

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST )  
POLICE OFFICER MARIAM HAMAD, ) No. 05 PB 2579  
STAR No. 13995, DEPARTMENT OF POLICE, )  
CITY OF CHICAGO, )  
 ) (CR Nos. 253975  
RESPONDENT ) and 270735)

FINDINGS AND DECISION

On October 4, 2005, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police Officer Mariam Hamad, Star No. 13995 (hereinafter sometimes referred to as "Respondent"), 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 6: Disobedience of an order or directive, whether written or oral.
- Rule 10: Inattention to duty.
- Rule 13: Failure to adequately secure and care for Department property.
- Rule 14: Making a false report, written or oral.
- Rule 26: Failure to provide the Department with a current address and telephone number.

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer Mariam Hamad, Star No. 13995, to be had before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on April 3, April 4, May 15, June 13, and June 22, 2006.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the hearing and viewed the video-recording of the hearing. Thomas E. Johnson, Hearing Officer, made an oral report to and conferred with the Police Board before it rendered a decision.

The Police Board of the City of Chicago, as a result of its hearing of the charges, finds and determines that:

1. The Respondent was at all times mentioned herein 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 April 3, April 4, May 15, June 13, and June 22, 2006.

4. Throughout the hearing, the Respondent was represented by counsel of her choice and was present (except for June 13, 2006, when the Respondent was ill and authorized her counsel to proceed in her absence).

5. The Respondent, Police Officer Mariam Hamad, Star No. 13995, charged herein, is **not guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance.

Count I: There was insufficient evidence presented by the Superintendent to prove that from on or about May 30, 1999, through and including April 19, 2001, or for some period of time therein, Police Officer Mariam Hamad violated 625 ILCS 5/4-103(a) by possessing a Ford Taurus with the vehicle identification number 1FABP29U3GG194911, belonging to the deceased John Finnegan, which she was not entitled to possess and which she knew to have been reported stolen.

6. The Respondent, Police Officer Mariam Hamad, Star No. 13995, charged herein, is **guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance.

Count II: From on or about May 26, 2000, through and including April 19, 2001, or for some period of time therein, Police Officer Mariam Hamad violated 625 ILCS 5/4-104(a) by possessing without authority a certificate of title issued to the deceased John Finnegan for a Ford Taurus with the vehicle identification number 1FABP29U3GG194911.

Count III: On or about April 19, 2001, Police Officer Mariam Hamad violated 625 ILCS 5/3-703 by displaying in a Ford Taurus with the vehicle identification number 1FABP29U3GG194911, which was in her possession, a temporary registration permit which was not properly issued and/or was otherwise used in an unlawful manner.

7. The Respondent Police Officer Mariam Hamad, Star No. 13995, 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.

Count I: On or about May 30, 1999, at or near the Leg Room Bar, 15 West Division Street, Chicago, Police Officer Mariam Hamad, while off duty, was in possession of a firearm while under the influence of alcohol and/or while consuming alcoholic beverages.

Count VII: From on or about May 26, 2000, through and including April 19, 2001, or for some period of time

therein, Police Officer Mariam Hamad possessed without authority a certificate of title issued to the deceased John Finnegan for a Ford Taurus with the vehicle identification number 1FABP29U3GG194911.

Count VIII: On or about April 19, 2001, Police Officer Mariam Hamad displayed in a Ford Taurus with the vehicle identification number 1FABP29U3GG194911 a temporary registration permit which was not properly issued and/or was otherwise used in an unlawful manner.

8. The Respondent Police Officer Mariam Hamad, Star No. 13995, charged herein, 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.

Count II: There was insufficient evidence presented by the Superintendent to prove that on or about May 30, 1999, at or near 3906 North Page Avenue, Chicago, Police Officer Mariam Hamad, while off duty, failed to properly secure her weapon, a Smith and Wesson .38 caliber revolver.

Count III: There was insufficient evidence presented by the Superintendent to prove that on or about May 30, 2000, Police Officer Mariam Hamad gave a false report to Sergeant Michael J. Schmit regarding the whereabouts of her police star and/or shield and/or Chicago Police Department identification card.

