

**BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO**

**IN THE MATTER OF CHARGES FILED AGAINST )**  
**POLICE OFFICER DOMNAILL O’KANE, )** **No 09 PB 2708**  
**STAR #12802, DEPARTMENT OF POLICE, )**  
**CITY OF CHICAGO, )**  
**RESPONDENT. )** **(CR Nos. 1011501**  
**& 1016384)**

**FINDINGS AND DECISION**

On February 24, 2009, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer DOMNAILL O’KANE, Star # 12802 (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.
- RULE 10:** Inattention to Duty.
- RULE 14:** Making a false report, written or oral.
- RULE 24:** Failure to follow medical roll procedures.
- RULE 27:** Failure to report promptly any anticipated absence from duty.
- RULE 28:** Being absent from duty without proper authorization.

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer DOMNAILL O’KANE, Star # 12802, to be heard by JACQUELINE A. WALKER, Hearing Officer of the Police Board of the City of Chicago, on July 8, 2009, July

27, 2009, and August 28, 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 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) Respondent, Police officer DOMNAILL O'KANE, Star # 12802, as 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, in the following instances:

- A. On or about May 8, 2008, he was scheduled to work Beat 1344 in the 13<sup>th</sup> District at 1500 hours and failed to notify a supervisor of his inability to report for duty.

- B. On or about May 8, 2008, he was scheduled to work Beat 1344 in the 13<sup>th</sup> District at 1500 hours and he was absent from duty without proper authorization.
- C. On or about November 29, 2007, he failed to report to and/or telephone the Medical Services Section of the Police Department as required.
- D. On or about January 2, 2008, in a To/From report, he reported to the Department that on November 29, 2007, he had arrived at the Doctor's office and the secretary had rescheduled his appointment, or words to that effect, when in fact he was a no show for his appointment.
- E. On or about June 4, 2008, in a To/From report, he reported to the Department that on or about November 29, 2007, he went to the Doctor's office and was told by the receptionist that the doctor was not in and/or that his appointment was rescheduled, or words to that effect, when in fact he was a no show for his appointment.
- F. On or about December 20, 2007, he reported to Captain Martin Ryczek that on November 29, 2007, the doctor's office had cancelled his appointment, or words to that effect, when in fact he was a no show for his appointment.

(5) Respondent, Police Officer DOMNAILL O'KANE, Star # 12802, as charged herein, is **guilty** of violating, to-wit:

**RULE 6:** Disobedience of an order or directive, whether written or oral, in that:

On or about November 29, 2007, he disobeyed an order or directive, whether written or oral, in that he failed to report to and/or telephone the Medical Services Section of the Chicago Police Department in violation of General Order 98-02 and/or 98-02-2A.

(6) Respondent, Police Officer DOMNAILL O'KANE, Star # 12802, as charged herein, is **guilty** of violating, to-wit:

RULE 10: Inattention to Duty, in that

On or about May 8, 2008, he was inattentive to duty in that he was scheduled to work Beat 1344 in the 13<sup>th</sup> District at 1500 hours and failed to appear for duty and/or notify a supervisor of his inability to appear for duty.

(7) Respondent, Police Officer DOMNAILL O'KANE, Star # 12802, as charged herein, is **guilty** of violating, to-wit:

RULE 14: Making a false report, whether written or oral, in the following instances:

(A) On or about January 2, 2008, in a To/From report, he made a false report, in that he reported to the Department that on November 29, 2007, he had arrived at the Doctor's Office and the secretary had rescheduled his appointment, or words to that effect, when in fact he was a no show for his appointment.

(B) On or about June 4, 2008, in a To/From report, he made a false report, in that he reported to the Department that on or about November 29, 2007, he went to the Doctor's office and was told by the receptionist that the doctor

was not in and/or that his appointment was rescheduled, or words to that effect, when in fact he was a no show for his appointment.

(C) On or about December 20, 2007, he made a false report, in that he reported to Captain Martin Ryczek that on November 29, 2007, the doctor's office had cancelled his appointment, or words to that effect, when in fact he was a no show for his appointment.

(8) Respondent, Police Officer DOMNAILL O'KANE, Star # 12802, as charged herein, is **guilty** of violating, to-wit:

**RULE 24:** Failure to follow medical roll procedures, in that:

On or about November 29, 2007, he failed to follow medical roll procedures, in that he failed to report to and/or telephone the Medical Services Section of the Police Department in violation of General Order 98-02 and/or 98-02-2A.

(9) Respondent, Police Officer DOMNAILL O'KANE, STAR #12802, as charged herein, is **guilty** of violating, to-wit:

**RULE 27:** Failing to report promptly any anticipated absence from duty, in that:

On or about May 8, 2008, he was scheduled to work Beat 1344 in the 13<sup>th</sup> District at 1500 hours and he failed to notify a supervisor of his inability to report for duty.


