

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

<b>IN THE MATTER OF CHARGES FILED AGAINST</b>	)	
	)	
<b>POLICE OFFICER BRIAN GARCIA,</b>	)	<b>No. 09 PB 2715</b>
<b>STAR No. 8573, DEPARTMENT OF POLICE</b>	)	
<b>CITY OF CHICAGO,</b>	)	
	)	
<b>AND</b>	)	
	)	
<b>POLICE OFFICER AARON PORADZISZ,</b>	)	<b>No. 09 PB 2716</b>
<b>STAR No. 3770, DEPARTMENT OF POLICE</b>	)	
<b>CITY OF CHICAGO,</b>	)	
	)	
	)	<b>(CR No. 1007365)</b>
<b>RESPONDENTS</b>	)	

**FINDINGS AND DECISION**

On July 7, 2009, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Brian Garcia, Star No. 8573, and Police Officer Aaron Poradzisz, Star No. 3770 (hereinafter sometimes referred to as "Respondents"), recommending that the Respondents 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 5: Failure to perform any duty.

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.

On August 19, 2009, the Superintendent moved to consolidate the cases for hearing and disposition. The Respondents did not object to the motion. The motion was granted by Michael G. Berland, Hearing Officer of the Police Board, on August 19, 2009.

The Police Board caused a hearing on these charges against the Respondents to be had before Hearing Officer Berland on December 9, 2009, and January 14, March 18, and May 19, 2010.

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.

### **POLICE BOARD FINDINGS**

The Police Board of the City of Chicago, as a result of its hearing on the charges, finds and determines that:

1. Each Respondent was at all times mentioned herein employed as 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 each Respondent more than five (5) days prior to the hearing on the charges.
3. Throughout the hearing on the charges each Respondent appeared in person and was represented by legal counsel.
4. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Police Board finds that both Officers Garcia and Poradzisz engaged in a motor vehicle pursuit of Henry Conley. The definition of a motor-vehicle pursuit is delineated in General Order 03-02, Section III.K. (Superintendent Exhibit 24). The credible testimony of eyewitnesses, Stephen Poindexter and Javon Davis, established that these officers did engage in a motor vehicle pursuit of Conley on July 9, 2007, at or about 0221.30 hours, which began at or near 103<sup>rd</sup> and Halsted Streets, Chicago, and terminated at or near 99<sup>th</sup> and Halsted Streets. That evidence, by itself, established a motor vehicle pursuit by these officers. The evidence also established that Officers Garcia and Poradzisz never notified the zone dispatcher that they were engaging in a pursuit of Conley, in violation of General Order 03-02-01, Section V.A.3.

Furthermore, the Police Board does not find credible the officers' testimony that they had not engaged in a motor vehicle pursuit. Even though Officers Garcia and Poradzisz denied engaging in a motor vehicle pursuit of Conley, the officers activated the flashing lights and sirens on their unmarked police vehicle. The testimony from the officers at the hearing also established that, even after they did so, Conley did not within a reasonably short distance obey the direction to stop, increased or maintained his speed, and/or attempted to elude the officers. Nevertheless, the officers continued their pursuit, which violated the General Order since Conley was observed by the officers to be engaging in only non-hazardous traffic offenses.

5. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he left his district, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Officers Garcia and Poradzisz left their district of assignment on July 9, 2007, at or about 0221 hours when their police vehicle turned north at 103<sup>rd</sup> and Halsted Streets, Chicago, but they failed to notify the zone dispatcher that they left their district. Officers Garcia and Poradzisz continued to be outside of their district until after their police vehicle turned right at 99<sup>th</sup> and Halsted Streets. Both Officers Garcia and Poradzisz admitted they left their district of assignment without notifying the zone dispatcher.

6. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Police Board finds that Officers Garcia and Poradzisz left the scene of a fatal traffic

crash involving Henry Conley on July 9, 2007, when they were at or near 99th and Halsted Streets, Chicago. The credible testimony of eyewitnesses, Javon Davis and Stephen Poindexter, established that the police car in which Officers Garcia and Poradzisz were riding turned right at 99th and Halsted Streets *after* Conley had been involved in a fatal crash. The Board further determines that Officer Garcia's and Officer Poradzisz's statements on the Contact Card (which is in evidence as Superintendent's Exhibit 9) that they were at or near 11900 South Emerald Street, Chicago, at or about 0222 hours on July 9, 2007, was made to conceal the fact that they had just witnessed Conley's fatal crash. The Board finds that, based on the evidence presented, Officers Garcia and Poradzisz observed Conley's crash. The Board does not find credible the officers' testimony that they did not observe Conley's crash.

For its decision on this Count, and all other Counts, the Police Board does not rely on the testimony of either expert, David Dix or Michael O'Hern, since the Board does not find the testimony of either expert helpful in resolving the factual and legal issues raised by this case. The testimony of Davis and Poindexter, along with other evidence in this case, is sufficient for the Board to resolve the issues raised by the charges. See also Cleary & Graham's *Handbook of Illinois Evidence*, Section 703.2, 5<sup>th</sup> edition (1990).

7. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 that:

Count IV: On or about July 9, 2007, Police Officer Garcia made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Garcia was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Police Board finds that Officers Garcia and Poradzisz made a false report when they indicated on a Contact Card that on or about July 9, 2007, at or about 0222 hours they had stopped a motorist at 11900 South Emerald Street, Chicago, for a minor traffic violation. In fact, Officers Garcia and Poradzisz were at or near 99<sup>th</sup> and Halsted Streets, Chicago, had engaged in a motor-vehicle pursuit, and observed Conley's crash at or about 0222 hours. The officers stated on the Contact Card that at that time they were stopping a different motorist at a different location for a minor traffic violation. The Police Board determines that the completion of the Contact Card in the aforesaid manner was not the result of a mistake, as the Respondents claim, but rather was an intentional false report.

8. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 V: The Superintendent did not prove by a preponderance of the evidence that on or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to complete a Traffic Pursuit Report, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Board finds Officer Garcia not guilty of violating this Rule by failing to complete a Traffic Pursuit Report, for he was not the driver but a passenger in the unmarked police vehicle during the pursuit of Conley. According to General Order 03-02-01, Section IX.B.2.a., the *operator* of the primary pursuit unit, in this case Officer Poradzisz, is required to prepare the Traffic Pursuit Report.

9. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby failing to perform any duty.

See the reasons set forth in Finding No. 4 above.

10. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby failing to perform any duty.

See the reasons set forth in Finding No. 6 above.

11. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle, thereby failing to perform any duty.

See the reasons set forth in Finding Nos. 4 and 5 above.

12. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **not guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count IV: The Superintendent did not prove by a preponderance of the evidence that on or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to complete a Traffic Pursuit Report as required, thereby failing to perform any duty.

See the reasons set forth in Finding No. 8 above.

13. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

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

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, in violation of General Order 03-02-01, Section V.A.3.



See the reasons set forth in Finding No. 4 above.

14. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

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

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle, in violation of General Order 97-06-01, Section V.H.

See the reasons set forth in Finding Nos. 4 and 5 above.

15. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **not guilty** of violating, to wit:

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

in that:

Count III: The Superintendent did not prove by a preponderance of the evidence that on or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to complete a Traffic Pursuit Report as required by General Order 03-02-01.

See the reasons set forth in Finding No. 8 above.

16. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby being inattentive to his duties as a police officer.

See the reasons set forth in Finding No. 6 above.

17. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **not guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count II: The Superintendent did not prove by a preponderance of the evidence that on or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to complete a Traffic Pursuit Report, thereby being inattentive to his duties as a police officer.

See the reasons set forth in Finding No. 8 above.

18. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

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

in that:

On or about July 9, 2007, Police Officer Garcia made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Garcia was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours.

See the reasons set forth in Finding No. 7 above.

19. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the reasons set forth in Finding No. 4 above.

20. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he left his district, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the reasons set forth in Finding No. 5 above.

21. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the reasons set forth in Finding No. 6 above.

22. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count IV: On or about July 9, 2007, Police Officer Poradzisz made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Poradzisz was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the reasons set forth in Finding No. 7 above.

23. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count V: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to complete a Traffic Pursuit Report, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Officer Poradzisz failed to complete a Traffic Pursuit report on July 9, 2007, although he was driving the police vehicle. The Board determines that a motor vehicle pursuit did occur involving Henry Conley at or near 9800 to 9900 South Halsted Street, Chicago, and that this report was required to be completed. According to General Order 03-02-01, Section IX.B.2.a, the operator of the primary pursuit unit, in this case Officer Poradzisz, is required to prepare the Traffic Pursuit Report.

24. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby failing to perform any duty.

See the reasons set forth in Finding No. 4 above.

25. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby failing to perform any duty.

See the reasons set forth in Finding No. 6 above.

26. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle, thereby failing to perform any duty.

See the reasons set forth in Finding Nos. 4 and 5 above.

27. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count IV: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to complete a Traffic Pursuit Report as required, thereby failing to perform any duty.

See the reasons set forth in Finding No. 23 above.

28. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

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

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, in violation of General Order 03-02-01, Section V.A.3.

See the reasons set forth in Finding No. 4 above.

29. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is  
**guilty** of violating, to wit:

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

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle, in violation of General Order 97-06-01, Section V.H.

See the reasons set forth in Finding Nos. 4 and 5 above.

30. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is  
**guilty** of violating, to wit:

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

in that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to complete a Traffic Pursuit Report as required by General Order 03-02-01.

See the reasons set forth in Finding No. 23 above.

31. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is  
**guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby being inattentive to his duties as a police officer.

See the reasons set forth in Finding No. 6 above.

32. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to complete a Traffic Pursuit Report, thereby being inattentive to his duties as a police officer.

See the reasons set forth in Finding No. 23 above.

33. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

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

in that:

Count I: On or about July 9, 2007, Police Officer Poradzisz made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Poradzisz was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours.

See the reasons set forth in Finding No. 7 above.



34. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

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

in that:

Count II: On or about July 9, 2007, Police Officer Poradzisz made a false report when he indicated on a Traffic Stop Statistical Survey Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Poradzisz was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours.

The Police Board finds that Officer Poradzisz made a false report when he indicated on a Traffic Stop Statistical Survey Card that on or about July 9, 2007, at or about 0222 hours, he stopped a motorist at 11900 South Emerald Street, Chicago, for a minor traffic violation. In fact, Officers Garcia and Poradzisz were at or near 99<sup>th</sup> and Halsted Streets, Chicago, had engaged in a motor-vehicle pursuit, and observed Conley's crash at or about 0222 hours. The Police Board finds that the completion of the Traffic Stop Statistical Survey Card in the aforesaid manner was not the result of a mistake, as the Respondent claims, but rather was an intentional false report.