Count IV: There was insufficient evidence presented by the Superintendent to prove that from on or about May 30, 2000, to the date of the filing of charges, or on one or more dates therein, Police Officer Mariam Hamad failed to account for the whereabouts of her police star and/or shield and/or Chicago Police Department identification card.

Count V: There was insufficient evidence presented by the Superintendent to prove that from the date that she moved from 3906 North Page Avenue, Chicago, in or around 2001, to on or about June 23, 2004, Police Officer Mariam Hamad failed to complete a Personnel Action Request form to notify the Department of a change in her address and telephone number.

Count VI: There was insufficient evidence presented by the Superintendent to prove that from on or about May 30, 1999, through and including April 19, 2001, or for some period of time therein, Police Officer Mariam Hamad possessed a Ford Taurus with the vehicle identification number 1FABP29U3GG194911, belonging to the deceased John Finnegan, which she was not entitled to possess and/or which she knew to have been reported stolen.

9. The Respondent Police Officer Mariam Hamad, Star No. 13995, charged herein, is **guilty** of violating, to wit:

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

Count I: On or about May 30, 1999, at or near the Leg Room Bar, 15 West Division Street, Chicago, Police Officer Mariam Hamad, while off duty, was in possession of a firearm while consuming alcoholic beverages, in violation of General Order 92-3, section III.C.

Count III: In or about July 2001, Police Officer Mariam Hamad disobeyed a direct order from Sergeant Jeanette M. Walsh requiring Officer Hamad to read, sign, or mark refused and return within 72 hours the following forms sent to her via certified mail on or about July 3, 2001: a Notification of Charges/Allegations, Administrative Proceedings Rights, and Waiver of Counsel/Request to Secure Counsel.

Count IV: From on or about June 29, 2001, through November 29, 2001, or for some period of time therein, Police Officer Mariam Hamad failed to cooperate with personnel of the Internal Affairs Division during the investigation of Complaint Register No. 270735, thereby violating General Order 93-3-2A.

10. The Respondent Police Officer Mariam Hamad, Star No. 13995, charged herein, is **not guilty** of violating, to wit:

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

Count II: There was insufficient evidence presented by the Superintendent to prove that from on or about May 30, 2000, to the date of the filing of charges, or on one or more dates therein, Police Officer Mariam Hamad failed to properly account for the whereabouts of her police star and/or shield and/or Chicago Police Department identification card, in violation of General Order 98-9, section IV.B.

11. The Respondent Police Officer Mariam Hamad, Star No. 13995, charged herein, is **not guilty** of violating, to wit:

Rule 10: Inattention to duty.

There was insufficient evidence presented by the Superintendent to prove that on or about May 30, 1999, at or near 3906 North Page Avenue, Chicago, Police Officer Mariam Hamad, was inattentive to duty in that she failed to properly secure her weapon, a Smith and Wesson .38 caliber revolver.

12. The Respondent Police Officer Mariam Hamad, Star No. 13995, charged herein, is **not guilty** of violating, to wit:

Rule 13: Failure adequately to secure and care for Department property.

There was insufficient evidence presented by the Superintendent to prove that from on or about May 30, 2000, to the date of the filing of charges, or on one or more dates therein, Police Officer Mariam Hamad failed to properly account for the whereabouts of her police star and/or shield and/or Chicago Police Department identification card, in violation of General Order 98-9, section IV.B.

13. The Respondent Police Officer Mariam Hamad, Star No. 13995, charged herein, is **not guilty** of violating, to wit:

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

Count I: There was insufficient evidence presented by the Superintendent to prove that on or about May 30, 2000, Police Officer Mariam Hamad gave a false report

to Sergeant Michael J. Schmit regarding the whereabouts of her police star and/or shield and/or Chicago Police Department identification card.

