

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
SENIOR DATA ENTRY OPERATOR ALICE GRAY,) No. 07 PB 2668
EMPLOYEE No. 56860, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT) (CR No. 312590)

FINDINGS

On November 14, 2007, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Senior Data Entry Operator Alice Gray, Employee No. 56860 (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.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 14: Making a false report, written or oral.
- Rule 20: Failure to submit immediately a written report that any member, including self, is under investigation by a law enforcement agency other than the Chicago Police Department.

The Police Board caused a hearing on these charges against Senior Data Entry Operator Alice Gray to be had before Thomas E. Johnson, Hearing Officer of the Police Board, on April 24 and May 5, 2008.

Following the hearing, the members of the Police Board read and reviewed the record of proceedings and viewed the video-recording of the testimony of the witnesses. 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 civilian 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, were 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, Senior Data Entry Operator Alice Gray, Employee No. 56860, charged herein, is **not guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance,
in that:

Count I: The Superintendent did not prove by a preponderance of the evidence that on or about April 23, 2006, at approximately 3:00 a.m., at or near 14202 South Cottage Grove Avenue, Dolton, Illinois, the Respondent intentionally and/or knowingly without legal justification caused bodily harm to Bruce Williams and/or made physical contact of an insulting and/or provoking nature with Bruce Williams, in violation of Chapter 720 ILCS 5/12-3A(1) and/or (2).

Count II: The Respondent's plea on or about July 25, 2006, at approximately 9:00 a.m., at or near 16501 South Kedzie Avenue, Court Room 201, in Markham, Illinois, is not sufficient to prove by a preponderance of the evidence that the Respondent violated Chapter 720 ILCS 5/12-3A(1).

5. The Respondent, Senior Data Entry Operator Alice Gray, Employee No. 56860, 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 I: The Superintendent did not prove by a preponderance of the evidence that on or about April 23, 2006, at approximately 3:00 a.m., at or near 14202 South Cottage Grove Avenue, Dolton, Illinois, the Respondent caused bodily harm to Bruce Williams when she kicked Mr. Williams in the groin and/or stomach, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count II: The Respondent did not impede the Department's efforts to achieve its policy and goals or bring discredit upon the Department as a result of her plea on or about July 25, 2006, at approximately 9:00 a.m., at or near 16501 South Kedzie Avenue, Court Room 201, in Markham, Illinois.

Count III: The Superintendent did not prove by a preponderance of the evidence that on or about January 8, 2007, the Respondent gave a false and/or inaccurate and/or misleading statement in an official inquiry, investigation, or other official proceeding in that she stated to Police Agent Flora Suttle that when asked by the judge she plead guilty to her "foot striking the complainant's leg" as she fell, or words to that effect, however, the court transcript and/or criminal complaint show that she plead guilty to striking the complainant, Bruce Williams, in the groin, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

6. The Respondent, Senior Data Entry Operator Alice Gray, Employee No. 56860, 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 April 24, 2006, the Respondent failed to immediately submit a To-From-Subject report to her commanding officer, Police Officer Barry Hagar, Star No. 12319, that she was under investigation by the Dolton Police Department, thereby disobeying General Order 93-03-05B, section IV-A.

7. The Respondent, Senior Data Entry Operator Alice Gray, Employee No. 56860, charged herein, is **not guilty** of violating, to wit:

Rule 8: Disrespect to or maltreatment of any person, while on or off duty,

in that:

The Superintendent did not prove by a preponderance of the evidence that on or about April 23, 2006, at approximately 3:00 a.m., at or near 14202 South Cottage Grove Avenue, Dolton, Illinois, while off duty, the Respondent was disrespectful to and/or maltreated Bruce Williams when she kicked him in the groin and/or stomach.

8. The Respondent, Senior Data Entry Operator Alice Gray, Employee No. 56860, charged herein, is **not guilty** of violating, to wit:

Rule 14: Making a false report, written or oral,

in that:

The Superintendent did not prove by a preponderance of the evidence that on or about January 8, 2007, the Respondent

gave a false and/or innaccurate and/or misleading statement in an official inquiry, investigation, or other official proceeding in that she stated to Police Agent Flora Suttle that when asked by the judge she plead guilty to her "foot striking the complainant's leg" as she fell, or words to that effect, however, the court transcript and/or criminal complaint show that she plead guilty to striking the complainant, Bruce Williams, in the groin, thereby making a false report, written or oral.

8. The Respondent, Senior Data Entry Operator Alice Gray, Employee No. 56860, charged herein, is **not guilty** of violating, to wit:

Rule 20: Failure to submit immediately a written report that any member, including self, is under investigation by a law enforcement agency other than the Chicago Police Department,

in that:

The Superintendent did not prove by a preponderance of the evidence that on or about April 24, 2006, the Respondent failed to immediately submit a written report to her commanding officer, Police Officer Barry Hagar, Star No. 12319, that she was under investigation by the Dolton Police Department.

By reason of the findings of fact set forth herein, cause exists for restoring the Respondent, Senior Data Entry Operator Alice Gray, Employee No. 56860, to her position as a senior data entry operator with the Department of Police, and to the services of the City of Chicago, effective November 17, 2007.

Respectfully submitted,



THOMAS E. JOHNSON
Hearing Officer

DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses, 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

IT IS HEREBY ORDERED that the Respondent, Senior Data Entry Operator Alice Gray, Employee No. 56860, as a result of having been found **not guilty** of the charges in Police Board Case No. 07 PB 2668, be and hereby is **restored** to her position as a senior data entry operator, and to the services of the City of Chicago, with all rights and benefits, effective 17 November 2007.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
19th DAY OF JUNE, 2008.

Jennifer Gray
Phyllis Gubman
Patricia C. Bobb
Walter...
Wally...
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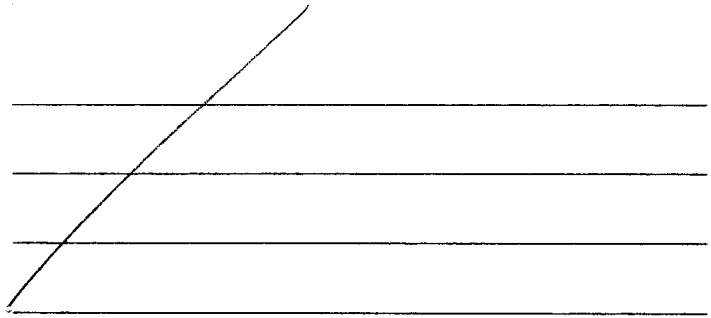
Attested by:

M. 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 _____, 2008.

SUPERINTENDENT OF POLICE