35. The Police Board has considered the facts and circumstances of each Respondent's conduct on July 29, 2007, and the evidence presented in defense and mitigation. The Board finds that the conduct of which the Board has found each Respondent guilty (including but not limited to leaving the scene and failing to render aid to the victim(s) of a fatal traffic crash, and then making false reports in an attempt to cover-up their misconduct) is sufficiently serious to constitute a substantial shortcoming that renders each Respondent's continuance in his office detrimental to the discipline and efficiency of the service of the Chicago Police Department, and

is something which the law recognizes as good cause for each Respondent no longer occupying his office.

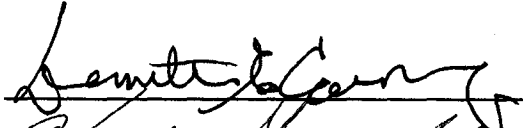

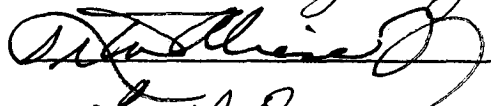
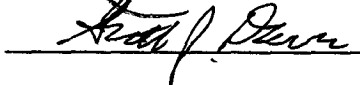
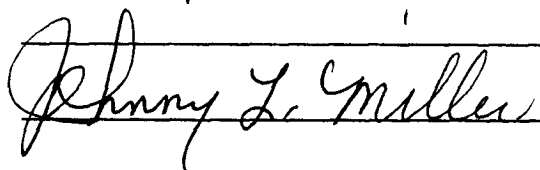
**BY REASON OF THE FINDINGS** set forth herein, cause exists for the discharge of each Respondent, Police Officer Brian Garcia, Star No. 3770, and Police Officer Aaron Poradzisz, Star No. 3770, from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

### 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, 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, 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 Brian Garcia**, Star No. 8573, as a result of having been found **guilty** of charges in Police Board Case No. 09 PB 2715, be and hereby is **discharged** from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 17<sup>th</sup> DAY OF JUNE, 2010.

  
  
  
  
  
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Attested by:

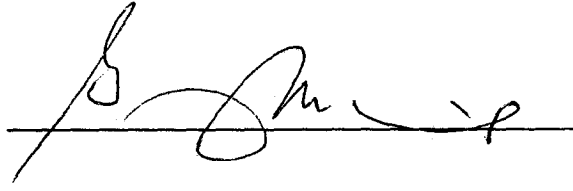


\_\_\_\_\_  
Executive Director  
Police Board

**DISSENT**

The following members of the Police Board hereby dissent from the Decision of the majority of the Board with regard to **Police Officer Brian Garcia**.

The undersigned dissents from Finding Nos. 6, 7, 10, 16, 18, 21, 22, 25, 31, 33, and 34 above because he found that the Superintendent did not prove these charges by a preponderance of the evidence; the undersigned dissents from Finding No. 35 above, and votes to impose a lesser penalty.

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

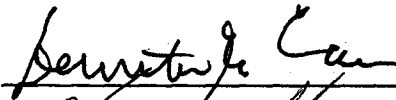
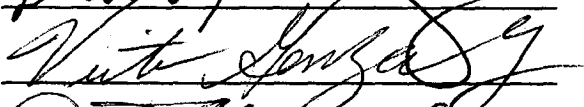

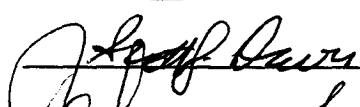
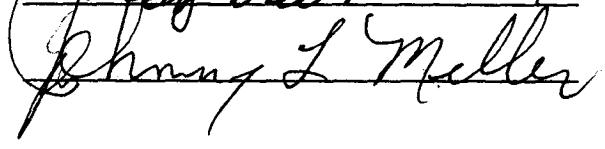
\_\_\_\_\_  
SUPERINTENDENT OF POLICE

**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, 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, 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 Aaron Poradzisz**, Star No. 3770, as a result of having been found **guilty** of charges in Police Board Case No. 09 PB 2716, be and hereby is **discharged** from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 17<sup>th</sup> DAY OF JUNE, 2010.

  
  
  
  
  
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Attested by:

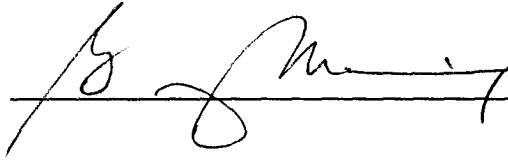


\_\_\_\_\_  
Executive Director  
Police Board

**DISSENT**

The following members of the Police Board hereby dissent from the Decision of the majority of the Board with regard to **Police Officer Aaron Poradzisz**.

The undersigned dissents from Finding Nos. 6, 7, 10, 16, 18, 21, 22, 25, 31, 33, and 34 above because he found that the Superintendent did not prove these charges by a preponderance of the evidence; the undersigned dissents from Finding No. 35 above, and votes to impose a lesser penalty.