(10) Respondent, Police Officer DOMNAILL O'KANE, Star # 12802, as charged herein, is **guilty** of violating, to-wit:

**RULE 28:** Being absent from duty without proper authorization, in that:

On or about May 8, 2008, he was scheduled to work Beat 1344 in the 13<sup>th</sup>

District at 1500 hours and he was absent from duty without proper authorization.

**BY REASON OF THE FINDINGS OF FACT** herein, cause exists for the suspension of the Respondent, Police Officer Police Officer DOMNAILL O'KANE, Star # 12802, from his position as a police officer with the Department of Police, and from the services of the City of Chicago, for thirty (30) days from February 26, 2009, to and including March 27, 2009.

  
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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, 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 Domnaill O'Kane, Star No. 12802, as a result of having been found **guilty** of charges in Police Board Case No. 09 PB 2708, be and hereby is **suspended** from his position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period from 26 February 2009 to and including 27 March 2009 (thirty days).

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 10<sup>th</sup> DAY OF SEPTEMBER, 2009.

*James J. [Signature]*  
*Scott Davis \**  
*[Signature]*  
*[Signature]*  
*William [Signature]*

Attested by:

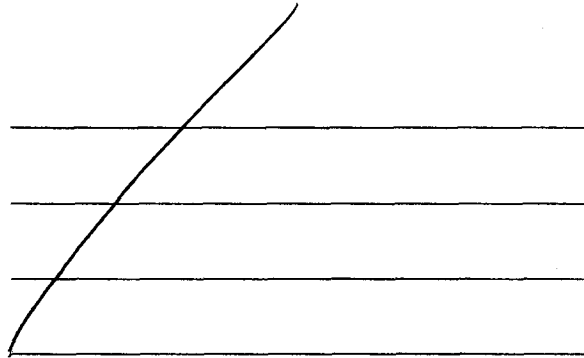
*Max A. Caproni*

Executive Director  
Police Board

\* Mr. Davis would have imposed a penalty of seven months, SD but is concurring for Bureau purposes. SD.

**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

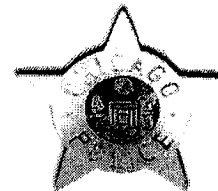
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2009.

\_\_\_\_\_  
SUPERINTENDENT OF POLICE



# Chicago Police Department

## Personnel Division



Information Services Division  
Data Warehouse  
Produced by: PC01338

### Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
O KANE, DOMNAILL O	9161	12802	013		35355

### Achievements

### Total No.

COMPLIMENTARY LETTER
LIFESAVING AWARD
HONORABLE MENTION
REGIONAL AWARDS

2

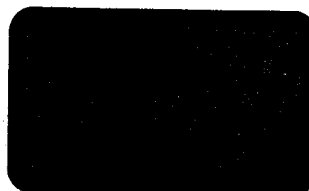
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CR# 1016384



NOTE: THIS REPORT IS FOR OFFICIAL LAW ENFORCEMENT / AUTHORIZED USE ONLY. THE INFORMATION IS CURRENT AS OF THE DATE AND TIME OF THE REPORT. THIS

Log 1016384  
ATT. 8

# 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>
[REDACTED]	O KANE DOMNAILL O	12802	35355	9161	POLICE OFFICER	013
<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	[REDACTED]-1965	16-MAR-1998	1	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>
<u>Civil Suit #</u>			<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 1003037	26-JAN-2007		10 DAY SUSPENSION	10A-ABSENT WITHOUT PERMISSION	
<u>Civil Suit #</u>			<u>Police Board #</u>		
<u>Comments</u>					

10/6/354

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ISSUED FOR USE IN CR

LOG 10/6/384  
ATT 7a



# Chicago Police Department

Internal Affairs Division



## SPAR HISTORY REPORT (Sustained Findings)

Employee#	Name	Star#	Unit	Position	Sex	Race	Birth Date	Date of Appointment
35355	O KANE, DOMNAILO	12802	013/-	POLICE OFFICER	M	WHITE	██████-1965	16-MAR-1998

History : Total No. SPAR's: 2

Log #	Incident Date	Completed Date	Disciplinary Action	Transgression Type	Suspension Dates
512951	14-JAN-2008	06-MAR-2008	3 DAYS OFF	005 - COURT APPEARANCE VIOLATION	25-FEB-2008 to 27-FEB-2008
505908	06-AUG-2006	14-AUG-2006	REPRIMAND	025 - PREVENTABLE ACCIDENT	

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277 76

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CLEAR, Personnel Suite: Automated SPAR Application Print Date and Time: 18-JUL-2008 14:11:17 Printed By : PC01671