

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)	
SERGEANT MICHAEL STISCAK,)	No. 07 PB 2669
STAR No. 1630, DEPARTMENT OF POLICE,)	
CITY OF CHICAGO,)	
RESPONDENT.)	(C.R. No. 313442)

FINDINGS

On November 14, 2007, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Sergeant Michael Stiscak, Star No. 1630 (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 25:** Failure to actually reside within the corporate boundaries of the City of Chicago; and
- RULE 26:** Failure to provide the Department with a current address and telephone number.

The Police Board of the City of Chicago caused a hearing on these charges against Sergeant Michael Stiscak, Star No. 1630, to be heard by Jacqueline A. Walker, Hearing Officer of the Police Board of the City of Chicago, on January 8, January 29, and March 7, 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

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video-recording of the proceedings. 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:

- (1) The Respondent was, at all times mentioned herein, a Sergeant 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) Respondent, Sergeant Michael Stiscak, Star No. No. 1630, as charged herein, is **not guilty** of violating, to-wit:

Rule 1: Violation of any law or ordinance,

The Superintendent did not prove by a preponderance of evidence that from on or before May 2, 2006, through on or about the date the charges were filed, or for some period of time therein, the Respondent resided at 1702 Brigham Lane, Crystal Lake, Illinois, and not within the corporate boundaries/city limit of Chicago, Illinois, thereby violating Title 2, Chapter 152, Section 340 of the City of Chicago Municipal Code.

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(5) Respondent, Sergeant Michael Stiscak, Star No. No. 1630, 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 the following instances.

The Superintendent did not prove by a preponderance of evidence that:

A. From on or before May 2, 2006, through on or about the date the charges were filed, or for some period of time therein, the Respondent resided at 1702 Brigham Lane, Crystal Lake, Illinois, and not within the corporate boundaries/city limit of Chicago, Illinois.

B. From on or before May 2, 2006, through on or about the date the charges were filed, or for some period of time therein, the Respondent resided at 1702 Brigham Lane, Crystal Lake, Illinois, however, his Employee Change of Address Form dated on or about October 31, 2002, declared his Old Address as 4148 N. Clarendon, No. 302 Chicago, Illinois, 60613 and his New Address as 4240 N. Clarendon, No. 4075, Chicago, Illinois.

(6) Respondent, Sergeant Michael Stiscak, Star No. No. 1630, as charged herein, is **not guilty** of violating, to-wit:

Rule 25: Failure to actually reside within the corporate boundaries of the City of Chicago.

The Superintendent did not prove by a preponderance of evidence that from on or before May 2, 2006, through on or about the date the charges

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were filed, or for some period of time therein, the Respondent resided at 1702 Brigham Lane, Crystal Lake, Illinois, and not within the corporate boundaries/city limit of Chicago, Illinois.


(7) Respondent, Sergeant Michael Stiscak, Star No. No. 1630, as charged herein, is **not guilty** of violating, to-wit:

Rule 26: Failure to provide the Department with a current address and telephone number.

The Superintendent did not prove by a preponderance of evidence that from on or before May 2, 2006, through on or about the date the charges were filed, or for some period of time therein, he resided at 1702 Brigham Lane, Crystal Lake, Illinois, however, his Employee Change of Address Form dated on or about October 31, 2002, declared his Old Address as 4148 N. Clarendon, No. 302 Chicago, Illinois, 60613 and his New Address as 4240 N. Clarendon, No. 4075, Chicago, Illinois.

By reason of the findings set forth herein, cause exists for restoring the Respondent, Sergeant Michael Stiscak, Star No. 1630, to his position as a Sergeant with the Department of Police, and to the services of the City of Chicago, with all rights and benefits effective November 17, 2007.

Respectfully submitted,


JACQUELINE A. WALKER
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, 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

IT IS HEREBY ORDERED that the Respondent, Sergeant Michael Stiscak, Star No. 1630, as a result of having been found **not guilty** of the charges in Police Board Case No. 07 PB 2669, be and hereby is **restored** to his position as a sergeant of police, 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 20th DAY OF MARCH, 2008.

Benito J. Carr
Scott Davis
Patricia C. Cobb
William J. Sullivan
Phonny L. Miller

Attested by:

M. A. Caproni

Executive Director
Police Board

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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

IT IS HEREBY ORDERED that the Respondent, Sergeant Michael Stiscak, Star No. 1630, as a result of having been found **not guilty** of the charges in Police Board Case No. 07 PB 2669, be and hereby is **restored** to his position as a sergeant of police, 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 20th DAY OF MARCH, 2008.

Bernardo J. Carr
Scott D. Davis
Patricia C. Cobb
Walter J. Goff
Johnny L. Miller
Raymond A. Spelbaum

Attested by:

Max A. Caproni

Executive Director
Police Board

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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

IT IS HEREBY ORDERED that the Respondent, Sergeant Michael Stiscak, Star No. 1630, as a result of having been found **not guilty** of the charges in Police Board Case No. 07 PB 2669, be and hereby is **restored** to his position as a sergeant of police, 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 20th DAY OF MARCH, 2008.

Bernette J. Carr
Scott J. Davis
Patricia C. Bell
Walter J. Kraft
Arthur Smith
Phonny L. Miller

Attested by:

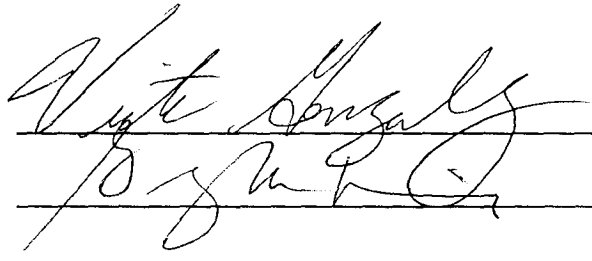
Max A. Caproni

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 find the Respondent guilty of all charges.



RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS _____ DAY OF _____, 2008.

SUPERINTENDENT OF POLICE