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RECEIVED A COPY OF

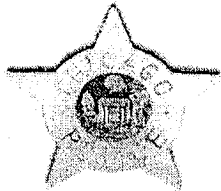
THE FOREGOING COMMUNICATION

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

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

# Chicago Police Department

## Personnel Division



Information Services Division  
Data Warehouse  
Produced by: PC09294

### Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
GARCIA , BRIAN A	9161	8573	005		95377

### Achievements

Total No.

HONORABLE MENTION

8

DR# 1007365



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

INTERNAL AFFAIRS DIVISION  
RECORDS SECTION

29 NOVEMBER 2007

TO: COMMANDING OFFICER OF UNIT 121

FROM: RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

GARCIA BRIAN 8573 005  
NAME (LAST, FIRST, M.I.) STAR UNIT

M WWH 95377  
SEX RACE EMP.#

REFERENCE: COMPLAINT REGISTER NUMBER (S) 100 7365

THE PREVIOUS DISCIPLINARY RECORD OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN  
YOUR NAME BY:

SGT. MOORE T 2299 57049 121  
RANK NAME STAR EMP# UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE REFERENCE  
COMPLAINT REGISTER NUMBER.

THE RECORD SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING  
DISCIPLINARY ACTION (S) ADMINISTERED TO THE SUBJECT ACCUSED, FOR THE PAST FIVE (5)  
YEARS.

VERIFIED/PREPARED BY:

FOR: S.D.E.O. Patricia JOHNSON  
COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

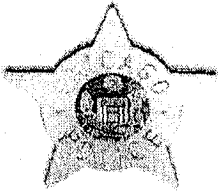
No CR History  
No SPAR History

CL# 1007365  
Attachment# 37  
Page 1 of 1



# Chicago Police Department

## Personnel Division



Information Services Division  
Data Warehouse  
Produced by: PC09294

### Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
PORADZISZ, AARON D	9161	3770	005		95438

### Achievements

### Total No.

OTHER AWARDS
HONORABLE MENTION
EMBLEM OF RECOGNITION - PHYSICAL FITNESS
DEPARTMENT COMMENDATION
LIFE SAVING AWARD

1  
14  
2  
1  
1

R# 1007365

INTERNAL AFFAIRS DIVISION  
RECORDS SECTION

29 NOVEMBER 2007

O: COMMANDING OFFICER OF UNIT 121

FROM: RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

PORADZISZ AARON 3770 0005  
NAME (LAST, FIRST, M.I.) STAR UNIT

M WHI 95438  
SEX RACE EMP.#

REFERENCE: COMPLAINT REGISTER NUMBER (S) 100 7365

THE PREVIOUS DISCIPLINARY RECORD OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

SGT. MOORE T 2299 57049 121  
RANK NAME STAR EMP# UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE REFERENCE COMPLAINT REGISTER NUMBER.

THE RECORD SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING DISCIPLINARY ACTION (S) ADMINISTERED TO THE SUBJECT ACCUSED, FOR THE PAST FIVE (5) YEARS.

VERIFIED/PREPARED BY:

FOR: S.D.E.O. Patricia JOHNSON  
COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

No CR History  
No SPAR History

CL# 1007365  
Attachment# 38  
Page 6 of 1



City of Chicago  
Richard M. Daley, Mayor  
Police Board

Demetrius E. Carney  
President

Scott J. Davis  
Vice President

Patricia C. Bobb  
Rita A. Fry  
Victor M. Gonzalez  
William C. Kirkling, D.D.S.  
Rev. Johnny L. Miller  
Art Smith  
George M. Velcich

Max A. Caproni  
Executive Director

Suite 1220  
30 North LaSalle Street  
Chicago, Illinois 60602  
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(312) 742-4193 (FAX)  
(312) 745-6876 (TTY)  
[www.chicagopoliceboard.org](http://www.chicagopoliceboard.org)

Re: Police Board Case Nos. 09 PB 2715 & 2716, Brian Garcia &  
Aaron Poradzisz

### NOTICE

Under Illinois law, a party to a Police Board case has the right to appeal the Board's decision by filing a petition for administrative review in the Circuit Court of Cook County, County Department, Chancery Division.

In accordance with 735 Illinois Compiled Statutes 5/3-103, the time limit for filing an appeal is 35 days from the date the Board personally serves a party with a copy of the decision, *or* 35 days from the postmark of the date the Board mails a copy of the decision to a party. Filing an appeal after this time limit may result in the dismissal of the case.



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

**IN THE MATTER OF CHARGES FILED AGAINST )**

**POLICE OFFICER BRIAN GARCIA, )  
STAR No. 8573, DEPARTMENT OF POLICE )  
CITY OF CHICAGO, )**

**No. 09 PB 2715**

**AND )**

**POLICE OFFICER AARON PORADZISZ, )  
STAR No. 3770, DEPARTMENT OF POLICE )  
CITY OF CHICAGO, )**

**No. 09 PB 2716**

**RESPONDENTS )**

**(CR No. 1007365)**

**FINDINGS AND DECISION**

On July 7, 2009, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Brian Garcia, Star No. 8573, and Police Officer Aaron Poradzisz, Star No. 3770 (hereinafter sometimes referred to as "Respondents"), recommending that the Respondents 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 5:** Failure to perform any duty.

**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.

On August 19, 2009, the Superintendent moved to consolidate the cases for hearing and disposition. The Respondents did not object to the motion. The motion was granted by Michael G. Berland, Hearing Officer of the Police Board, on August 19, 2009.

