

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST )  
POLICE OFFICER DAVID PARKER, ) No. 08 PB 2679  
STAR No. 5000, DEPARTMENT OF POLICE, )  
CITY OF CHICAGO, )  
RESPONDENT. ) (CR No. 1001354)

FINDINGS

On April 17, 2008, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer David Parker, Star No.5000 (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 10: Inattention to duty.

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

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer David Parker, Star No. 5000, to be heard by Jacqueline A. Walker, Hearing Officer of the Police Board of the City of Chicago, on July 22 and July 24, 2008.

Following the Hearing, the members of the Police Board read and reviewed the record of proceedings in this case and viewed the video-recording of the testimony of the witnesses. Hearing Officer Walker 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 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 David Parker, Star No. 5000, 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:

Count I: The Superintendent did not prove by a preponderance of evidence that on or about March 8, 2007, Police Officer David Parker falsely stated to Detective Dion Boyd and/or Assistant State's Attorney Kelly Navarro and/or Sergeant Kenneth Bigg that he (Parker) was present with Police Officer Kenneth Matlob during the debriefing of Jessica Rizzo in the vicinity of the Amoco gas station on Madison Street.

Count II: The Superintendent did not prove by a preponderance of evidence that on or about June 14, 2007, Police Officer David Parker falsely told Detective Dion Boyd that he (Parker) was present with Police Officer Kenneth Matlob during the debriefing of Jessica Rizzo on November 3, 2006, in the vicinity of a gas station on Madison Street.

(5) The Respondent, Police Officer David Parker, Star No. 5000, as charged herein, is **not guilty** of violating, to-wit:

RULE 14: Making a false report, written or oral,  
in that:

Count I: The Superintendent did not prove by a preponderance of evidence that on or about March 8, 2007, Police Officer David Parker falsely stated to Detective Dion Boyd and/or Assistant State's Attorney Kelly Navarro and/or Sergeant Kenneth Bigg that he (Parker) was present with Police Officer Kenneth Matlob during the debriefing of Jessica Rizzo in the vicinity of the Amoco gas station on Madison Street.

Count II: The Superintendent did not prove by a preponderance of evidence that on or about June 14, 2007, Police Officer David Parker falsely told Detective Dion Boyd that he (Parker) was present with Police Officer Kenneth Matlob during the debriefing of Jessica Rizzo on November 3, 2006, in the vicinity of a gas station on Madison Street.

(6) For the reason stated below, the Respondent, Police Officer David Parker, Star No. 5000, as charged herein, is **not guilty** of the following charge of violating Rule 10, Inattention to duty:

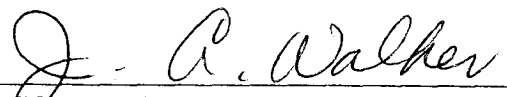
On or about November 3, 2006, he failed to notify Sergeant Darwin Butler that he was coming on duty, while he was on Department-ordered administrative leave after being involved in a police shooting.

(7) Having deliberated on the evidence and considered the credibility of the witnesses, the Police Board finds that the Superintendent failed to meet his burden of proving the charges of violating Rules 2 and 14 by a preponderance of the evidence, particularly in light of the Board's concerns about the credibility of Jessica Rizzo, the Superintendent's primary witness. The Police Board also finds that the Superintendent did not prosecute and thus abandoned the Rule 10 charge, which is diametrically opposed

to and contradicted by the Rule 2 and Rule 14 charges, by focusing the Superintendent's proof and arguments at the hearing on a theory of the case which was incompatible with the Rule 10 charge.

**BY REASON** of the findings of fact herein, cause exists for restoring the Respondent, Police Officer David Parker, Star No.5000, to his position as a police officer, and to the services of the City of Chicago, with all rights and benefits, effective April 22, 2008.

Respectfully Submitted,

  
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JACQUELINE A. WALKER  
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, 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, Police Officer David Parker, Star No. 5000, as a result of having been found **not guilty** of the charges in Police Board Case No. 08 PB 2679, be and hereby is **restored** to his position as a police officer, and to the services of the City of Chicago, with all rights and benefits, effective 22 April 2008.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 25<sup>th</sup> DAY OF SEPTEMBER, 2008.

*Demetrius C. C...*  
*Sherry Dawn*  
*Theresa Appelbaum*  
*...*  
*...*  
*...*  
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*...*  
*...*

Attested by:

*Max A. Caproni*

Executive Director  
Police Board

## 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, 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, Police Officer David Parker, Star No. 5000, as a result of having been found **not guilty** of the charges in Police Board Case No. 08 PB 2679, be and hereby is **restored** to his position as a police officer, and to the services of the City of Chicago, with all rights and benefits, effective 22 April 2008.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 25<sup>th</sup> DAY OF SEPTEMBER, 2008.

Seminarium Ceecey ✓  
Sheryl Dawn  
Stephanie Appelbaum  
J. M. H. W. L.  
G. P. Raza Jr.  
Dennis E. Miller  
Walter Kelley  
Patricia C. Cobb

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 \_\_\_\_\_, 2008.

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SUPERINTENDENT OF POLICE