

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

<b>IN THE MATTER OF CHARGES FILED AGAINST</b>	)	
<b>POLICE OFFICER MAHIR AFFANEH,</b>	)	<b>No. 07 PB 2633</b>
<b>STAR No. 19612, DEPARTMENT OF POLICE,</b>	)	
<b>CITY OF CHICAGO,</b>	)	<b>(CR No. 300536)</b>
<b>RESPONDENT.</b>	)	

**FINDINGS**

On April 20, 2007, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer **MAHIR AFFANEH, Star No. 19612** (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 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.

**RULE 24:** Failure to follow medical roll procedures.

The Police Board caused a hearing on these charges against Police Officer Mahir Affaneh to be had before JACQUELINE A. WALKER, Hearing Officer of the Police Board, on October 18 and October 26, 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. 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:

**FINDINGS & DECISION, CONT'D.**  
**POLICE OFFICER MAHIR AFFANEH, STAR No. 19612**  
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(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) The Respondent, Police Officer **MAHIR AFFANEH, STAR No. 19612**, 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 there was insufficient evidence presented by the Superintendent to prove that:

- A. On or about October 7, 2004, while giving a statement to the Internal Affairs Division, he stated that he had never been employed by his brother, Ahmad Affaneh, however he reported on his Personal History Questionnaire Background Investigation that he worked for Ahmad Affaneh's company, Courtesy Remodeling, Inc., from September 1988 through April 1992.
- B. On or about February 15, 2005, while giving a statement to the Internal Affairs Division, he denied working secondary employment on October 28, 2004, when on October 28, 2004, he was observed performing work at

**FINDINGS & DECISION, CONT'D.**  
**POLICE OFFICER MAHIR AFFANEH, STAR No. 19612**  
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a gas station at 115<sup>th</sup> Street and Pulaski Road, including standing on a stepladder removing ceiling tiles.

C. On or about February 15, 2005, while giving a statement to the Internal Affairs Division, he denied working secondary employment on October 29, 2004, when on October 29, 2004, he was observed performing work at Nelson Food & Liquor located at 3201 West 63<sup>rd</sup> Place, including loading several sheets of material and/or wood stock into a vehicle, unloading a white bucket from a vehicle, and/or spraying and wiping a sheet of material and/or wood stock.

D. On or about October 29, 2004, he failed to report to the Medical Services Section to obtain a Return to Duty Notice after being released to return to duty by Mercy Works Medical Center.

(5) The Respondent, Police Officer **MAHIR AFFANEH, STAR No. 19612**, 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:

- A. On or about October 28, 2004, he engaged in construction activity, including standing on a stepladder removing ceiling tiles, while on the medical roll.
- B. On or about October 29, 2004, he engaged in construction activity, including loading several sheets of material and/or wood stock into a

**FINDINGS & DECISION, CONT'D.**  
**POLICE OFFICER MAHIR AFFANEH, STAR No. 19612**  
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vehicle, unloading a white bucket from a vehicle, and/or spraying and wiping a sheet of material and/or wood stock, while on the medical roll.

(6) The Respondent, Police Officer **MAHIR AFFANEH, STAR No. 19612**, as charged herein, is **not guilty** of violating, to-wit:

**RULE 14:** Making a false report, written or oral.

in that there was insufficient evidence presented by the Superintendent to prove that:

- A. On or about October 7, 2004, while giving a statement to the Internal Affairs Division, he stated that he had never been employed by his brother, Ahmad Affaneh, however he reported on his Personal History Questionnaire Background Investigation that he worked for Ahmad Affaneh's company Courtesy Remodeling, Inc., from September 1988 through April 1992.
- B. On or about February 15, 2005, while giving a statement to the Internal Affairs Division, he denied working secondary employment on October 28, 2004, when on October 28, 2004, he was observed performing work at a gas station at 115<sup>th</sup> Street and Pulaski Road, including standing on a stepladder removing ceiling tiles.
- C. On or about February 15, 2005, while giving a statement to the Internal Affairs Division, he denied working secondary employment on October 29, 2004, when on October 29, 2004, he was observed performing work at Nelson Food & Liquor located at 3201 West 63<sup>rd</sup> Place, including loading several sheets of material and/or wood stock into a vehicle, unloading a

**FINDINGS & DECISION, CONT'D.**  
**POLICE OFFICER MAHIR AFFANEH, STAR No. 19612**  
**PAGE 5**

white bucket from a vehicle, and/or spraying and wiping a sheet of material and/or wood stock.