The Police Board caused a hearing on these charges against the Respondents to be had before Hearing Officer Berland on December 9, 2009, and January 14, March 18, and May 19, 2010.

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.

### **POLICE BOARD FINDINGS**

The Police Board of the City of Chicago, as a result of its hearing on the charges, finds and determines that:

1. Each Respondent was at all times mentioned herein employed as 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 each Respondent more than five (5) days prior to the hearing on the charges.
3. Throughout the hearing on the charges each Respondent appeared in person and was represented by legal counsel.
4. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Police Board finds that both Officers Garcia and Poradzisz engaged in a motor vehicle pursuit of Henry Conley. The definition of a motor-vehicle pursuit is delineated in General Order 03-02, Section III.K. (Superintendent Exhibit 24). The credible testimony of eyewitnesses, Stephen Poindexter and Javon Davis, established that these officers did engage in a motor vehicle pursuit of Conley on July 9, 2007, at or about 0221.30 hours, which began at or near 103<sup>rd</sup> and Halsted Streets, Chicago, and terminated at or near 99<sup>th</sup> and Halsted Streets. That evidence, by itself, established a motor vehicle pursuit by these officers. The evidence also established that Officers Garcia and Poradzisz never notified the zone dispatcher that they were engaging in a pursuit of Conley, in violation of General Order 03-02-01, Section V.A.3.

Furthermore, the Police Board does not find credible the officers' testimony that they had not engaged in a motor vehicle pursuit. Even though Officers Garcia and Poradzisz denied engaging in a motor vehicle pursuit of Conley, the officers activated the flashing lights and sirens on their unmarked police vehicle. The testimony from the officers at the hearing also established that, even after they did so, Conley did not within a reasonably short distance obey the direction to stop, increased or maintained his speed, and/or attempted to elude the officers. Nevertheless, the officers continued their pursuit, which violated the General Order since Conley was observed by the officers to be engaging in only non-hazardous traffic offenses.

5. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he left his district, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Officers Garcia and Poradzisz left their district of assignment on July 9, 2007, at or about 0221 hours when their police vehicle turned north at 103<sup>rd</sup> and Halsted Streets, Chicago, but they failed to notify the zone dispatcher that they left their district. Officers Garcia and Poradzisz continued to be outside of their district until after their police vehicle turned right at 99<sup>th</sup> and Halsted Streets. Both Officers Garcia and Poradzisz admitted they left their district of assignment without notifying the zone dispatcher.

6. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Police Board finds that Officers Garcia and Poradzisz left the scene of a fatal traffic

crash involving Henry Conley on July 9, 2007, when they were at or near 99th and Halsted Streets, Chicago. The credible testimony of eyewitnesses, Javon Davis and Stephen Poindexter, established that the police car in which Officers Garcia and Poradzisz were riding turned right at 99th and Halsted Streets *after* Conley had been involved in a fatal crash. The Board further determines that Officer Garcia's and Officer Poradzisz's statements on the Contact Card (which is in evidence as Superintendent's Exhibit 9) that they were at or near 11900 South Emerald Street, Chicago, at or about 0222 hours on July 9, 2007, was made to conceal the fact that they had just witnessed Conley's fatal crash. The Board finds that, based on the evidence presented, Officers Garcia and Poradzisz observed Conley's crash. The Board does not find credible the officers' testimony that they did not observe Conley's crash.

For its decision on this Count, and all other Counts, the Police Board does not rely on the testimony of either expert, David Dix or Michael O'Hern, since the Board does not find the testimony of either expert helpful in resolving the factual and legal issues raised by this case. The testimony of Davis and Poindexter, along with other evidence in this case, is sufficient for the Board to resolve the issues raised by the charges. See also Cleary & Graham's *Handbook of Illinois Evidence*, Section 703.2, 5<sup>th</sup> edition (1990).

7. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 that:



Count IV: On or about July 9, 2007, Police Officer Garcia made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Garcia was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Police Board finds that Officers Garcia and Poradzisz made a false report when they indicated on a Contact Card that on or about July 9, 2007, at or about 0222 hours they had stopped a motorist at 11900 South Emerald Street, Chicago, for a minor traffic violation. In fact, Officers Garcia and Poradzisz were at or near 99<sup>th</sup> and Halsted Streets, Chicago, had engaged in a motor-vehicle pursuit, and observed Conley's crash at or about 0222 hours. The officers stated on the Contact Card that at that time they were stopping a different motorist at a different location for a minor traffic violation. The Police Board determines that the completion of the Contact Card in the aforesaid manner was not the result of a mistake, as the Respondents claim, but rather was an intentional false report.

8. Respondent **Police Officer Brian Garcia**, Star No. 8573, 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 V: The Superintendent did not prove by a preponderance of the evidence that on or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to complete a Traffic Pursuit Report, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

The Board finds Officer Garcia not guilty of violating this Rule by failing to complete a Traffic Pursuit Report, for he was not the driver but a passenger in the unmarked police vehicle during the pursuit of Conley. According to General Order 03-02-01, Section IX.B.2.a., the *operator* of the primary pursuit unit, in this case Officer Poradzisz, is required to prepare the Traffic Pursuit Report.

9. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby failing to perform any duty.

See the reasons set forth in Finding No. 4 above.

10. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby failing to perform any duty.

See the reasons set forth in Finding No. 6 above.

11. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle, thereby failing to perform any duty.

See the reasons set forth in Finding Nos. 4 and 5 above.

12. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **not guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count IV: The Superintendent did not prove by a preponderance of the evidence that on or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to complete a Traffic Pursuit Report as required, thereby failing to perform any duty.

See the reasons set forth in Finding No. 8 above.

13. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

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

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, in violation of General Order 03-02-01, Section V.A.3.

See the reasons set forth in Finding No. 4 above.

14. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

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

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle, in violation of General Order 97-06-01, Section V.H.

See the reasons set forth in Finding Nos. 4 and 5 above.

15. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **not guilty** of violating, to wit:

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

in that:

Count III: The Superintendent did not prove by a preponderance of the evidence that on or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to complete a Traffic Pursuit Report as required by General Order 03-02-01.

See the reasons set forth in Finding No. 8 above.

16. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby being inattentive to his duties as a police officer.

See the reasons set forth in Finding No. 6 above.

17. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **not guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count II: The Superintendent did not prove by a preponderance of the evidence that on or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Garcia failed to complete a Traffic Pursuit Report, thereby being inattentive to his duties as a police officer.

See the reasons set forth in Finding No. 8 above.

18. Respondent **Police Officer Brian Garcia**, Star No. 8573, charged herein, is **guilty** of violating, to wit:

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

in that:

On or about July 9, 2007, Police Officer Garcia made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Garcia was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours.

See the reasons set forth in Finding No. 7 above.

19. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the reasons set forth in Finding No. 4 above.

20. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he left his district, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the reasons set forth in Finding No. 5 above.

21. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the reasons set forth in Finding No. 6 above.

22. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count IV: On or about July 9, 2007, Police Officer Poradzisz made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Poradzisz was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the reasons set forth in Finding No. 7 above.

23. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, 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 that:

Count V: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to complete a Traffic Pursuit Report, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Officer Poradzisz failed to complete a Traffic Pursuit report on July 9, 2007, although he was driving the police vehicle. The Board determines that a motor vehicle pursuit did occur involving Henry Conley at or near 9800 to 9900 South Halsted Street, Chicago, and that this report was required to be completed. According to General Order 03-02-01, Section IX.B.2.a, the operator of the primary pursuit unit, in this case Officer Poradzisz, is required to prepare the Traffic Pursuit Report.

24. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby failing to perform any duty.

See the reasons set forth in Finding No. 4 above.

25. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby failing to perform any duty.

See the reasons set forth in Finding No. 6 above.



26. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle, thereby failing to perform any duty.

See the reasons set forth in Finding Nos. 4 and 5 above.

27. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 5: Failure to perform any duty,

in that:

Count IV: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to complete a Traffic Pursuit Report as required, thereby failing to perform any duty.

See the reasons set forth in Finding No. 23 above.

28. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

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

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, in violation of General Order 03-02-01, Section V.A.3.

See the reasons set forth in Finding No. 4 above.

29. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

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

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle, in violation of General Order 97-06-01, Section V.H.

See the reasons set forth in Finding Nos. 4 and 5 above.

30. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

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

in that:

Count III: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to complete a Traffic Pursuit Report as required by General Order 03-02-01.

See the reasons set forth in Finding No. 23 above.

31. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count I: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz left the scene of a fatal traffic crash and failed to render aid to the victim(s) of the fatal traffic crash, thereby being inattentive to his duties as a police officer.

See the reasons set forth in Finding No. 6 above.

32. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is  
**guilty** of violating, to wit:

Rule 10: Inattention to duty,

in that:

Count II: On or about July 9, 2007, at approximately 0221.30 hours, at or near 9800 to 9900 South Halsted Street, Chicago, Police Officer Poradzisz failed to complete a Traffic Pursuit Report, thereby being inattentive to his duties as a police officer.

See the reasons set forth in Finding No. 23 above.

33. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is  
**guilty** of violating, to wit:

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

in that:

Count I: On or about July 9, 2007, Police Officer Poradzisz made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Poradzisz was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours.

See the reasons set forth in Finding No. 7 above.

34. Respondent **Police Officer Aaron Poradzisz**, Star No. 3770, charged herein, is **guilty** of violating, to wit:

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

in that:

Count II: On or about July 9, 2007, Police Officer Poradzisz made a false report when he indicated on a Traffic Stop Statistical Survey Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 South Emerald Street for a minor traffic violation, in that Officer Poradzisz was observed at the intersection of 99<sup>th</sup> Street and South Halsted Street on or about July 9, 2007, at approximately 0221.30 hours.

The Police Board finds that Officer Poradzisz made a false report when he indicated on a Traffic Stop Statistical Survey Card that on or about July 9, 2007, at or about 0222 hours, he stopped a motorist at 11900 South Emerald Street, Chicago, for a minor traffic violation. In fact, Officers Garcia and Poradzisz were at or near 99<sup>th</sup> and Halsted Streets, Chicago, had engaged in a motor-vehicle pursuit, and observed Conley's crash at or about 0222 hours. The Police Board finds that the completion of the Traffic Stop Statistical Survey Card in the aforesaid manner was not the result of a mistake, as the Respondent claims, but rather was an intentional false report.

