

**BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO**

<b>IN THE MATTER OF CHARGES FILED AGAINST</b>	)	
<b>POLICE OFFICER DANIEL SULLIVAN,</b>	)	<b>No. 06 PB 2608</b>
<b>STAR No. 9803, DEPARTMENT OF POLICE,</b>	)	
<b>CITY OF CHICAGO,</b>	)	
	)	<b>(C.R. No. 297735)</b>
<b>RESPONDENT.</b>	)	

**FINDINGS**

On June 2, 2006, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer **DANIEL SULLIVAN**, Star No. 9803, (hereinafter sometimes referred to as "Respondent") seeking to discharge him from the Chicago Police Department 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 8:** Disrespect to or maltreatment of any person, while on or off duty.
  
- RULE 9:** Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
  
- RULE 15:** Intoxication on or off duty.
  
- RULE 20:** Failure to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department.

The Police Board caused a hearing on these charges against Police Officer **DANIEL SULLIVAN**, Star No. 9803, to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board, on September 19, 2006, October 2, 2006 and October 27, 2006.

**FINDINGS & DECISION, CONT'D**

**POLICE OFFICER DANIEL SULLIVAN, STAR NO. 9803, C.R. NO. 297735**

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

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 was represented by legal counsel and appeared in person, except on October 27, 2006, when the Respondent authorized his attorney to proceed in his absence.

(4) Respondent, Police Officer **DANIEL SULLIVAN**, Star No. 9803 as charged herein, is **not guilty** of violating, to-wit:

**RULE 1:** "Violation of any law or ordinance," in that:

There was insufficient evidence presented by the Superintendent to prove that on or about April 29, 2004, at approximately 1:48 a.m., at or near the Thumbs Up tavern in Lake Geneva, Wisconsin, while off duty, he caused bodily harm to Joseph Turner with intent to cause bodily harm by

**FINDINGS & DECISION, CONT'D**

**POLICE OFFICER DANIEL SULLIVAN, STAR NO. 9803, C.R. NO. 297735**

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throwing Turner to the ground and/or kicking him, one or more times, in the legs and/or body, causing a fracture in Turner's femur, in violation of Section 940.19 of the Wisconsin Statutes.

(5) Respondent, Police Officer **DANIEL SULLIVAN**, Star No. 9803, as 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," in that:

Count I: There was insufficient evidence presented by the Superintendent to prove that on or about April 29, 2004, at approximately 1:48 a.m., at or near the Thumbs Up tavern in Lake Geneva, Wisconsin, while off duty, he caused bodily harm to Joseph Turner by throwing Turner to the ground and/or kicking him, one or more times, in the legs and/or body, causing a fracture in Turner's femur.

(6) Respondent, Police Officer **DANIEL SULLIVAN**, Star No. 9803, 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:

Count II: On or about November 5, 2004, he was found guilty of and a judgment of conviction was entered for battery to the person of Joseph Turner, committed on or about April 29, 2004, in Lake Geneva, Wisconsin, after an Alford / no contest plea in the State of Wisconsin, Circuit Court, Walworth County.

**FINDINGS & DECISION, CONT'D**  
**POLICE OFFICER DANIEL SULLIVAN, STAR NO. 9803, C.R. NO. 297735**  
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(7) Respondent, Police Officer **DANIELL SULLIVAN**, Star No. 9803, 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:

**Count III:** On or about April 29, 2004, at approximately 1:48 a.m., at or near the Thumbs Up tavern in Lake Geneva, Wisconsin, he was intoxicated while off duty.

8) Respondent, Police Officer **DANIEL SULLIVAN**, Star No. 9803, as charged herein, is **not guilty** of violating to wit:

**RULE 8:** “Disrespect to or maltreatment of any person, while on or off duty”, in that:

There was insufficient evidence presented by the Superintendent to prove that on or about April 29, 2004, at approximately 1:48 a.m., at or near the Thumbs Up tavern in Lake Geneva, Wisconsin, while off duty, he disrespected and / or maltreated Joseph Turner, in that he threw Turner to the ground and / or kicked Turner, one or more times in the legs and / or body, causing a fracture in Turner’s femur.

9) Respondent, Police Officer **DANIEL SULLIVAN**, Star No. 9803, as charged herein, is **not guilty** of violating to wit:

**RULE 9:** “Engaging in any unjustified verbal or physical altercation with any person, while on or off duty”, in that:

**FINDINGS & DECISION, CONT'D**

**POLICE OFFICER DANIEL SULLIVAN, STAR NO. 9803, C.R. NO. 297735**

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There was insufficient evidence presented by the Superintendent to prove that on or about April 29, 2004, at approximately 1:48 a.m., at or near the Thumbs Up tavern in Lake Geneva, Wisconsin, while off duty, he engaged in an unjustified physical altercation with Joseph Turner, in that he threw Turner to the ground and / or kicked Turner, one or more times in the legs and / or body, causing a fracture in Turner's femur.

(10) Respondent, Police Officer **DANIEL SULLIVAN**, Star No. 9803, as charged herein, is **guilty** of violating to wit:

**RULE 15:** "Intoxication on or off duty", in that:

On or about April 29, 2004, at approximately 1:48 a.m., at or near the Thumbs Up tavern in Lake Geneva, Wisconsin, while off duty, he was intoxicated.

(11) Respondent, Police Officer **DANIEL SULLIVAN**, Star No. 9803, as charged herein, is **guilty** of violating to wit:

**RULE 20:** "Failure to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department", in that:

On or about April 29, 2004, at approximately 1:48 a.m., at or near the Thumbs Up tavern in Lake Geneva, Wisconsin, while off duty, he was arrested by the Wisconsin Police Department, but failed to submit a written report to the Chicago Police Department until on or about May 4, 2004.

**FINDINGS & DECISION, CONT'D**

**POLICE OFFICER DANIEL SULLIVAN, STAR NO. 9803, C. R. NO. 297735**

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**BY REASON OF THE FINDINGS OF FACT** herein, cause exists for the suspension of the Respondent, Police Officer **DANIEL SULLIVAN**, Star No. 9803, from his position as a police officer with the Department of Police, and from the services of the City of Chicago, for eighteen (18) months from June 3, 2006, to and including December 2, 2007.

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 DANIEL SULLIVAN, STAR No. 9803**

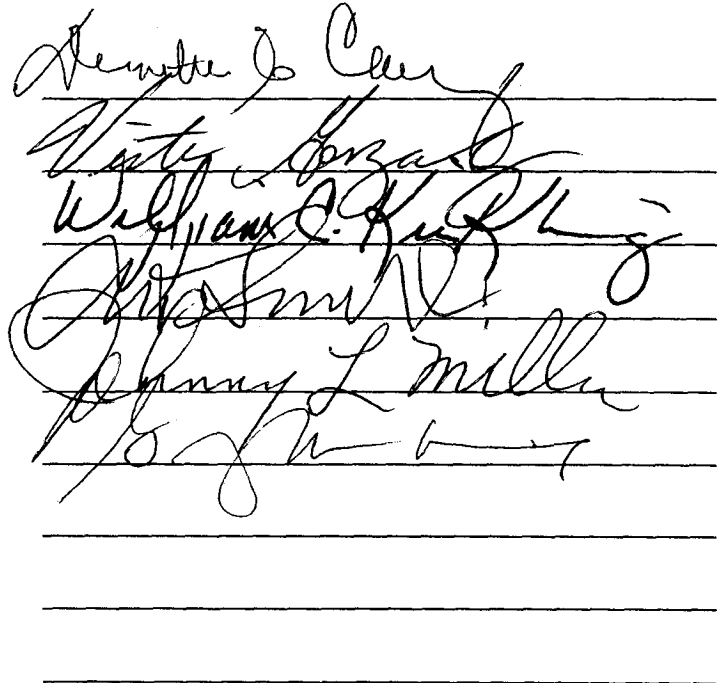
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**DECISION**

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, JACQUELINE A. WALKER, 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 **DANIEL SULLIVAN**, Star No. 9803, as a result of having been found **guilty** of charges in Police Board Case No. 06 PB 2608, be and hereby is **suspended** from his position as a police officer, and from the services of the City of Chicago, for a period from 03 June 2006 to and including 02 December 2007.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 18<sup>th</sup> DAY OF JANUARY, 2007.

  
The block contains five handwritten signatures, each written over a horizontal line. From top to bottom, the signatures are: 1. A cursive signature that appears to be 'Dante J. Carr'. 2. A cursive signature that appears to be 'Walter J. ...'. 3. A cursive signature that appears to be 'William J. ...'. 4. A cursive signature that appears to be 'Thomas J. ...'. 5. A cursive signature that appears to be 'Denny L. Miller'. Below these signatures are three more empty horizontal lines.

Attested by:

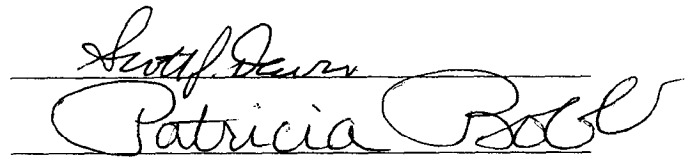
  
The block contains a single handwritten signature in cursive, which appears to be 'Max A. Caproni', written over a horizontal line.

Executive Director  
Police Board

DISSENT

The following members of the Police Board hereby dissent from the decision of the majority of the Board.

The undersigned voted to impose a penalty of a one-year suspension.

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

RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

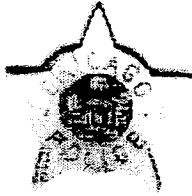
\_\_\_\_\_  
SUPERINTENDENT OF POLICE



Report Date: 06 Oct 2005  
Report Time: 1455 Hrs

# Chicago Police Department

## Personnel Division



Information Services Division  
Warehouse  
Produced by: PC0Q216

### Complimentary Hist

Name	Title	Star	Unit	Detail Unit	Emp Number
SULLIVAN, DANIEL P	9161		153	376	54855

### Achievements

### Total No.

EMBLEM OF RECOGNITION - PHYSICAL FITNESS
HONORABLE MENTION

2

67

NOTE: THIS REPORT IS FOR OFFICIAL LAW ENFORCEMENT / AUTHORIZED USE ONLY.  
THE INFORMATION IS CURRENT AS OF THE DATE AND TIME OF THE REPORT.  
THIS REPORT IS NOT FOR PUBLIC DISSEMINATION.

CR# 297735



Ex. A  
1 OF 3

**INTERNAL AFFAIRS DIVISION  
RECORDS SECTION**

06 OCT 2005

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

SULLIVAN DANIEL		376
NAME (LAST, FIRST M.I.)	STAR	UNIT
M	WH	
SEX	RACE	S.S.N.

**REFERENCE:** COMPLAINT REGISTER NUMBER 297 735

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

SUPV.	COLE-SMITH C	86	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:**

PATRICIA JOHNSON

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

SEE ATTACHED

Ex. A 2 of 3

CHICAGO POLICE DEPARTMENT  
Sustained Complaints History Report

06-OCT-2005 03:04:36 PM

<u>Serial</u>	<u>Seq. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
		SULLIVAN DANIEL P.		54855	9161	POLICE OFFICER	876
<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	08-SEP-1971	10-MAY-1999	1	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 283510	22-AUG-2002		REPRIMAND	04D-SEARCH, PERSON/PROPERTY			
<u>Civil Suit #</u>			<u>Police Board #</u>				
<u>Comments</u>							