

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER JOHN J. CATANZARA,) No. 08 PB 2697
STAR No. 3572, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT) (CR No. 1004628)

FINDINGS

On August 28, 2008, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer John J. Catanzara, Star No. 3572 (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 6: Disobedience of an order or directive, whether written or oral.

The Police Board caused a hearing on these charges against Police Officer John J. Catanzara to be had before Michael G. Berland, Hearing Officer of the Police Board, on January 20, 2009.

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. Hearing Officer

Berland 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, 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, Police Officer John J. Catanzara, Star No. 3572, 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:

The Superintendent did not prove by a preponderance of the evidence that the Respondent's actions on or about April 2, 2007, constituted an improper failure to report to the Center for Applied Psychology and Forensic Studies to complete a psychological exam after being ordered to do so, and therefore the Superintendent did not prove by a preponderance of the evidence that the Respondent impeded the Department's efforts to achieve its policy and goals and/or brought discredit upon the Department.

5. The Respondent, Police Officer John J. Catanzara, Star No. 3572, charged herein, is **not guilty** of violating, to wit:

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

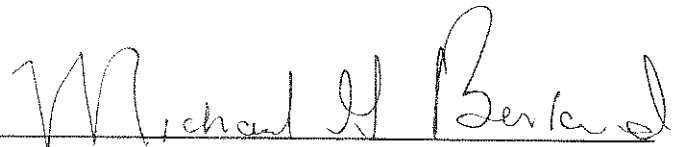
in that:

The Superintendent did not prove by a preponderance of the evidence that the Respondent's actions on or about April 2, 2007, constituted an improper failure to report to the Center for Applied Psychology and Forensic Studies to complete a psychological exam after being ordered to do so, and therefore the Superintendent did not prove by a preponderance of the evidence that the Respondent disobeyed an order or directive, whether written or oral.

By reason of the findings of fact set forth herein, cause exists for restoring the Respondent, Police Officer John J. Catanzara, Star No. 3572, to his position as a police officer with the Department of Police, and to the services of the City of Chicago, with all rights and benefits, effective September 3, 2008.

The Board did not rule on the Respondent's objection regarding certain parts of his disciplinary history because the Board did not consider the disciplinary history, as the Board found the Respondent not guilty of all charges.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael G. Berland". The signature is fluid and cursive, with the first name "Michael" and last name "Berland" clearly distinguishable.



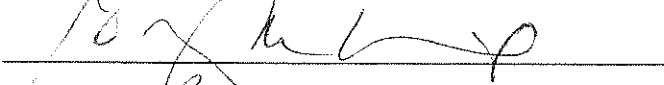
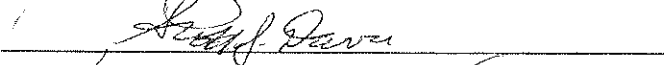
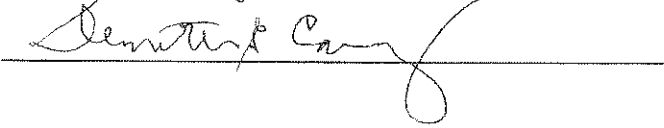
MICHAEL G. BERLAND
Hearing Officer

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, 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

IT IS HEREBY ORDERED that the Respondent, Police Officer John J. Catanzara, Star No. 3572, as a result of having been found **not guilty** of the charges in Police Board Case No. 08 PB 2697, be and hereby is **restored** to his position as a police officer with the Department of Police, and to the services of the City of Chicago, with all rights and benefits, effective 03 September 2008.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 25th DAY OF FEBRUARY, 2009.

Attested by:

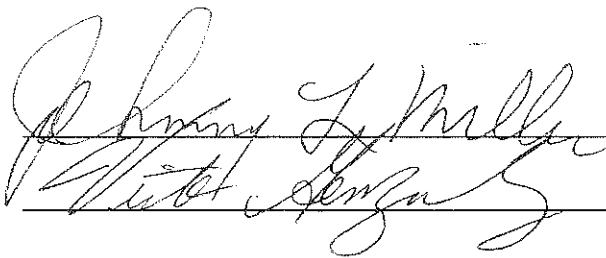


Executive Director
Police Board

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 _____, 2009.

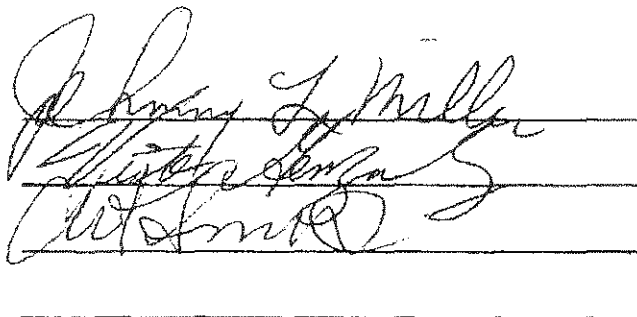
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