

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER THOMAS MUNYON,) No. 06 PB 2597
STAR No. 17720, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
)
RESPONDENT) (CR No. 282788)

FINDINGS

On March 1, 2006, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Thomas Munyon, Star No. 17720 (hereinafter sometimes referred to as "Respondent"), recommending that the Respondent be discharged from the Chicago Police Department for violating the following Rules of Conduct:

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 14: Making a false report, written or oral.

The Police Board caused a hearing on these charges against Police Officer Thomas Munyon to be had before Michael G. Berland, Hearing Officer of the Police Board, on January 23, March 13, and April 11, 2007.

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. Michael G. Berland, 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. Throughout the hearing the Respondent appeared in person and was represented by legal counsel.

4. The Respondent, Police Officer Thomas Munyon, Star No. 17720, charged herein, is **guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance.

Count III: On or about May 24, 2002, he failed to make an accounting of and/or misappropriated approximately \$1,500.00 related to the Brittany Doffyn Scholarship Fund when he closed out a certificate of deposit related to the scholarship fund by withdrawing approximately \$3,817.72, and then transferred approximately \$2,317.72 to a savings account related to the scholarship fund, in breach of his fiduciary duty and/or other duty(ies) under the Trust Agreement Establishing Brittany Doffyn Scholarship Trust and/or the Illinois Trust and Trustees Act, Chapter 760 of the Illinois Compiled Statutes, Section 5/1 et seq., including Sections 5/4.20 and/or 5/11.

Count IV: On or about June 11, 2002, he withdrew approximately \$1,000.00 from the Brittany Doffyn Scholarship Fund account(s) without making an accounting therefor and/or for an unauthorized purpose, in breach of his fiduciary duty and/or other duty(ies) under the Trust Agreement Establishing Brittany Doffyn Scholarship Trust and/or the Illinois Trust and Trustees Act, Chapter 760 of the Illinois Compiled

Statutes, Section 5/1 et seq., including Sections 5/4.20 and/or 5/11.

Count V: On or about June 14, 2002, he withdrew approximately \$1,000.00 from the Brittany Doffyn Scholarship Fund account(s) without making an accounting therefor and/or for an unauthorized purpose, in breach of his fiduciary duty and/or other duty(ies) under the Trust Agreement Establishing Brittany Doffyn Scholarship Trust and/or the Illinois Trust and Trustees Act, Chapter 760 of the Illinois Compiled Statutes, Section 5/1 et seq., including Sections 5/4.20 and/or 5/11.

Count VI: On or about June 17, 2002, he withdrew approximately \$550.00 from the Brittany Doffyn Scholarship Fund account(s) without making an accounting therefor and/or for an unauthorized purpose, in breach of his fiduciary duty and/or other duty(ies) under the Trust Agreement Establishing Brittany Doffyn Scholarship Trust and/or the Illinois Trust and Trustees Act, Chapter 760 of the Illinois Compiled Statutes, Section 5/1 et seq., including Sections 5/4.20 and/or 5/11.

Count VII: In or about May 2002 or June 2002, he withdrew approximately \$4,000.00, or a portion thereof, from the Brittany Doffyn Scholarship Fund account(s) without making an accounting therefor and/or for an unauthorized purpose and/or without the consent of the co-trustee of the Trust, in breach of his fiduciary duty and/or other duty(ies) under the Trust Agreement Establishing Brittany Doffyn Scholarship Trust and/or the Illinois Trust and Trustees Act, Chapter 760 of the Illinois Compiled Statutes, Section 5/1 et seq., including Sections 5/4.20 and/or 5/11

5. The Respondent, Police Officer Thomas Munyon, Star No. 17720, 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 in or about 1998 until in or about 2002, he withdrew funds from the Brittany Doffyn Scholarship Fund account(s) in amounts in excess of the amounts required to pay for taxes and

related fees, in the approximate total sum of \$112.00, without making an accounting therefor and/or for an unauthorized purpose, in breach of his fiduciary duty and/or other duty(ies) under the Trust Agreement Establishing Brittany Doffyn Scholarship Trust and/or the Illinois Trust and Trustees Act, Chapter 760 of the Illinois Compiled Statutes, Section 5/1 et seq., including Sections 5/4.20 and/or 5/11.

Count II: There was insufficient evidence presented by the Superintendent to prove that on or about June 16, 1998, he withdrew approximately \$300.00 from the Brittany Doffyn Scholarship Fund account(s) without making an accounting therefor and/or for an unauthorized purpose, in breach of his fiduciary duty and/or other duty(ies) under the Trust Agreement Establishing Brittany Doffyn Scholarship Trust and/or the Illinois Trust and Trustees Act, Chapter 760 of the Illinois Compiled Statutes, Section 5/1 et seq., including Sections 5/4.20 and/or 5/11.

