

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER DONYAL WILLIAMS,) No. 07 PB 2626
STAR No. 10788, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT) (CR No. 292268)

FINDINGS

On February 20, 2007, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Donyal Williams, Star No. 10788 (hereinafter sometimes referred to as "Respondent"), seeking his discharge for violating the following Rules of Conduct:

- 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 11: Incompetency or inefficiency in the performance of duty.
- Rule 14: Making a false report, written or oral.
- Rule 15: Intoxication on or off duty.
- Rule 38: Unlawful or unnecessary use or display of a weapon.

The Police Board caused a hearing on these charges against Police Officer Donyal Williams to be had before Thomas E. Johnson, Hearing Officer of the Police Board, on May 8 and July 16, 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. 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 Respondent appeared throughout the hearing and was represented by legal counsel.

4. The Respondent, Police Officer Donyal Williams, Star No. 10788, 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 I: On or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, he failed to secure his weapon properly and/or left his weapon in the unlocked center console of his vehicle, which was parked and/or valet parked on the public street.

Count II: On or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, he was intoxicated and/or his blood alcohol level was above the legal limit.

Count V: On or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, he fired his weapon while intoxicated.

Count VII: On or about December 23, 2003, he made a false statement in that he gave a statement to the Office of Professional Standards, stating that his weapon was secured inside his vehicle in a locked center console, when his vehicle's center console was incapable of locking.

Count VIII: On or about August 2, 2005, he made a false statement in that he gave a statement to the Office of Professional Standards, stating that his weapon was secured inside his vehicle in a locked center console, when his vehicle's center console was incapable of locking.

5. The Respondent, Police Officer Donyal Williams, Star No. 10788, 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 III: The Superintendent did not prove by a preponderance of the evidence that on or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, the Respondent fired his weapon into a crowd of citizens and/or put the citizens in harm's way.

Count IV: The Superintendent did not prove by a preponderance of the evidence that on or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, the Respondent fired his weapon into a crowd which resulted in death of an unarmed civilian.

Count VI: The Superintendent did not prove by a preponderance of the evidence that on or about December 23, 2003, the Respondent gave a statement to the Office of Professional Standards investigator(s) describing a person who approached the Respondent's vehicle and/or fired shots at the Respondent as a male Hispanic, and on or about August 2, 2005, the Respondent gave a statement to the Office of Professional Standards investigator(s) describing more than one person who approached the Respondent's vehicle and/or had weapons.

6. The Respondent, Police Officer Donyal Williams, Star No. 10788, charged herein, is **not guilty** of violating, to wit:

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

in that:

The Superintendent did not prove by a preponderance of the evidence that on or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, the Respondent fired his weapon into a crowd of citizens, thereby violating the Chicago Police Department's Policy on the Use of Deadly Force, General Order 02-08-03, section IV.A.

7. The Respondent, Police Officer Donyal Williams, Star No. 10788, charged herein, is **guilty** of violating, to wit:

Rule 10: Inattention to duty.

in that:

Count I: On or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, he was inattentive to duty in that failed to secure his weapon properly and/or left his weapon in the unlocked center console of his vehicle, which was parked and/or valet parked on the public street.

Count III: On or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, he was inattentive to duty in that he fired his weapon while intoxicated.

8. The Respondent, Police Officer Donyal Williams, Star No. 10788, charged herein, is **not guilty** of violating, to wit:

Rule 10: Inattention to duty.

in that:

Count II: The Superintendent did not prove by a preponderance of the evidence that on or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, the Respondent was inattentive to duty in that he fired his

weapon into a crowd of citizens and/or put the citizens in harm's way.

9. The Respondent, Police Officer Donyal Williams, Star No. 10788, charged herein, is **not guilty** of violating, to wit:

Rule 11: Incompetency or inefficiency in the performance of duty.
in that:

The Superintendent did not prove by a preponderance of the evidence that on or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, the Respondent was incompetent or inefficient in the performance of his duties in that he fired his weapon into a crowd of citizens and/or put the citizens in harm's way.

