

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST )  
CROSSING GUARD CARLOUS BUIS, STAR#347 ) No.04-2538  
DEPARTMENT OF POLICE, CITY OF CHICAGO ) CR#286712  
)

FINDINGS & DECISION

On March 2, 2004, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Crossing Guard Carlous Buis, Star #347, (hereinafter sometimes referred to as "Respondent") seeking his discharge for violating 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 38: Unlawful or unnecessary use or display of a weapon.

The Police Board of the City of Chicago caused a hearing on these charges against Crossing Guard Carlous Buis before Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago on August 4, 2004 and August 17, 2004.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings 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 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 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 Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago, on August 4, 2004 and August 17, 2004.

4. Throughout the hearing the Respondent did appear in person and was represented by a union representative.

5. Respondent Crossing Guard Carlous Buis, Star # 347, 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 January 1, 2003, at approximately 0030 hours, at or near 8746 S. Baltimore, Chicago, Illinois, Crossing Guard Buis, while off duty, knowingly carried and/or concealed on or about his person at a location other than his abode or fixed place of business, a Herstal Belgique, Browning, 9 mm semi-automatic pistol and/or revolver, Serial Number 89912A, in violation of Illinois Compiled Statues Chapter 720 Section 5/24-

1.6 (a) (1).

B. On or about January 1, 2003, at approximately 0030 hours, at or near 8746 S. Baltimore, Chicago, Illinois, Crossing Guard Buis, while off duty, without lawful authority carried and/or maintained and/or concealed on or about his person at a location other than his abode or fixed place of business, a Herstal Belgique, Browning, 9 mm semi-automatic pistol and revolver, Serial Number 89912A, in violation of Chapter 8 of the Chicago Municipal Code, Section 20-10.

6. Respondent Crossing Guard Carlous Buis, Star#347, 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.

A. On or about January 1, 2003, at approximately 0030 hours, at or near 8746 S. Baltimore, Chicago, Illinois, Crossing Guard Buis, while off duty, brought discredit upon the Department and impeded the Department's efforts to achieve its policy and goals in that he, among other things, without lawful authority knowingly carried and/or concealed on or about his person at a location other than his abode or fixed place of business a Herstal Belgique, Browning, 9 mm semi-automatic pistol and revolver, Serial Number 89912A.

B. On or about January 1, 2003, at approximately 0030 hours,

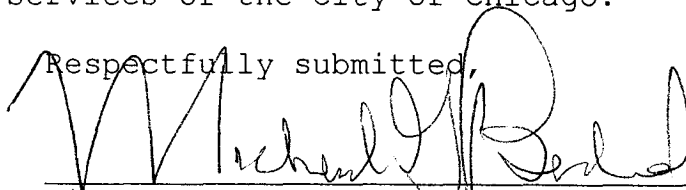
at or near 8746 S. Baltimore, Chicago, Illinois, Crossing Guard Buis, while off duty, brought discredit upon the Department and impeded the Department's efforts to achieve its policy and goals in that he, among other things, without lawful authority and/or necessity used or displayed a Herstal Belgique, Browning, 9 mm semi-automatic pistol and or revolver, Serial Number 89912A.

7. Respondent Crossing Guard Carlous Buis, Star #347, charged herein, contrary to the Rules and Regulations, is guilty of violating, to wit:

Rule 38: Unlawful or unnecessary use or display of a weapon.

A. On or about January 1, 2003, at approximately 0030 hours, at or near 8746 S. Baltimore, Chicago, Illinois, Crossing Guard Buis, while off duty, and without lawful authority and/or necessity used or displayed a Herstal Belgique, Browning, 9 mm semi-automatic pistol and revolver, Serial Number 89912A.

By reason of the findings of fact that the Respondent Crossing Guard Carlous Buis, Star #347, is guilty of violations of Rules 1, 2, and 38, cause exists for the termination of Carlous Buis, from his position as a Crossing Guard with the Department of Police and from the services of the City of Chicago.

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 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, Crossing Guard Carlous Buis, Employee # 503517, as a result of having been found guilty of the charges in Police Board Case No. 04-2538, is hereby separated and discharged from his position as a Crossing Guard, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 2<sup>ND</sup> DAY OF DECEMBER, 2004.

Samuel J. Carr  
Walter J. Grogan  
Scott D. Deane  
Michael J. Smith  
John J. Hill  
Rev. J. J. Miller  
Patricia C. Bobb  
William J. Kelly  
Max A. Casani  
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.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

RECEIVED A COPY OF THIS COMMUNICATION

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2004

\_\_\_\_\_  
SUPERINTENDENT OF POLICE

**INTERNAL AFFAIRS DIVISION  
RECORDS SECTION**

21 MAY 2003

**TO:** COMMANDING OFFICER UNIT 113  
**FROM:** RECORDS SECTION  
INTERNAL AFFAIRS DIVISION  
**SUBJECT:** PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

BUIS	CARLOUS	CIV	003
NAME	(LAST, FIRST M.I.)	STAR	UNIT
MALE	BLACK	[REDACTED]	
SEX	RACE	S.S.N.	

**REFERENCE:** COMPLAINT REGISTER NUMBER 286712

**THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:**

INVG.	SANDERS	248	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 ADMINISTERED TO THE SUBJECT ACCUSED FOR THE PAST FIVE (5) YEARS.**

**VERIFIED/PREPARED BY:**

NIYA SCOTT

NONE

**FOR: COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION**

Ex A

COMPLIMENTARY HISTORY

<u>Name</u>	<u>Title</u>	<u>SSN</u>	<u>Star</u>	<u>Unit</u>	<u>Detail Unit</u>
BUIS CARLOUS	9111	[REDACTED]	00347	003	

HONORABLE MENTIONS

0

COMPLIMENTARY LETTERS

0

DEPT. COMMENDATIONS

AWARD NUMBER:

0

1

6

2

7

3

8

4

9

5

10

OTHER AWARDS:

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 SANDERS ERICA OPS INVESTIGATOR STAR: 00248 UNIT: 113

Completed by:

CR #:

**P.O. Michael J. Selke**  
Personnel Division  
Records Section -2089-2092  
Fax 0-342 or Bell 5-5390

Ex. A.