6. The Respondent, Police Officer Thomas Munyon, Star No. 17720, 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 III: On or about May 24, 2002, he failed to make an accounting of and/or misappropriated and/or used for an unauthorized purpose approximately \$1,500.00 related to the Brittany Doffyn Scholarship Fund when he closed out a certificate of deposit related to the scholarship fund by withdrawing approximately \$3,817.72, and then transferred approximately \$2,317.72 to a savings account related to the scholarship fund, in breach of his fiduciary duty(ies).

Count IV: On or about June 11, 2002, he withdrew approximately \$1,000.00 from the Brittany Doffyn Scholarship Fund account(s) without making an accounting therefor and/or for an unauthorized purpose and/or in breach of his fiduciary duty(ies).

Count V: On or about June 14, 2002, he withdrew approximately \$1,000.00 from the Brittany Doffyn Scholarship Fund account(s) without making an

accounting therefor and/or for an unauthorized purpose and/or in breach of his fiduciary duty(ies).

Count VI: On or about June 17, 2002, he withdrew approximately \$550.00 from the Brittany Doffyn Scholarship Fund account(s) without making an accounting therefor and/or for an unauthorized purpose and/or in breach of his fiduciary duty(ies).

Count VII: In or about May 2002 or June 2002, he withdrew approximately \$4,000.00, or a portion thereof, from the Brittany Doffyn Scholarship Fund account(s) without making an accounting therefor and/or for an unauthorized purpose and/or without the consent of the co-trustee of the Trust and/or in breach of his fiduciary duty(ies).

7. The Respondent, Police Officer Thomas Munyon, Star No. 17720, 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 I: There was insufficient evidence presented by the Superintendent to prove that from in or about 1998 until in or about 2002, he withdrew funds from the Brittany Doffyn Scholarship Fund account(s) in amounts in excess of the amounts required to pay for taxes and related fees, in the approximate total sum of \$112.00, without making an accounting therefor and/or for an unauthorized purpose and/or in breach of his fiduciary duty(ies).

Count II: There was insufficient evidence presented by the Superintendent to prove that on or about June 16, 1998, he withdrew approximately \$300.00 from the Brittany Doffyn Scholarship Fund account(s) without making an accounting therefor and/or for an unauthorized purpose and/or in breach of his fiduciary duty(ies).

8. The Respondent, Police Officer Thomas Munyon, Star No. 17720, charged herein, is **guilty** of violating, to wit:

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

On or about July 8, 2003, he stated to Chicago Police Department Detectives David Roman and/or Diego Flores that in June 2002 he (Munyon) was contacted by Angela Mohr, a former girlfriend, who asked for a \$4,000.00 loan, and/or that on June 11, 2002, in Merrillville, Indiana, he loaned Angela Mohr \$4,000.00; and in his statement to the investigating sergeant in the Internal Affairs Division on or about November 5, 2003, he (Munyon) stated that a withdrawal of money from the Brittany Doffyn Scholarship Fund account(s) on or about May 24, 2002, of approximately \$1,500.00 was, at least in part, for a loan he had made, and/or he stated that on or about June 11, June 14, and June 17, 2002, he made withdrawals of funds from the Brittany Doffyn Scholarship Fund account(s) for a loan.

By reason of the findings of fact and guilt to the extent set forth herein, cause exists for the suspension of the Respondent, Police Officer Thomas Munyon, Star No. 17720, from his position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period of two (2) years, from March 4, 2006, to and including March 3, 2008.

Respectfully submitted,


MICHAEL G. BERLAND
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, Michael G. Berland, 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 Thomas Munyon, Star No. 17720, as a result of having been found **guilty** of charges in Police Board Case No. 06 PB 2597, 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, for a period from 04 March 2006 to and including 03 March 2008 (two years).

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 17th DAY OF MAY, 2007.

Scott Dawn

[Signature]

[Signature]

[Signature]

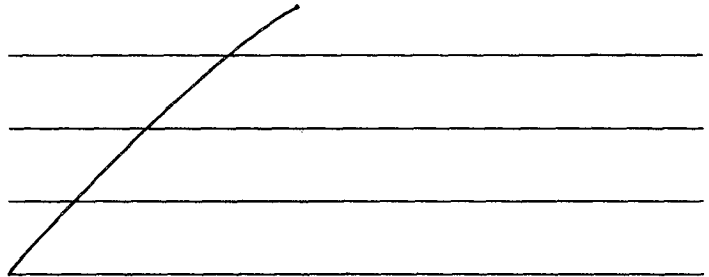
Attested by:

Max A. Caproni

Executive Director
Police Board

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 _____, 2007.