14. The Respondent Police Officer Mariam Hamad, Star No. 13995, charged herein, is **guilty** of violating, to wit:

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

Count II: On or about July 29, 2004 and on or about October 14, 2004, Police Officer Mariam Hamad made one or more false statements to the Internal Affairs Division, including but not limited to: the circumstances surrounding the notarization of a document that she presented to members of the Chicago Police Department; and/or her possession of a Ford Taurus with the vehicle identification number 1FABP29U3GG194911; and/or her possession of the title to that vehicle.

15. The Respondent Police Officer Mariam Hamad, Star No. 13995, charged herein, is **not guilty** of violating, to wit:

Rule 26: Failure to provide the Department with a current address and telephone number.

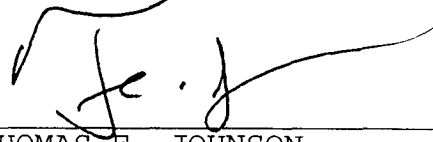
There was insufficient evidence presented by the Superintendent to prove that from the date that Police Officer Mariam Hamad moved from 3906 North Page Avenue, Chicago, in or around 2001, to on or about June 23, 2004, she failed to complete a Personnel Action Request form to notify the Department of a change in her address and telephone number.

By reason of the findings of fact that the Respondent is guilty of violating Rules 1 (counts II and III), 2 (counts I, VII, and VIII), 6 (counts I, III, and IV), and 14 (count II), and not guilty of violating Rules 1 (count I), 2 (counts II through VI), 6 (count II), 10, 13, 14 (count I), and 26, cause exists for the suspension of the Respondent from her position as a police

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Police Officer Mariam Hamad  
Case No. 05 PB 2579

officer with the Department of Police, and from the services of  
the City of Chicago, for a period from October 6, 2005 to and  
including July 31, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T.E. Johnson', written over a horizontal line.

THOMAS E. JOHNSON  
Hearing Officer

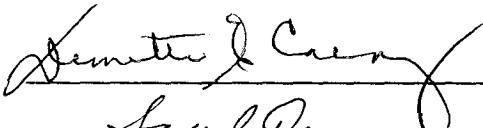
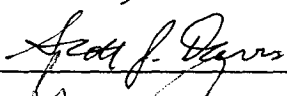
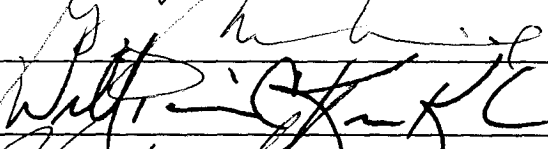
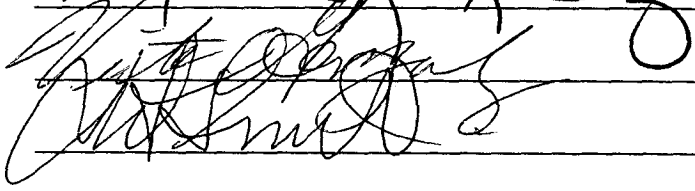


DECISION

The Police Board of the City of Chicago, having read and reviewed the certified transcription of the hearing, having viewed the video-recording 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 adopts 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 histories, copies of which are attached hereto as Exhibit A; and

**IT IS HEREBY ORDERED** that the Respondent, Police Officer Mariam Hamad, Star No. 13995, as a result of having been found **guilty** of charges in Police Board Case No. 05 PB 2579, be and hereby is **suspended** from her position as a police officer, and from the services of the City of Chicago, for a period from 06 October 2005 to and including 31 July 2006.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 20<sup>th</sup> DAY OF JULY 2006.

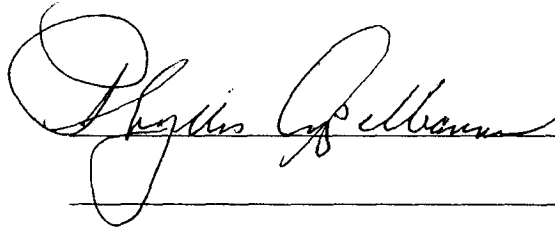
  
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\_\_\_\_\_  
Executive Director  
Police Board

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.

