

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST) Case No. 04-2557
POLICE OFFICER BILL CARO, STAR #3128,)
DEPARTMENT OF POLICE, CITY OF CHICAGO) CR No. 276260

FINDINGS AND DECISION

On August 19, 2004, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police Officer Bill Caro, Star #3128, (hereinafter sometimes referred to as "Respondent") seeking his discharge 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 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.
- Rule 5: Failure to perform any duty.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 10: Inattention to duty.
- Rule 16: Entering any tavern or bar while on duty or in uniform, except in the performance of a police duty.

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer Bill Caro to be had before Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago, on March 16, 2005, April 14, 2005, and May 17, 2005.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing and reviewed the videotapes of the hearing. Michael G. Berland, 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, finds and determines that:

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. The hearing was conducted on March 16, 2005, April 14, 2005, and May 17, 2005 before Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago.

4. Throughout the hearing, the Respondent did appear in person and was represented by counsel of his choice.

5. The Respondent, Police Officer Bill Caro, Star #3128, 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 goals or brings discredit upon the Department.

Count I: From about May 1, 2002, through about May 3, 2002, Police Officer Bill Caro operated an unlicensed security guard business, known as Bill Caro and Associates, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count II: From about November 10, 2001, through about November 12, 2001, Police Officer Bill Caro operated a private security guard business while on duty, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count III: From about November 10, 2001, through about November 12, 2001, Police Officer Bill Caro failed to adequately perform his duties as a Field Training Officer, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

6. The Respondent, Police Officer Bill Caro, Star #3128, charged herein, contrary to the Rules and Regulations, is **guilty** of violating, to wit:

Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Count I: From about May 1, 2002, through about May 3, 2002, Police Officer Bill Caro operated an private security guard business while on duty, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

Count II: On or about November 10, 2001, Police Officer Bill Caro, while on duty, went to Las Tres Rosas Tavern, 3253 West Cermak Road, Chicago, Illinois, for the purpose of operating his security guard business, while responsible for the training of Probationary Police Officer Virginia Chentis, thereby failing to

promote the Department's efforts to implement its policy or accomplish its goals.

Count III: On or about November 11, 2001, Police Officer Bill Caro, while on duty, went to Las Tres Rosas Tavern, 3253 West Cermak Road, Chicago, Illinois, for the purpose of operating his security guard business, while responsible for the training of Probationary Police Officer Virginia Chentis, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

Count IV: On or about November 11, 2001, Police Officer Bill Caro, while on duty, went to Western Stages Tavern, 1853 South Western Avenue, Chicago, Illinois, for the purpose of operating his security guard business, while responsible for the training of Probationary Police Officer Virginia Chentis, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

Count V: On or about November 12, 2001, Police Officer Bill Caro, while on duty, went to Las Tres Rosas Tavern, 3253 West Cermak Road, Chicago, Illinois, for the purpose of operating his security guard business, while responsible for the training of Probationary Police Officer Virginia Chentis, thereby failing to promote the Department's efforts to implement its policy or accomplish its goals.

7. The Respondent, Police Officer Bill Caro, Star #3128, charged herein, contrary to the Rules and Regulations, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty.

Count I: On or about November 10, 2001, Police Officer Bill Caro, while on duty, operated his security guard business, thereby failing to perform the duty of properly training Probationary Police Officer Virginia Chentis.

Count II: On or about November 11, 2001, Police Officer Bill Caro, while on duty, operated his security guard business, thereby failing to perform the duty of properly training Probationary Police Officer Virginia Chentis.

Count III: On or about November 12, 2001, Police Officer Bill Caro, while on duty, operated his security guard business, thereby failing to perform the duty of properly training Probationary Police Officer Virginia Chentis.

8. The Respondent, Police Officer Bill Caro, Star #3128, charged herein, contrary to the Rules and Regulations, is **guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral.

Count I: On or about May 3, 2002, Police Officer Bill Caro failed to obey a direct order given to him on May 1, 2002 by Sergeant Louis Velez, Star #1749, to stop operating an unlicensed security guard business, in that Police Officer Caro engaged in actions including, but not limited to, supplying security guards to Krista Liney of Indigo Productions, at or near George's Record Store, 3915 West Roosevelt Road, thereby disobeying an order or directive, whether written or oral.