35. The Police Board has considered the facts and circumstances of each Respondent's conduct on July 29, 2007, and the evidence presented in defense and mitigation. The Board finds that the conduct of which the Board has found each Respondent guilty (including but not limited to leaving the scene and failing to render aid to the victim(s) of a fatal traffic crash, and then making false reports in an attempt to cover-up their misconduct) is sufficiently serious to constitute a substantial shortcoming that renders each Respondent's continuance in his office detrimental to the discipline and efficiency of the service of the Chicago Police Department, and

is something which the law recognizes as good cause for each Respondent no longer occupying his office.

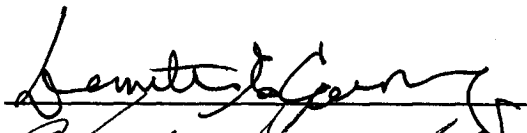
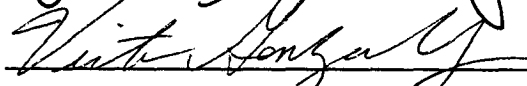
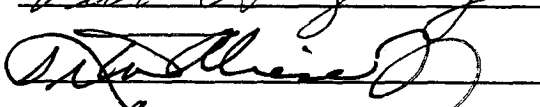
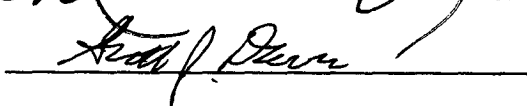
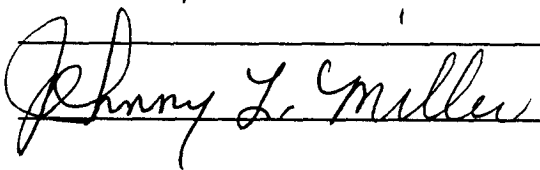
**BY REASON OF THE FINDINGS** set forth herein, cause exists for the discharge of each Respondent, Police Officer Brian Garcia, Star No. 3770, and Police Officer Aaron Poradzisz, Star No. 3770, from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

### 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, 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, 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 Brian Garcia**, Star No. 8573, as a result of having been found **guilty** of charges in Police Board Case No. 09 PB 2715, be and hereby is **discharged** from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 17<sup>th</sup> DAY OF JUNE, 2010.

  
  
  
  
  
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Attested by:

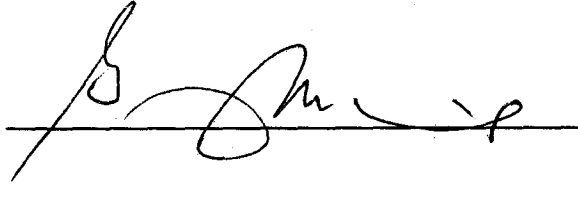


\_\_\_\_\_  
Executive Director  
Police Board

**DISSENT**

The following members of the Police Board hereby dissent from the Decision of the majority of the Board with regard to **Police Officer Brian Garcia**.

The undersigned dissents from Finding Nos. 6, 7, 10, 16, 18, 21, 22, 25, 31, 33, and 34 above because he found that the Superintendent did not prove these charges by a preponderance of the evidence; the undersigned dissents from Finding No. 35 above, and votes to impose a lesser penalty.

  
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RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

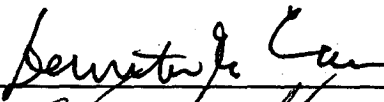
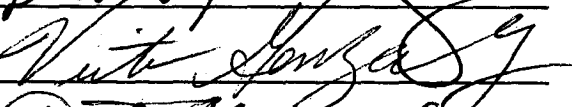
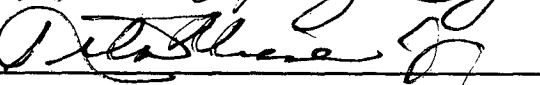

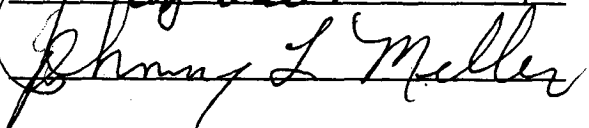
\_\_\_\_\_  
SUPERINTENDENT OF POLICE

### 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, 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, 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 Aaron Poradzisz**, Star No. 3770, as a result of having been found **guilty** of charges in Police Board Case No. 09 PB 2716, be and hereby is **discharged** from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 17<sup>th</sup> DAY OF JUNE, 2010.

  
  
  
  
  
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Attested by:



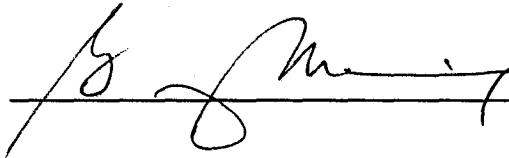
\_\_\_\_\_  
Executive Director  
Police Board



**DISSENT**

The following members of the Police Board hereby dissent from the Decision of the majority of the Board with regard to **Police Officer Aaron Poradzisz**.

The undersigned dissents from Finding Nos. 6, 7, 10, 16, 18, 21, 22, 25, 31, 33, and 34 above because he found that the Superintendent did not prove these charges by a preponderance of the evidence; the undersigned dissents from Finding No. 35 above, and votes to impose a lesser penalty.