The undersigned voted to find the Respondent guilty of charges and to impose a penalty of discharge.

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006.

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

Chicago Police Department  
Personnel Division

COMPLIMENTARY HISTORY

Name	Title	SSN	Star	Unit	Detail Unit
HAMAD MARIAM	9161	[REDACTED]	13995	189	

DEPT. COMMENDATIONS

2

AWARD NUMBER:  
95104 95116

OTHER AWARDS:

HONORABLE MENTIONS

44  
59  
mrc

COMPLIMENTARY LETTERS

1  
10  
mrc

**SPECIAL AWARDS:**

<u>Jr. Chamber . of Comm =</u>	0	<u>Honored Police Star =</u>	0
<u>Rich. J Daley Award =</u>	0	<u>Life Saving Awd=</u>	0
<u>Police Medal =</u>	0	<u>Hnd Cld Med. of Val =</u>	0
<u>Supt. Awd of Valor =</u>	0	<u>Fitness Award=</u>	0
<u>Supt. Awd of Merit =</u>	0	<u>Appearance Award =</u>	0
<u>Police Blue Star =</u>	0	<u>Special Commendation =</u>	0
<u>Officer of The Month =</u>	0	<u>Partnership Award =</u>	0
<u>Unit Meritorious =</u>	0	<u>Special Serv. Award =</u>	1
<u>Lambert Tree =</u>	0	<u>Problem Solving Awd=</u>	0
<u>Carter Harrison =</u>	0	<u>Blue Shield Awd =</u>	0
<u>WGN Award =</u>	0		

**Complimentary History Requested By:**

NAME: WALSH JEANNETTE	TITLE SERGEANT	STAR: 01075	UNIT: 121
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CR #: 270735

Completed by:

Betty Flynn  
Personnel Division  
Records Section -2089-2092  
Pax 0-342 or Bell 5-5390

Ex. A

C. R. 270735  
ATTACHMENT # 54

INTERNAL AFFAIRS DIVISION  
RECORDS SECTION

20 November 2001

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

<u>HAMAD,</u>	<u>MARIAM</u>	<u>13995</u>	<u>189/LOA</u>
NAME	(LAST, FIRST M.I.)	STAR	UNIT
<u>F</u>	<u>W</u>	<u>[REDACTED]</u>	
SEX	RACE	S.S.N.	

REFERENCE: COMPLAINT REGISTER NUMBER(S) 270 735

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

<u>SGT.</u>	<u>J. WALSH</u>	<u>1075</u>	<u>[REDACTED]</u>	<u>121-G</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. S. SASSO

FOR: COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SEE ATTACHED

Ex. A.

C. R. 270735

ATTACHMENT # 55

page 1 of 2

# CHICAGO POLICE DEPARTMENT Sustained Complaints History Report

<u>Social Sec. #</u> [REDACTED]	<u>Name</u> HAMAD MARIAM .	<u>Star #.</u> 13995	<u>Emp. #</u> 302561	<u>Rank</u> 9161	<u>Description</u> POLICE OFFICER	<u>Unit</u> 189
<u>Sex</u> F	<u>Race</u> WHITE	<u>Birth Date</u> 15-AUG-1968	<u>Appointed Date</u> 02-JAN-1992	<u>No. Of CR's</u> 2	<u>No. Of SPAR's</u> 0	

<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>
C 235626	25-NOV-1996		**PENALTY NOT SERVED	09J-MISCELLANEOUS	
<u>Civil Suit #</u>			<u>Police Board #</u>	09J-MISCELLANEOUS	
<u>Comments</u>	SUSTAINED/900				

<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>
C 253975	30-MAY-1999		**PENALTY NOT SERVED	10L-WEAPON/AMMUNITION/UNIFORM DEVIATION	
<u>Civil Suit #</u>			<u>Police Board #</u>		
<u>Comments</u>					

C. R. 20735  
 ATTACHMENT # 55

ISSUED FOR USE IN CR# 20735

Ex. A.