(7) Respondent, **POLICE OFFICER MAHIR AFFANEH, STAR No. 19612**, as charged herein, is **guilty** of violating, to-wit:

**RULE 24:** Failure to follow medical roll procedures.

in that:

- A. On or about October 28, 2004, he engaged in construction activity, including standing on a stepladder removing ceiling tiles, while on the medical roll.
- B. On or about October 29, 2004, he engaged in construction activity, including loading several sheets of material and/or wood stock into a vehicle, unloading a white bucket from a vehicle, and/or spraying and wiping a sheet of material and/or wood stock, while on the medical roll.

(8) The Respondent, Police Officer **MAHIR AFFANEH, STAR No. 19612**, as charged herein, is **not guilty** of violating, to-wit:

**RULE 24:** Failure to follow medical roll procedures.

in that there was insufficient evidence presented by the Superintendent to prove that:

On or about October 29, 2004, he failed to report to the Medical Services Section to obtain a Return to Duty Notice after being released to return to duty by Mercy Works Medical Center.

**FINDINGS & DECISION, CONT'D.**  
**POLICE OFFICER MAHIR AFFANEH, STAR No. 19612**  
**PAGE 6**

**BY REASON OF THE FINDINGS OF FACT** herein, cause exists for the suspension of the Respondent, Police Officer **MAHIR AFFANEH, STAR No. 19612**, 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 May 1, 2007, to and including January 31, 2008.

Respectfully submitted,

A handwritten signature in cursive script, reading "J. A. Walker", written over a horizontal line.

JACQUELINE A. WALKER  
Hearing Officer

**FINDINGS & DECISION, CONT'D**

**POLICE OFFICER MAHIR AFFANEH, STAR No. 19612**

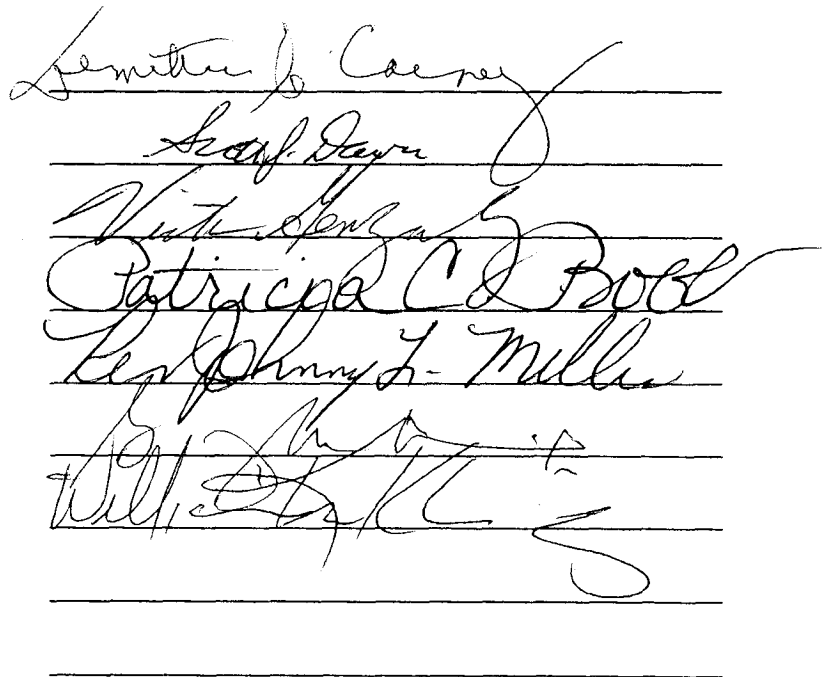
**PAGE 7**

**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 **MAHIR AFFANEH**, Star No. 19612, as a result of having been found **guilty** of charges in Police Board Case No. 07 PB 2633, 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 01 May 2007 to and including 31 January 2008 (nine months).

