

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER RICHARD S. TERESI,) No. 07 PB 2634
STAR No. 5572, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT) (CR No. 310252)

FINDINGS

On April 20, 2007, the superintendent of police filed with the Police Board of the City of Chicago charges against Police Officer Richard S. Teresi, Star No. 5572 (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 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.

The Police Board caused a hearing on these charges against Police Officer Richard S. Teresi to be had before Michael G. Berland, Hearing Officer of the Police Board, on July 24, July 25, and August 14, 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. Michael G. Berland, 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. Throughout the hearing the Respondent appeared in person and was represented by legal counsel.

4. The Respondent, Police Officer Richard S. Teresi, Star No. 5572, charged herein, is **not guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance.

Count I: The superintendent did not prove by a preponderance of the evidence that from on or about December 7, 2005, to on or about January 12, 2006, or for some period of time therein, the Respondent knowingly permitted premises or property owned or controlled by him or under his control, located at or near 5118 North Elston Avenue, Chicago, to be used as a gambling place, in violation of chapter 720 of the Illinois Compiled Statutes, section 5/28-3, and/or section 8-12-030 of the Chicago Municipal Code.

Count II: The superintendent did not prove by a preponderance of the evidence that from on or about December 7, 2005, to on or about January 12, 2006, or for some period of time therein, the Respondent owned, operated, kept, rented, exhibited, used, or caused to be kept, operated or used, or had in his charge, possession or control, in a building or upon premises, located at or near 5118 North Elston Avenue, Chicago, any tape or slot machine or other gambling device, including but not limited to one or more video/slot poker machines, in violation of chapter 720 of the

Illinois Compiled Statutes, section 5/28-1(a), and/or section 8-12-050 of the Chicago Municipal Code.

5. The Respondent, Police Officer Richard S. Teresi, Star No. 5572, charged herein, is **guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance.

Count III: From on or about July 15, 2005, to on or about January 12, 2006, or for some period of time therein, he purchased a firearm and failed to register the firearm in the City of Chicago, in violation of section 8-20-040 of the Chicago Municipal Code.

6. The Respondent, Police Officer Richard S. Teresi, Star No. 5572, 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.

Count I: The superintendent did not prove by a preponderance of the evidence that from on or about December 7, 2005, to on or about January 12, 2006, or for some period of time therein, the Respondent allowed and/or ran at or near 5118 North Elston Avenue, Chicago, an illegal gambling operation including but not limited to one or more of the following: card games for which money was exchanged and/or one or more electronic video/slot poker machines that pay out money.

7. The Respondent, Police Officer Richard S. Teresi, Star No. 5572, 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.

Count II: From on or about July 15, 2005, to on or about January 12, 2006, or for some period of time therein, he purchased a firearm and failed to register the firearm in the City of Chicago.

8. The Respondent, Police Officer Richard S. Teresi, Star No. 5572, charged herein, is **guilty** of violating, to wit:

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

From on or about July 15, 2005, to on or about January 12, 2006, or for some period of time therein, he purchased a firearm and failed to register the firearm in the City of Chicago, thereby violating General Order 92-03-05D.

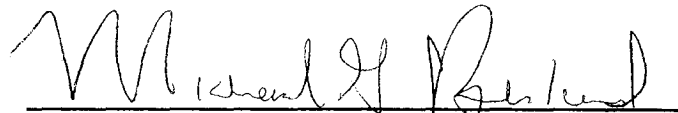
9. The Respondent testified that he had the unregistered gun in his Police Department locker for "a day and a half or so" after bringing the gun to Chicago from Niles (Tr. pp. 23-24). He also testified that he intended to register this gun as he had done with all of his other firearms (Tr. p. 54). The Police Board finds and determines that the Respondent's testimony that he intended to register the unregistered gun is not credible.

10. The Respondent's disciplinary history includes four previous sustained complaints of violations of Police Department Rules of Conduct. As noted in Exhibit A attached hereto, the Respondent has been suspended for (a) twenty days for neglect of duty/conduct unbecoming while on duty; (b) twenty days for violating medical-roll procedures; (c) ten days for violating medical-roll procedures; and (d) one year for giving false statements regarding a shooting near his residence (Police Board case no. 06-2598). The Respondent's disciplinary history is a substantial and motivating factor in the Board's decision that ordering the Respondent's discharge from his position with the

Police Department is the appropriate penalty in the instant case. The continued employment of the Respondent would be detrimental to the discipline and efficiency of the Police Department.

