thereafter.

DATED AT CHICAGO, ILLINOIS, COUNTY OF COOK, STATE OF ILLINOIS, THIS 27th DAY OF A PRIL, A.D., 2004.

James L. Cunniff
John M. Lanza
William J. G. [unclear]
Phyllis G. [unclear]

[Signature]

Executive Director of the
Police Board

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 THE
FOREGOING COMMUNICATION

THIS ____ DAY OF _____, 2004.

SUPERINTENDENT OF POLICE

BEFORE THE POLICE BOARD
OF THE CITY OF CHICAGO

IN THE MATTER
OF CHARGES AGAINST
JOHN KAPORIS,

Respondent.

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)
)
)

Case No. 03-2532

POLICE BOARD CITY OF CHICAGO

4/5/04

SETTLEMENT AGREEMENT AND STIPULATION

Respondent, Police Officer John Kaporis, by his attorney, Ivan Rittenberg, and the Superintendent of Police, Philip Cline, by his attorney, Mara S. Georges, Corporation Counsel of the City of Chicago, herein stipulate and agree to the following:

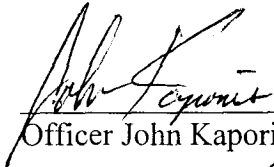
1. On October 27, 2003, the Superintendent filed charges with the Police Board of the City of Chicago (the "Police Board") seeking discharge against the respondent, Police Officer John Kaporis, Star Number 18741. The Superintendent alleges that, (1) on or about September 10, 2001, at approximately 2004 hours, at or near 125 East First Street, Elmhurst, Illinois, Officer Kaporis, while off duty, without lawful authority, knowingly filed a police report alleging a forgery had occurred, knowing at the time of making such a report that there existed no reasonable ground for believing that such an offense had been committed, thereby engaging in disorderly conduct, in violation of Illinois Compiled Statutes Chapter 720 Section 5/26-1(a)(4) and in violation of Article V of the Rules and Regulations of the Chicago Police Department, Rule 1; (2) on or about September 10, 2001, at approximately 2004 hours, at or near 125 East First Street, Elmhurst, Illinois, Officer Kaporis, while off duty, without lawful authority, knowingly filed a police report alleging a forgery had occurred, knowing at the time of making such a report that there existed no reasonable ground for believing that such an offense had been committed,

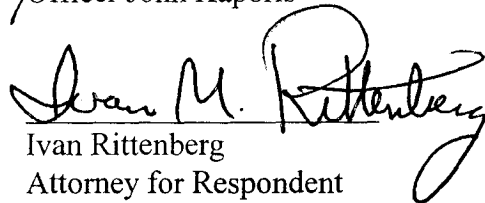
thereby impeding the Departments efforts to achieve its policy and goals or bring discredit upon the Department in violation of Article V of the Rules and Regulations of the Chicago Police Department, Rule 2; (3) on or about September 10, 2001, at approximately 2004 hours, at or near 125 East First Street, Elmhurst, Illinois, Officer Kaporis, while off duty, without lawful authority, knowingly filed a police report alleging a forgery had occurred, knowing at the time of making such a report that there existed no reasonable ground for believing that such an offense had been committed, thereby making a false report in violation of Article V of the Rules and Regulations of the Chicago Police Department, Rule 14. Officer Kaporis was suspended without pay beginning October 28, 2003.

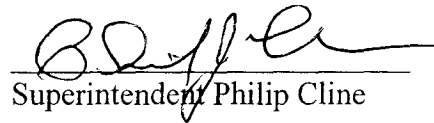
2. The parties, through their attorneys, have advised the Police Board that they desire to resolve this case without the burden and delay of further litigation, and that an agreement has been reached by the parties which is set forth herein. It is agreed that neither this Stipulation and Settlement Agreement nor any of its terms shall be offered or received in evidence in any civil or administrative action or proceedings, or used in any manner whatsoever, as an indication of wrongdoing, or of the legal position in these proceedings, of the Chicago Police Department, the Superintendent of Police, or any of its officers, agents, or employees of the City of Chicago including the respondent herein. The parties expressly state that they are entering into this Stipulation and Settlement Agreement solely for the purpose of avoiding further expense, inconvenience and the distraction of burdensome litigation.
3. The parties have agreed upon the imposition of a one year suspension to resolve this matter. Therefore, in consideration of the provisions of this Stipulation and Settlement

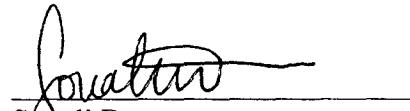
Agreement, the Superintendent recommends to the Police Board that Officer John Kaporis be suspended for the period from October 28, 2003, to and including October 28, 2004.

4. In consideration of the provisions of this Stipulation and Settlement Agreement, the respondent agrees to hold harmless, release and forever discharge the City of Chicago, its departments, officers, agents and employees from any actions, claims, causes of actions, demands, losses, damages or conditions of reinstatement arising out of the suspension herein referred to.
5. The parties expressly understand that the terms and obligations of this Stipulation and Settlement Agreement are subject to and conditioned upon acceptance and adoption by the Police Board. In the event that this Stipulation and Settlement Agreement is not accepted by the Police Board, it shall be deemed null and void, and this matter shall be returned to the Board's calendar for hearing, and no facts or admissions referenced in this agreement shall be used against either party.
6. If the Police Board enters an order accepting and adopting the provisions of this Stipulation and Settlement Agreement, the respondent waives any and all forms of review of that order, in any forum whatsoever.
7. The parties further agree that this Stipulation and Settlement Agreement, and all of its terms, contains the entire agreement between the parties, and shall be binding on the parties, their representatives, successors and assigns.


Officer John Kaporis


Ivan Rittenberg
Attorney for Respondent


Superintendent Philip Cline


Sonali Das
Assistant Corporation Counsel
for Mara Georges, Corporation Counsel of
the City of Chicago

Dated: 4-1-04