10. The Respondent, Police Officer Donyal Williams, Star No. 10788, charged herein, is **guilty** of violating, to wit:

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

Count II: On or about December 23, 2003, he made a false report in that he gave a statement to the Office of Professional Standards, stating that his weapon was secured inside his vehicle in a locked center console, when his vehicle's center console was incapable of locking.

Count III: On or about August 2, 2005, he made a false report in that he gave a statement to the Office of Professional Standards, stating that his weapon was secured inside his vehicle in a locked center console, when his vehicle's center console was incapable of locking.

11. The Respondent, Police Officer Donyal Williams, Star No. 10788, charged herein, is **not guilty** of violating, to wit:

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

Count I: The Superintendent did not prove by a preponderance of the evidence that the Respondent made a false report in that on or about December 23, 2003, he gave a statement to the Office of Professional Standards investigator(s) describing a person who approached the Respondent's vehicle and/or fired shots at the Respondent as a male Hispanic, and on or about August 2, 2005, the Respondent gave a statement to the Office of Professional Standards investigator(s) describing more than one person who approached Williams's vehicle and/or had weapons.

12. The Respondent, Police Officer Donyal Williams, Star No. 10788, charged herein, is **guilty** of violating, to wit:

Rule 15: Intoxication on or off duty.

in that:

On or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, he was intoxicated in that his blood alcohol level was between approximately 0.114 g/dL and approximately 0.161 g/dL.

13. The Respondent, Police Officer Donyal Williams, Star No. 10788, charged herein, is **guilty** of violating, to wit:

Rule 38: Unlawful or unnecessary use or display of a weapon.

in that:

Count I: On or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, he displayed and/or discharged his weapon while intoxicated.

14. The Respondent, Police Officer Donyal Williams, Star No. 10788, charged herein, is **not guilty** of violating, to wit:

Rule 38: Unlawful or unnecessary use or display of a weapon.

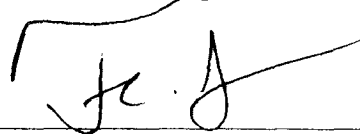
in that:

Count II: The Superintendent did not prove by a preponderance of the evidence that on or about September 12, 2003, in the vicinity of 151 West Ohio Street, Chicago, the Respondent displayed and discharged his weapon, striking and killing Eric Jones, without justification, thereby engaging in the unlawful or unnecessary use or display of a weapon.

10. The Respondent's complimentary history includes two Department Commendations, eighty-two Honorable Mentions, six Complimentary Letters, and one Problem Solving Award; the Respondent's disciplinary history contains no sustained complaints.

By reason of the findings of fact and guilt herein, and taking into account the Respondent's complimentary and disciplinary histories, cause exists for the suspension of the Respondent, Police Officer Donyal Williams, Star No. 10788, 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 three (3) years, from February 21, 2007, to and including February 20, 2010.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T.E. Johnson', is 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 Donyal Williams, Star No. 10788, as a result of having been found **guilty** of charges in Police Board Case No. 07 PB 2626, 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 21 February 2007 to and including 20 February 2010 (three years).

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
18th DAY OF OCTOBER, 2007.

William C. Kirkling
Vicki Arzoo
Patricia C. Bodd
Art Smith
B. J. [Signature]

Attested by:

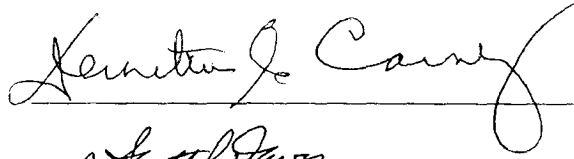
Max A. Caproni

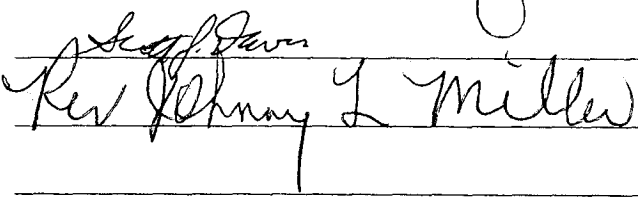
Executive Director
Police Board

DISSENT

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

The undersigned voted to order that the Respondent be discharged from his position as a police officer.





RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS ____ DAY OF _____, 2007.

INTERIM SUPERINTENDENT OF POLICE

SSN- [REDACTED]	EMP # 304489	NAME WILLIAMS	DONYAL	TITLE 9161	
		MONTH AND YEAR	RECEIVED		TOTAL
JR CHAMBER OF COMMERCE	/	/	/	/	0
HARD 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

Ex. A, 1 of 3

SSN	██████████	EMP # 304489	NAME WILLIAMS	DONYAL	TITLE 9161
			MONTH AND YEAR RECEIVED	TOTAL	
SPECIAL COMMENDATION	/	/	/	/	0
TENERSHIP AWARD	/	/	/	/	0
SPECIAL SERVICE AWARD	/	/	/	/	0
PROBLEM SOLVING AWARD	09 / 00	/	/	/	1
BLUE SHIELD AWARD	/	/	/	/	0
JOINT OPERATIONS AWARD	/	/	/	/	0
DEPT COMMENDATION 002	AWARDS NUMBER	1 0132	2 95033	3	
4	5	6	7	8	9 10
HONORABLE MENTION 00082 COMPLIMENTARY LETTERS 006					
OTHER AWARDS					

Ex. A, 2 of 3

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

28-OCT-2004

TO: COMMANDING OFFICER UNIT 113

FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

WILLIAMS	DONYAL	10788	701
NAME (LAST, FIRST M.I.)		STAR	UNIT
M	B		
SEX	RACE	S.S.N.	

REFERENCE: COMPLAINT REGISTER NUMBER 292268

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

INV	FRACTION	240		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:

BERNETTE KELLY

NONE

FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

Ex. A, 3 of 3

CHARGES

Police Officer Ramona A. Davis, Star Number 7837, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

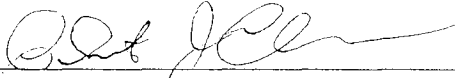
- Rule 1: Violation of any law or ordinance;
- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department;
- Rule 6: Disobedience of an order or directive, whether written or oral.

SPECIFICATIONS

1. Police Officer Ramona A. Davis, Star Number 7837, is charged with violating Rule 1, "Violation of any law or ordinance," in the following instance:
 - Count I. On or about April 18, 2006, Police Officer Ramona A. Davis rendered a urine specimen that contained marijuana metabolites, thereby evidencing knowing possession of cannabis on or before April 18, 2006, in violation of Chapter 720 of the Illinois Compiled Statutes, Section 550/4.
2. Police Officer Ramona A. Davis, Star Number 7837, is charged with violating 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 the following instance:
 - Count I. On or about April 18, 2006, Police Officer Ramona A. Davis rendered a urine specimen that contained marijuana metabolites, thereby evidencing possession and/or ingestion and/or some type of use of cannabis on or before April 18, 2006, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.
3. Police Officer Ramona A. Davis, Star Number 7837, is charged with violating Rule 6, "Disobedience of an order or directive, whether written or oral," in the following instance:
 - Count I. On or about April 18, 2006, Police Officer Ramona A. Davis

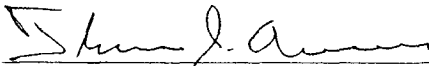
rendered a urine specimen that contained marijuana metabolites,
thereby evidencing use of cannabis on or before April 18, 2006, in
violation of Administrative Special Order 05-01, III.B.

Based on the foregoing charges and specifications, the Superintendent
recommends that Police Officer Ramona A. Davis, Star Number 7837, be discharged
from the Chicago Police Department.



PHILIP J. CLINE
Superintendent of Police

APPROVED AS TO FORM



THOMAS AUMANN
Assistant Corporation Counsel

P. B. CASE # FILED

07-2627 FEB 23 2007

CHICAGO POLICE BOARD