9. The Respondent, Police Officer Bill Caro, Star #3128, charged herein, contrary to the Rules and Regulations, is **guilty** of violating, to wit:

Rule 10: Inattention to duty.

Count I: On or about November 10, 2001, Police Officer Bill Caro, while on duty, went to Las Tres Rosas Tavern, 3253 West Cermak Road, Chicago, Illinois, for the purpose of operating his security guard business, thereby being inattentive to duty.

Count II: On or about November 11, 2001, Police Officer Bill Caro, while on duty, went to Las Tres Rosas Tavern, 3253 West Cermak Road, Chicago, Illinois, and/or left Probationary Police Officer Virginia Chentis unattended for approximately ten minutes, for the purpose of operating his security guard business, thereby being inattentive to duty.

Count III: On or about November 11, 2001, Police Officer Bill Caro, while on duty, went to Western Stages Tavern, 1853 South Western Avenue, Chicago, Illinois, for the purpose of operating his security guard business, thereby being inattentive to duty.

Count IV: On or about November 12, 2001, Police Officer Bill Caro, while on duty, went to Las Tres Rosas Tavern, 3253 West Cermak Road, Chicago, Illinois, for the purpose of operating his security guard business, thereby being inattentive to duty.

10. The Respondent, Police Officer Bill Caro, Star #3128, charged herein, contrary to the Rules and Regulations, is **guilty** of violating, to wit:

Rule 16: Entering any tavern or bar while on duty or in uniform, except in the performance of a police duty.

Count I: On or about November 10, 2001, Police Officer Bill Caro, while on duty and for no police purpose, entered Las Tres Rosas Tavern, 3253 West Cermak Road, Chicago, Illinois, thereby entering any tavern or bar while on duty and/or in uniform.

Count II: On or about November 11, 2001, Police Officer Bill Caro, while on duty and for no police purpose, entered Las Tres Rosas Tavern, 3253 West Cermak Road, Chicago, Illinois, thereby entering any tavern or bar while on duty and/or in uniform.

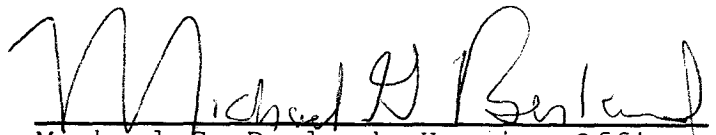
Count III: On or about November 11, 2001, Police Officer Bill Caro, while on duty and for no police purpose, entered Western Stages Tavern, 1853 South Western Avenue, Chicago, Illinois, thereby entering any tavern or bar while on duty and/or in uniform.

Count IV: On or about November 12, 2001, Police Officer Bill Caro, while on duty and for no police purpose, entered Las Tres Rosas Tavern, 3253 West Cermak Road, Chicago, Illinois, thereby entering any tavern or bar while on duty and/or in uniform.

11. Because of the five-year time-limit regarding use of a police officer's disciplinary history, included in section 8.4 of the contract between the Department of Police and the Fraternal Order of Police, the sustained complaint with an incident date of 7 June 1999 was not considered by the Police Board when making a decision as to the penalty in this case.

By reason of the fact that Police Officer Bill Caro, Star #3128, is guilty of violating Rules 2, 3, 5, 6, 10, and 16, cause exists for the suspension of Respondent from his position as a Police Officer with the Department of Police, and from the services of the City of Chicago, from 24 August 2004 to and including 15 July 2005.

Respectfully submitted,

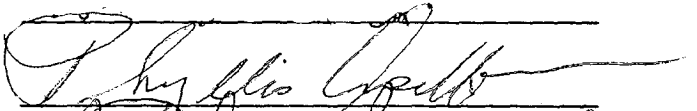
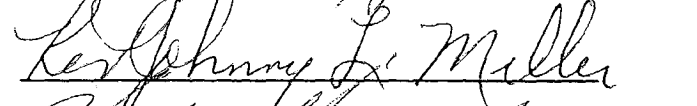
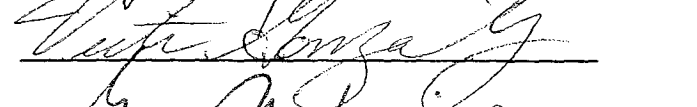
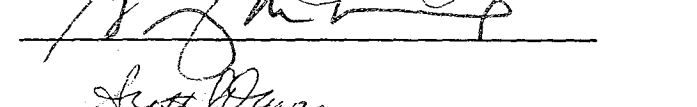
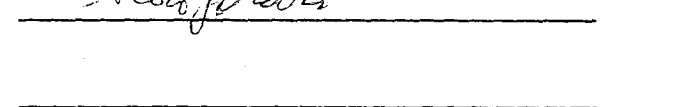