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 17<sup>th</sup> DAY OF JANUARY, 2008.

  
The block contains five handwritten signatures, each written over a horizontal line. From top to bottom, the signatures are: 1. Lemitar J. Cooney, 2. Scott Dyer, 3. Victor Hernandez, 4. Patricia C. Bobb, and 5. Rep. Phyllis L. Miller. Below the fifth signature, there are two more horizontal lines that remain empty.

Attested by:

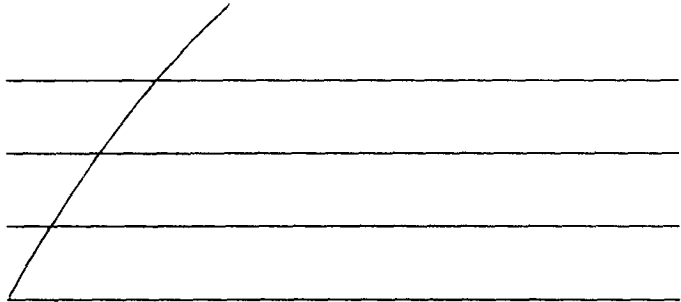
  
The block contains a single handwritten signature, "Max A. Caproni", written over a horizontal line.

Executive Director  
Police Board

**FINDINGS & DECISION, CONT'D**  
**POLICE OFFICER MAHIR AFFANEH, STAR No. 19612**  
**PAGE 8**

**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.

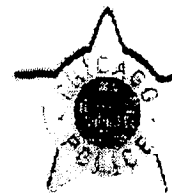
\_\_\_\_\_  
SUPERINTENDENT OF POLICE



Report Date: 30 Mar 2005  
Report Time: 1238 Hrs

# Chicago Police Department

## Personnel Division



Information Services Division  
Data Warehouse  
Produced by: PC0T177

### Complimentary Hist

Name	Title	Star	Unit	Detail Unit	Emp Name
AFFANEH, MAHIR A	9161	19612	008		

### Achievements

### Total No.

HONORABLE MENTION
COMPLIMENTARY LETTER

15

1

*Ex. A, 1 OF 3*

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# 300536

C.R.#300536  
ATTACHMENT

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Citizen & Law Enforcement Analysis & Reporting System

INTERNAL AFFAIRS DIVISION  
RECORDS SECTION

31 MARCH 2005

TO: COMMANDING OFFICER UNIT 121 G

FROM: RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

AFFANEH MAHIR A	19612	008
NAME (LAST, FIRST M.I.)	STAR	UNIT
M	WH	
SEX	RACE	S.S.N.

REFERENCE: COMPLAINT REGISTER NUMBER 300 536

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

P.A	WENDT A	13635	121G	
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

SEE ATTACHED

FOR: COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

Ex. A, 2 of 3

C.R.# 300536  
ATTACHMENT 53.0

CHICAGO POLICE DEPARTMENT  
Sustained Complaints History Report

31-MAR-2005 07:57:49 AM

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
[REDACTED]	AFFANEH MAHIR A.	19612	[REDACTED]	9161	POLICE OFFICER	88
<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	07-MAR-1969	04-DEC-1995	0	1	
<u>Case #</u>	<u>Incident Date</u>	<u>Suspension Dates</u>	<u>Disciplinary Action Taken</u>	<u>Final Category</u>	<u>Previous Transgression</u>	
S043751	06-JUL-2004		REPRIMAND		2-FAILURE TO PERFORM ANY DUTY	
<u>Civil Suit #</u>			<u>Police Board #</u>			
<u>Comments</u>	PARKING TICKETS					

Ex. A, 3 of 3

C.R.# 300536  
ATTACHMENT

53.1