By reason of the findings of fact and guilt to the extent set forth herein, and by reason of the Respondent's extensive disciplinary history, cause exists for the discharge of the Respondent, Police Officer Richard S. Teresi, Star No. 5572, from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael G. Berland". The signature is written in a cursive style with a horizontal line underneath it.

MICHAEL G. BERLAND
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, Michael G. Berland, 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 Richard S. Teresi, Star No. 5572, as a result of having been found **guilty** of charges in Police Board Case No. 07 PB 2634, be and hereby is **discharged** from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

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

James P. Carney **
Scott Davis
Patricia C. Bell
Vicki Szalay **
John J. Gonzalez
William J. Miller **
Res. Johnny L. Miller **

**Board Members Carney, Gonzalez, and Miller voted to find the Respondent guilty of all charges.

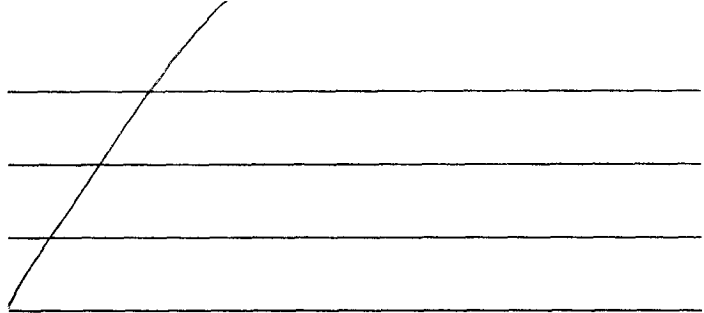
Attested by:

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.



RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS _____ DAY OF _____, 2007.

INTERIM SUPERINTENDENT OF POLICE

C.R.# 310252 / 259579
ATTACHMENT 49



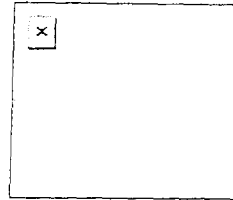
1 / 1 Main Report

100%

Business Objects

Report Date: 16 Aug 2006
Report Time: 1637 Hrs

Chicago Police Department Personnel Division



Information Services Division
Data Warehouse
Produced by: PCOD407

Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Numb
TERESI, RICHARD S	9161	5572	016	376	

Achievements

Total No.

EMBLEM OF RECOGNITION - PHYSICAL FITNESS
DEPARTMENT COMMENDATION
HONORABLE MENTION
COMPLIMENTARY LETTER

2
1
35
16

Ex. A, 1 of 3

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

16 OCTOBER 2006

TO: COMMANDING OFFICER UNIT 121
FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION
SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

TERESI RICHARD	5572	376
NAME (LAST, FIRST M.I.)	STAR	UNIT
MALE	WHITE	
SEX	RACE	S.S.N.

REFERENCE: COMPLAINT REGISTER NUMBER 310252

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

LT.	CALLOWAY			121
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:

NIYA SCOTT

SEE ATTACHED

FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

Ex. A, 2 of 3

A.C. Ex 1

C. R. 310252

ATTACHMENT # 50

1 of 2

CHICAGO POLICE DEPARTMENT Sustained Complaints History Report

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
██████████	TERESI RICHARD S.	5572	██████████	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	WHITE	██████████	██████████	0	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 277602	12-JAN-2002	16-AUG-2003	20 DAY SUSPENSION	10J-NEGLECT OF DUTY/CONDUCT UNBECOMING - ON DUTY	
<u>Civil Suit #</u>		04-SEP-2003	<u>Police Board #</u>		
<u>Comments</u>					

<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 279239	22-MAR-2002	27-MAR-2005	20 DAY SUSPENSION	10B-MEDICAL ROLL	
<u>Civil Suit #</u>		15-APR-2005	<u>Police Board #</u>		
<u>Comments</u>			20 DAY SUSPENSION <u>Police Board #</u>	10B-MEDICAL ROLL	

<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 279847	14-APR-2002	01-OCT-2004	10 DAY SUSPENSION	10B-MEDICAL ROLL	
<u>Civil Suit #</u>		10-OCT-2004	<u>Police Board #</u>		
<u>Comments</u>			10 DAY SUSPENSION <u>Police Board #</u>	10B-MEDICAL ROLL	

<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 299606	28-JUL-2004	09-MAR-2006	SUSPENDED OVER 30 DAYS	10J-NEGLECT OF DUTY/CONDUCT UNBECOMING - ON DUTY	
<u>Civil Suit #</u>		08-MAR-2007	<u>Police Board #</u> 62598		
<u>Comments</u>					

ISSUED TO CR 370252 ONLY

C. R. 310752
ATTACHMENT # 50

Ex. A, 3 of 3