Michael G. Berland, Hearing Officer

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 reviewed the videotapes of the hearing, having received the oral report of the Hearing Officer, Michael G. Berland, 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, Police Officer Bill Caro, Star #3128, as a result of having been found **guilty** of charges in Police Board Case No. 04-2557, be and hereby is **suspended** from his position as a Police Officer with the Department of Police, and from the services of the City of Chicago, from 24 August 2004 to and including 15 July 2005.

DATED AT CHICAGO, COUNTY OF COOK. STATE OF ILLINOIS, THIS
16th DAY OF JUNE, 2005.



Executive Director
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 in Police
Board Case No. 04-2557.

William T. Fung
Demetri J. Cooney

*Dissent regarding penalty only, as the dissenters voted
for a lesser penalty.

RECEIVED A COPY OF THIS COMMUNICATION

THIS _____ DAY OF _____, 2005

Chicago Police Department
Personnel Division

08/26/2002

COMPLIMENTARY HISTORY

<u>Name</u>	<u>Title</u>	<u>SSN</u>	<u>Star</u>	<u>Unit</u>	<u>Detail Unit</u>
CARO BILL	9164		03128	010	

HONORABLE MENTIONS

47

COMPLIMENTARY LETTERS

3

DEPT. COMMENDATIONS

AWARD NUMBER:

0

1

6

2

7

3

8

4

9

5

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
pt. 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 HICKS CAROL 9111 STAR: 01519 UNIT: 004

Completed by:

CR #: 276260

BETTY FLYNN
Personnel Division
Records Section -2089-2092
Pax 0-342 or Bell 5-5390

Ex. A-1

C. R. # 276260
ATTACHMENT # 46

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

26 August 2002

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

<u>CARO,</u>	<u>BILL</u>	<u>3128</u>	<u>010</u>
NAME	(LAST, FIRST M.I.)	STAR	UNIT
<u>M</u>	<u>S</u>	<u>[REDACTED]</u>	
SEX	RACE	S.S.N.	

REFERENCE: COMPLAINT REGISTER NUMBER(S) 276260

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

<u>P.A.</u>	<u>N. DEL VALLE</u>	<u>7485</u>	<u>[REDACTED]</u>	<u>121-C</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. C. FABIAN
FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SEE ATTACHED:

Ex A-2

C. R. # 276260
ATTACHMENT # 47-12

CHICAGO POLI DEPARTMENT

Sustained Complaints History Report

26-AUG-2002 6:35 PM

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
[REDACTED]	CARO BILL .	3128	108303	9164	PO/FIELD TRNING OFF	010
<u>Sex</u>	<u>Race</u>	<u>Birth Date</u>	<u>Appointed Date</u>	<u>No. Of CR's</u>	<u>No. Of SPAR's</u>	
M	[REDACTED]	01-AUG-1957	22-DEC-1986	1	2	

<u>Case #</u>	<u>Incident Date</u>	<u>Suspension Dates</u>	<u>Disciplinary Action Taken</u>	<u>Final Category</u>	<u>Less Serious Transgression</u>
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<u>Civil Suit #</u>			<u>Police Board #</u>		
			<u>Police Board #</u>		

Comments SUSTAINED/002

<u>Case #</u>	<u>Incident Date</u>	<u>Suspension Dates</u>	<u>Disciplinary Action Taken</u>	<u>Final Category</u>	<u>Less Serious Transgression</u>
S014090	19-OCT-2001		FORFEIT 2 DAYS		005-COURT APPEARANCE VIOLATION
<u>Civil Suit #</u>			<u>Police Board #</u>		

Comments TRAFFIC COURT 19-OCT-2001

<u>Case #</u>	<u>Incident Date</u>	<u>Suspension Dates</u>	<u>Disciplinary Action Taken</u>	<u>Final Category</u>	<u>Less Serious Transgression</u>
S023027	01-MAY-2002		REPRIMAND		019-INATTENTION TO DUTY
<u>Civil Suit #</u>			<u>Police Board #</u>		

Comments WATER

C.R. # 276260
ATTACHMENT # 47 1/2