

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)	
POLICE OFFICER SHELLEY KAPLAN,)	No. 05 PB 2580
STAR No. 5552, DEPARTMENT OF POLICE,)	
CITY OF CHICAGO,)	
)	
RESPONDENT.)	(CR No. 302012)

FINDINGS AND DECISION

On October 6, 2005, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the discharge of **SHELLEY KAPLAN**, Star # 5552, hereinafter sometimes referred to as "Respondent," for violation of 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 6: "Disobedience of an order or directive, whether written or oral."

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer **SHELLEY KAPLAN**, Star No. 5552, to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board of the City of Chicago, on February 7, 2006.

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

FINDINGS & DECISION, CONT'D
POLICE OFFICER SHELLEY KAPLAN, STAR # 5552, C. R. #302012
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As a result of the foregoing, the Police Board of the City of Chicago finds and determines that:

(1) The Respondent was, at all times mentioned herein, 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 on the charges was to be held, together with a copy of the original charges were served upon the Respondent more than five (5) days prior to the hearing on the charges;

(3) Throughout the hearing, the Respondent appeared in person and represented herself pro-se;

(4) Respondent, Police Officer **SHELLEY KAPLAN**, Star # 5552, as 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”, in that:

On or about November 12, 2004, at U.S. Occupational Health, Inc., 205 West Randolph Street, Room 720, Chicago, Illinois, she refused to participate in a mandatory physical examination, although Sergeant Mary Conley gave her a direct order to participate in the aforementioned examination as part of the Behavioral Intervention System.

(5) Respondent, Police Officer, **SHELLEY KAPLAN**, Star # 5552, as charged herein, is **guilty** of violating, to-wit:

RULE 6: “Disobedience of an order or directive, whether written or oral,” in that:

FINDINGS & DECISION, CONT'D

POLICE OFFICER SHELLEY KAPLAN, STAR # 5552, C. R. #302012

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On or about November 12, 2004, at U.S. Occupational Health, Inc., 205 West Randolph Street, Room 720, Chicago, Illinois, she refused to participate in a mandatory physical examination, thereby failing to comply with a direct order given to her by Sergeant Mary Conley to participate in the aforementioned examination as part of the Behavioral Intervention System.

BY REASON of the findings of fact and of guilt herein, cause exists for the termination of Respondent, Police Officer **SHELLEY KAPLAN**, Star # 5552, from the Department of Police and from the services of the City of Chicago.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "J. A. Walker", is written over a horizontal line.

JACQUELINE A. WALKER

Hearing Officer

FINDINGS & DECISION, CONT'D

POLICE OFFICER SHELLEY KAPLAN, STAR No. 5552

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DECISION

The members of the Police Board, 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, JACQUELINE A. WALKER, 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 histories, copies of which are attached hereto as Exhibit A; and

IT IS HEREBY ORDERED that the Respondent, Police Officer **SHELLEY KAPLAN**, Star #5552, as a result of having been found **guilty** of charges in Police Board Case No. 05 PB 2580, be and hereby is **discharged** from her position as a Police Officer, and from the services of the City of Chicago.

**DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 16TH
DAY OF MARCH, 2006.**

Kenneth J. Curran
Phyllis Appelbaum
W. H. Souza
Patricia C. Bell
W. H. Souza
Scott Davis
W. H. Souza
William H. Souza

Max A. Caproni

Executive Director
Police Board

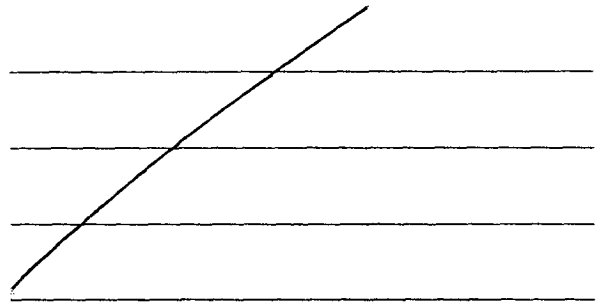
FINDINGS & DECISION, CONT'D

POLICE OFFICER SHELLEY KAPLAN, STAR No. 5552

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DISSENT

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 _____, 2006.

SUPERINTENDENT OF POLICE

SSN [REDACTED]	EMP # 302017	NAME KAPLAN	SHELLEY	Y	TITLE 9161	MONTH AND YEAR RECEIVED	TOTAL
JR CHAMBER OF COMMERCE	/	/	/	/	/	0	
RICHARD J DALEY AWARD	/	/	/	/	/	0	
POLICE MEDAL	/	/	/	/	/	0	
SUPT AWARD VALOR	/	/	/	/	/	0	
SUPT AWARD MERIT	/	/	/	/	/	0	
POLICE BLUE STAR	/	/	/	/	/	0	
OFFICER OF THE MONTH	/	/	/	/	/	0	
UNIT MERITORIOUS PERFORMANCE	/	/	/	/	/	0	
LAMBERT TREE	/	/	/	/	/	0	
CARTER HARRISON	/	/	/	/	/	0	
WGN AWARD	/	/	/	/	/	0	
HONORED POLICE STAR	/	/	/	/	/	0	
LIFE SAVING AWARD	/	/	/	/	/	0	
HUNDRED CLUB MEDAL OF VALOR	/	/	/	/	/	0	
FITNESS AWARD	/	/	/	/	/	0	
APPEARANCE AWARD	/	/	/	/	/	0	

SSN [REDACTED] EMP # 302017 NAME KAPLAN SHELLEY Y TITLE 9161

	MONTH	AND	YEAR	RECEIVED	TOTAL
SPECIAL COMMENDATION	/	/	/	/	0
PARTNERSHIP AWARD	/	/	/	/	0
SPECIAL SERVICE AWARD	/	/	/	/	0
PROBLEM SOLVING AWARD	/	/	/	/	0
BLUE SHIELD AWARD	/	/	/	/	0
JOINT OPERATIONS AWARD	/	/	/	/	0

DEPT COMMENDATION 000 AWARDS NUMBER 1 2 3

4 5 6 7 8 9 10

HONORABLE MENTION 00003 COMPLIMENTARY LETTERS 000

OTHER AWARDS

**INTERNAL AFFAIRS DIVISION
RECORDS SECTION**

FEB. 14, 2005

TO: COMMANDING OFFICER UNIT 121-S
FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION
SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

KAPLAN, SHELLEY Y.		376
NAME (LAST, FIRST M.I.)	STAR	UNIT
F	W	EMP# 302017
SEX	RACE	S.S.N.

REFERENCE: COMPLAINT REGISTER NUMBER 302012

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

P.A.	R. ANDERSON	19719	121-S
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:

P.A. CHRISTINA FABIAN

NONE

FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION