

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)	
POLICE OFFICER MESHAY OWENS, STAR #7737,)	CASE #07-2617
DEPARTMENT OF POLICE, CITY OF CHICAGO,)	
)	CR # 301444
RESPONDENT.)	

FINDINGS AND DECISION

On January 5, 2007, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the termination of Police Officer Meshay Owens, Star #7737, hereinafter sometimes referred to as "Respondent" for violation of the following rules:

- RULE 3:** "Any failure to promote the Department's efforts to implement its policy or accomplish its goals."
- RULE 6:** "Disobedience of an order or directive, whether written or oral."
- RULE 22:** "Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to policy, orders or directives of the Department."

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer Meshay Owens, Star No.7737, to be heard by **Jacqueline A. Walker**, Hearing Officer of the Police Board of the City of Chicago, on May 10, 2007, May 15, 2007, May 30, 2007 and June 19, 2007. Following the Hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing and viewed the videotapes of the proceedings. **Jacqueline A. Walker**, Hearing Officer made an oral report 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 appeared in person and was represented by legal counsel;

(4) Respondent, Police Officer MeShay Owens, Star No. 7737, as charged herein, is **not guilty** of violating, to-wit:

RULE 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

(A) The Superintendent did not prove by a preponderance of evidence that on or about October 20, 2004, at approximately 1900 hours, at the 5th District Police Station Lockup at 727 East 111th Street, Chicago, Illinois, Police Officer MeShay Owens failed to ensure the safety and/or security of Dewone McClendon, a juvenile arrestee, who was injured while in Officer Owens' custody.

(B) The Superintendent did not prove by a preponderance of evidence that on or about October 20, 2004, at approximately 1900 hours, at the 5th District Police Station Lockup at 727 East 111th Street,

Chicago, Illinois, Police Officer MeShay Owens observed
Detention Aide Brian Pemberton push juvenile arrestee
Dewone McClendon's head down to a table causing McClendon's
chin to strike the table and causing a laceration to McClendon's chin,
and/or failed to report Detention Aide Pemberton's misconduct.

(5) Respondent, Police Officer MeShay Owens, Star #7737, as charged herein, is
not guilty to wit:

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

- (A) The Superintendent did not prove by a preponderance of evidence
that on or about October 20, 2004, at approximately 1900 hours, at
the 5th District Police Station Lockup at 727 East 111th Street,
Chicago, Illinois, Police Officer MeShay Owens failed to ensure
the safety and/or security of Dewone McClendon, a juvenile
arrestee, who was injured while in Officer Owens' custody,
contrary to General Order 02-03-01, Section II A.
- (B) The Superintendent did not prove by a preponderance of evidence
that on or about October 20, 2004, at approximately 1900 hours, at
the 5th District Police Station Lockup at 727 East 111th Street,
Chicago, Illinois, Police Officer MeShay Owens observed
Detention Aide Brian Pemberton push juvenile arrestee Dewone
McClendon's head down to a table, causing McClendon's chin to


strike the table and causing a laceration to McClendon's chin,
and failed to report Detention Aide Pemberton's misconduct,
contrary to General Order 93-03-02B, Section II.B.1..

(6) Respondent, Police Officer MeShay Owens, Star #7737, as charged herein, is
not guilty of violating, to-wit:

Rule 22: Failure to report to the Department any violation of Rules and Regulations or
any other improper conduct which is contrary to the policy, orders or
directives of the Department.

The Superintendent did not prove by a preponderance of evidence
that on or about October 20, 2004, at approximately 1900 hours, at
the 5th District Police Station Lockup at 727 East 111th Street,
Chicago, Illinois, Police Officer Owens observed Detention Aide
Brian Pemberton push juvenile arrestee Dewone McClendon's
head down to a table, causing McClendon's chin to strike the table
and causing a laceration to McClendon's chin, and/or failed to
report Detention Aide Pemberton's misconduct.

BY REASON of the findings set forth herein, cause exists for restoring the
Respondent, Police Officer MeShay Owens, Star No. 7737, to her position as a police
officer with the Department of Police, and to the services of the City of Chicago, with all
rights and benefits effective January 6, 2007.


JACQUELINE A. WALKER
Hearing Officer

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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

IT IS HEREBY ORDERED that the Respondent, Police Officer **MESHAY OWENS**, Star No. 7737, as a result of having been found **not guilty** of the charges in Police Board Case No. 07 PB 2617, be and hereby is **restored** to her position as a police officer, and to the services of the City of Chicago, with all rights and benefits, effective 06 January 2007.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 16th DAY OF AUGUST, 2007.

Phyllis Spillman
Scott Davis
Patricia C. Boll
William F. Muller
Walter J. Miller
Walter J. Miller

Attested by:

Max A. Caproni

Executive Director
Police Board

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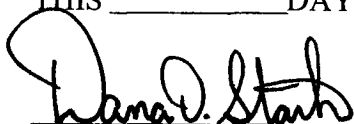
DISSENT

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 _____, 2007.



SUPERINTENDENT OF POLICE