

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)	No. 07-2632
POLICE OFFICER SAL MUNGIA,)	&
STAR No. 5846 DEPARTMENT OF POLICE,)	No. 07-2659
CITY OF CHICAGO,)	
)	(CR Nos. 307802
RESPONDENT)	& 311834)

FINDINGS

On April 4, 2007, and October 5, 2007, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Sal Mungia, Star No. 5846, (hereinafter sometimes referred to as "Respondent"), recommending that he 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 6: Disobedience of an order or directive, whether written or oral.

Rule 21: Failure to report promptly to the Department any information concerning any crime or unlawful action.

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer Sal Mungia, Star No. 5846, to be had before Thomas E. Johnson, Hearing Officer of the Police Board, on February 26, 2008.

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.

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 and/or his legal counsel more than five (5) days prior to the hearing on the charges. The two sets of charges were consolidated for hearing.

3. The Respondent appeared throughout the hearing and represented himself.

4. The Respondent, Police Officer Sal Mungia, Star No. 5846, charged herein, contrary to the Rules and Regulations, is **guilty** in Case No. 07-2632 of violating to wit:

Rule 1: **Violation of any law or ordinance**, in that on or about August 17, 2005, at or about 10422 South Sacramento, Chicago, Illinois, Officer Sal Mungia possessed, in his residence, one or more aluminum foils and/or plastic baggies and/or zip lock baggies containing a substance and/or residue

that tested positive for cocaine, a controlled substance, in violation of 720 ILCS 570/402.

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 August 17, 2005, at or about 10422 South Sacramento, Chicago, Illinois, there were present in Officer Sal Mungia's residence, one or more aluminum foils and/or plastic baggies and/or zip lock baggies containing a substance and/or residue that tested positive for cocaine, a controlled substance, thereby impeding the Department's efforts to achieve its policies and goals and/or bringing discredit upon the Department.

Count II: On or before August 17, 2005, Officer Sal Mungia failed to report to the Department the presence, in his home, at or about 10422 South Sacramento, Chicago, Illinois, of one or more aluminum foils and/or plastic baggies and/or zip lock baggies containing cocaine and/or residue, thereby impeding the Department's efforts to achieve its policies and goals and/or bringing discredit upon the Department.

Rule 21: **Failure to report promptly to the Department any information concerning any crime or unlawful action, in that on or before August 17, 2005, Officer Sal Mungia failed to report to the Department any information concerning any crime or unlawful action, in that there were present, in his residence, at or about 10422 South Sacramento, Chicago, Illinois, one or more aluminum foils and/or plastic baggies and/or zip lock baggies containing a**

substance and/or residue consistent with the appearance of drug packaging frequently used to package narcotics.

5. The Respondent, Police Officer Sal Mungia, Star No. 5846, charged herein, is **guilty** in Case No. 07-2659, of violating to wit:

Rule 1: **Violation of any law or ordinance**, in that from on or about September 1, 2003, through on or about February 28, 2005, or on one or more dates therein, Officer Sal Mungia issued approximately 291 parking and/or compliance violation notices and failed to serve the notices on the owners of the vehicles by handing them to the operators of the vehicles or by affixing them to the vehicles in a conspicuous place, in violation of City of Chicago Municipal Code, 9-100-030(b).

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: From on or about September 1, 2003, through on or about February 28, 2005, or on one or more dates therein, Officer Sal Mungia issued approximately 291 parking and/or compliance violation notices and failed to serve the notices on the owners of the vehicles by handing them to the operators of the vehicles or by affixing them to the vehicles in a conspicuous place, thereby impeding the Department's efforts to achieve its policies and goals and/or bringing discredit upon the Department.

Count II: From on or about September 1, 2003, through on or about February 28, 2005, or on one or more dates therein, Officer Sal Mungia violated Department Special Order 04-17-04 III, B 2, in that Officer Sal Mungia issued approximately 291 parking and/or compliance violation notices and failed to ensure that the violator's copy was either served on the owner of the vehicle by handing it to the operator of the vehicle, if present, or failed to affix the notices to the vehicle in a conspicuous place, thereby impeding the Department's efforts to achieve its policies and goals and/or bringing discredit upon the Department.

Count III From on or about September 1, 2003, through on or about February 28, 2005, or on one or more dates therein, Officer Sal Mungia violated Department Special Order 04-17-04 III, C 1 (a), in that Officer Sal Mungia issued approximately 291 parking and/or compliance violation notices and was unable to serve the operator or affix the violation notice to the vehicle and failed to use the license plate numbers to obtain the registered owner's name and address through a PDT or OEMC or mail a copy to the registered address, thereby impeding the Department's efforts to achieve its policies and goals and/or bringing discredit upon the Department.

Count IV: From on or about September 1, 2003, through on or about February 28, 2005, or on one or more dates therein, Officer Sal Mungia violated Department Special Order 04-17-04 III, C 1 (b), in that Officer Sal Mungia issued approximately 291 parking and/or compliance violation notices and was unable to serve the operator or affix the violation notice to the vehicle and failed to prepare a To-From-Subject report to the unit commanding officer, thereby impeding the Department's efforts to achieve its policies and goals and/or bringing discredit upon the Department.

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

Count I: From on or about September 1, 2003, through on or about February 28, 2005, or on one or more dates therein,

Officer Sal Mungia violated Department Special Order 04-17-04 III, B 2, in that Officer Sal Mungia issued approximately 291 parking and/or compliance violation notices and failed to ensure that the violator's copy was either served on the owner of the vehicle by handing it to the operator of the vehicle, if present, or failed to affix the notices to the vehicle in a conspicuous place.