SUPERINTENDENT OF POLICE

CHICAGO POLICE DEPARTMENT Employee Complaint History

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Rank Description</u>	<u>Unit</u>
[REDACTED]	MUNYON, THOMAS D.	17720	58136	9161	POLICE OFFICER	015

<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	WHITE	[REDACTED]	24-APR-1991	5	0

<u>Case #.</u>	<u>Case Status</u>	<u>Incident Date</u>	<u>Completed Date</u>	<u>Final Finding</u>	<u>Final Category</u>	<u>Disciplinary Action Taken</u>	<u>Suspension Dates</u>
C 278948	CLOSED	06-MAR-2002	18-APR-2003	NOT SUSTAINED	[REDACTED]	NO ACTION TAKEN	
<u>Civil Suit #</u>				<u>Police Board #</u>			

Comments :

<u>Case #.</u>	<u>Case Status</u>	<u>Incident Date</u>	<u>Completed Date</u>	<u>Final Finding</u>	<u>Final Category</u>	<u>Disciplinary Action Taken</u>	<u>Suspension Dates</u>
C 282788	RECEIVED FROM I	29-JUL-2002		SUSTAINED		SUSPENDED INDEFINITELY	
<u>Civil Suit #</u>				<u>Police Board #</u>			

Comments :

<u>Case #.</u>	<u>Case Status</u>	<u>Incident Date</u>	<u>Completed Date</u>	<u>Final Finding</u>	<u>Final Category</u>	<u>Disciplinary Action Taken</u>	<u>Suspension Dates</u>
C 289159	CLOSED	02-MAY-2003	13-APR-2006	SUSTAINED	05K-DOMESTIC ALTERCATION/INCIDENT - OFF DUTY	7 DAY SUSPENSION	09-FEB-2006
<u>Civil Suit #</u>				<u>Police Board #</u>			15-FEB-2006

				SUSTAINED	05K-DOMESTIC ALTERCATION/INCIDENT - OFF DUTY	7 DAY SUSPENSION	
				<u>Police Board #</u>			

				SUSTAINED	05K-DOMESTIC ALTERCATION/INCIDENT - OFF DUTY	7 DAY SUSPENSION	
				<u>Police Board #</u>			

Comments :

<u>Case #.</u>	<u>Case Status</u>	<u>Incident Date</u>	<u>Completed Date</u>	<u>Final Finding</u>	<u>Final Category</u>	<u>Disciplinary Action Taken</u>	<u>Suspension Dates</u>
C 299036	CLOSED	JUL-2004	12-JUL-2005	UNFOUNDED	[REDACTED]	NO ACTION TAKEN	

<u>Civil Suit #</u>				<u>Police Board #</u>			
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Comments :

ISSUED ON INQUIRY - FLORES

Supt. EX. 18

EX. A

CHICAGO POLICE DEPARTMENT
Employee Complaint History

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Rank Description</u>	<u>Unit</u>	
[REDACTED]	MUNYON, THOMAS D.	17720	56136	9161	POLICE OFFICER	015	
<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	WHITE	[REDACTED]	24-APR-1991	5	0		
<u>Case #.</u>	<u>Case Status</u>	<u>Incident Date</u>	<u>Completed Date</u>	<u>Final Finding</u>	<u>Final Category</u>	<u>Disciplinary Action Taken</u>	<u>Suspension Dates</u>
C 302434	CLOSED	08-DEC-2004	28-MAR-2005	UNFOUNDED	[REDACTED]	NO ACTION TAKEN	
<u>Civil Suit #</u>				<u>Police Board #</u>			
<u>Comments :</u>							

ISSUED ON INQUIRY - FLORES, OLIVER

EX. A

SSN	EMP #	NAME	MUNYON	THOMAS	D	TITLE	9161	TOTAL
			MONTH	AND	YEAR	RECEIVED		
SPECIAL COMMENDATION	/	/	/	/	/	/	/	0
PARTNERSHIP AWARD	/	/	/	/	/	/	/	0
SPECIAL SERVICE AWARD	/	/	/	/	/	/	/	0
PROBLEM SOLVING AWARD	/	/	/	/	/	/	/	0
BLUE SHIELD AWARD	/	/	/	/	/	/	/	0
JOINT OPERATIONS AWARD	/	/	/	/	/	/	/	0
DEPT COMMENDATION 003	AWARDS NUMBER	1	02353	2	99288	3	94212	
4	5	6	7	8	9	10		
HONORABLE MENTION 00061 COMPLIMENTARY LETTERS 001								
OTHER AWARDS								

EX. A

Respondent's 1