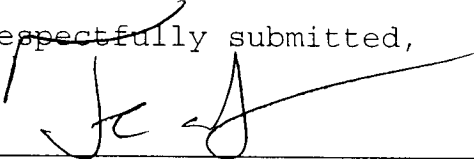
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Count III From on or about September 1, 2003, through on or about February 28, 2005, or on one or more dates therein, Officer Sal Mungia violated Department Special Order 04-17-04 III, C 1 (b), in that Officer Sal Mungia issued approximately 291 parking and/or compliance violation notices and was unable to serve the operator or affix the violation notice to the vehicle and failed to prepare a To-From Subject report to the unit commanding officer.

By reason of the findings of fact and guilt to the extent set forth herein, cause exists for the discharge of the Respondent, Police Officer Sal Mungia, Star No. 5846, from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

Police Board Case Nos. 07 PB 2632 and 07 PB 2659
Police Officer Sal Mungia
Page 7

Respectfully submitted,



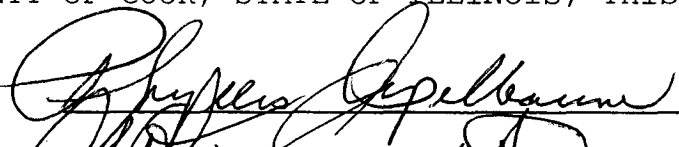
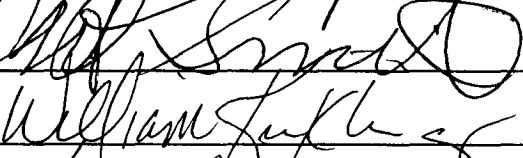
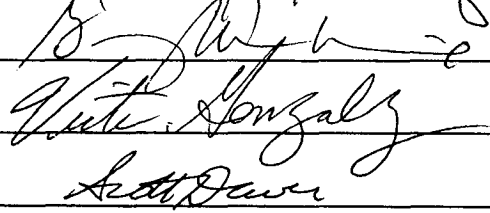
Thomas E. Johnson
Hearing Officer

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 Sal Mungia, Star No. 5846, as a result of having been found **guilty** of charges in Police Board Case Nos. 07 PB 2632 and 07 PB 2659, be and hereby is **discharged** from his position as a police officer, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
17th DAY OF APRIL, 2008.



William L. Felt

Scott J. Davis

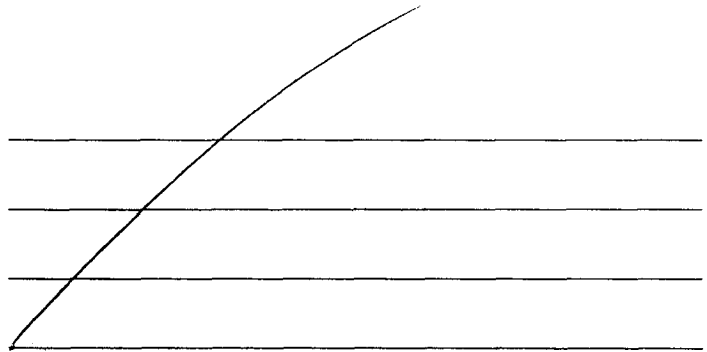
Attested by:



Executive Director
Police Board

DISSENT

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

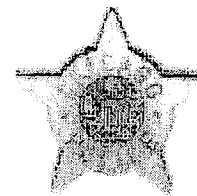


RECEIVED A COPY OF
THE FOREGOING COMMUNICATION
THIS ____ DAY OF _____, 2008.

SUPERINTENDENT OF POLICE

Chicago Police Department

Personnel Division



Information Services Division
Data Warehouse
Produced by: PC01338

Complimentary Hist

Name	Title	Star	Unit	Detail Unit	Emp Number
MUNGIA, SAL M	9161	5846	021	376	4727

Achievements

Total No.

LIFE SAVING AWARD
HONORABLE MENTION
COMPLIMENTARY LETTER

1
7
1

PERSONNEL SERVICES



JUN 28 2006



CHICAGO POLICE DEPARTMENT

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.

CF 11834



Citizen & Law Enforcement Analysis & Reporting System

EX. A, 1 OF 3

C. R. 311834
ATTACHMENT # 55

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

27 JUNE 2006

TO: 121 GIS

FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

MUNGIA SAL 5846 021/376

NAME (LAST, FIRST M.I.) STAR UNIT

M HIS

SEX RACE EMPLOYEE

REFERENCE: COMPLAINT REGISTER NUMBER(S) 311 834

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

RANK	NAME	STAR	EMPL	UNIT
SGT.	WEST B	2663		121 G

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(S) ADMINISTERED TO THE
SUBJECT ACCUSED FOR THE PAST FIVE (5) YEARS.

None ☐
Attached ☒ SR

VERIFIED/PREPARED BY:


FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

Ex. A, 2 OF 3

C. R. 311 834
ATTACHMENT # 56
182

CHICAGO POLICE DEPARTMENT

Sustained Complaints History Report

27-JUN-2006 04:31:17

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
[REDACTED]	MUNGIA SAL M.	5846	4727	9161	POLICE OFFICER	376
<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	[REDACTED]	11-APR-1973	24-JAN-2000	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 301149	07-OCT-2004		2 DAY SUSPENSION	10J-NEGLECT OF DUTY/CONDUCT		
<u>Civil Suit #</u>			<u>Police Board #</u>	UNBECOMING - ON DUTY		
<u>Comments</u>	FORFEIT 2 PERSONAL DAYS					

C. N. 311834

ATTACHMENT #

56
282

Ex. A, 3 of 3