  
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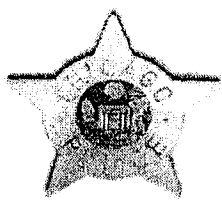
THE FOREGOING COMMUNICATION

THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

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

# Chicago Police Department

## Personnel Division



Information Services Division  
Data Warehouse  
Produced by: PC09294

### Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
GARCIA, BRIAN A	9161	8573	005		95377

### Achievements

Total No.

HONORABLE MENTION
-------------------

8

CR# 1007365



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



CL# 1007365  
Attachment# 36  
Page 1 of 1

INTERNAL AFFAIRS DIVISION  
RECORDS SECTION

29 NOVEMBER 2007

TO: COMMANDING OFFICER OF UNIT 121

FROM: RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

GARCIA BRIAN 8573 005  
NAME (LAST, FIRST, M.I.) STAR UNIT

M WWH 95377  
SEX RACE EMP.#

REFERENCE: COMPLAINT REGISTER NUMBER (S) 100 7365

THE PREVIOUS DISCIPLINARY RECORD OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN  
YOUR NAME BY:

SGT. MOORE T 2299 57049 121  
RANK NAME STAR EMP# UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE REFERENCE  
COMPLAINT REGISTER NUMBER.

THE RECORD SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING  
DISCIPLINARY ACTION (S) ADMINISTERED TO THE SUBJECT ACCUSED, FOR THE PAST FIVE (5)  
YEARS.

VERIFIED/PREPARED BY:

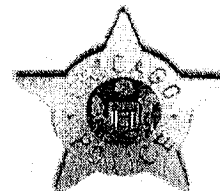
FOR: S.D.E.O. Patricia JOHNSON  
COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

No CR History  
No SPAR History

CL# 100 7365  
Attachment# 37  
Page 1 of 1

# Chicago Police Department

## Personnel Division



Information Services Division  
Data Warehouse  
Produced by: PC09294

### Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
PORADZISZ, AARON D	9161	3770	005		95438

### Achievements

### Total No.

OTHER AWARDS
HONORABLE MENTION
EMBLEM OF RECOGNITION - PHYSICAL FITNESS
DEPARTMENT COMMENDATION
LIFE SAVING AWARD

1  
14  
2  
1  
1

R# 1007365

INTERNAL AFFAIRS DIVISION  
RECORDS SECTION

29 NOVEMBER 2007

TO: COMMANDING OFFICER OF UNIT 121

FROM: RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

PORADZISZ AARON 3770 0005  
NAME (LAST, FIRST, M.I.) STAR UNIT

M WHI 95438  
SEX RACE EMP.#

REFERENCE: COMPLAINT REGISTER NUMBER (S) 100 7365

THE PREVIOUS DISCIPLINARY RECORD OF THE SUBJECT ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:

SGT. MOORE T 2299 57049 121  
RANK NAME STAR EMP# UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE ABOVE REFERENCE COMPLAINT REGISTER NUMBER.

THE RECORD SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING DISCIPLINARY ACTION (S) ADMINISTERED TO THE SUBJECT ACCUSED, FOR THE PAST FIVE (5) YEARS.

VERIFIED/PREPARED BY:

FOR: S.D.E.O. Patricia JOHNSON  
COMMANDING OFFICER  
RECORDS SECTION  
INTERNAL AFFAIRS DIVISION

CL# 1007365

Attachment# 35

Page 1 of 1

No CR History  
No SPAR History

### CHARGES

Police Officer Brian Garcia, Star Number 8573, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the dates of the alleged violations.

- 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 5: Failure to perform any duty.
- Rule 6: Disobedience of a directive, whether written or oral.
- Rule 10: Inattention to duty.
- Rule 14: Making a false report, written or oral.

### SPECIFICATIONS

1. Police Officer Brian Garcia, Star Number 8573, is charged with violating 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 one or more of the following instances:
  - Count I: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby engaging in conduct which impedes the Department's efforts to achieve its policy and goals or bringing discredit upon the Department
  - Count II: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia failed to notify the zone dispatcher that he left his district, thereby engaging in conduct which impedes the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.
  - Count III: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia left the scene of a fatal traffic crash and/or failed to render aid to victim(s) of the fatal traffic crash, thereby engaging in conduct which impedes the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.

Count IV: On or about July 9, 2007, Police Officer Brian Garcia made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 S. Emerald Street for a minor traffic violation, in that he was observed at the intersection of 99<sup>th</sup> Street and South Halsted on or about July 9, 2007, at approximately 0221.30 hours, thereby engaging in conduct which impedes the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.

Count V: On or about July 9, 2007, at approximately 0221.30 at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia failed to complete a Traffic Pursuit Report, thereby engaging in conduct which impedes the Department's efforts to achieve its policy and goals or bringing discredit upon the Department.

2. Police Officer Brian Garcia, Star Number 8573, is charged with violating Rule 5, "Failure to perform any duty" in one or more of the following instances:

Count I: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, thereby failing to perform any duty.

Count II: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia left the scene of a fatal traffic crash and/or failed to render aid to victim(s) of the fatal traffic crash, thereby failing to perform any duty.

Count III: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle, thereby failing to perform any duty.

Count IV: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia failed to complete a Traffic Pursuit Report as required, thereby failing to perform any duty.

3. Police Officer Brian Garcia, Star Number 8573, is charged with violating Rule 6, "Disobedience of a directive, whether written or oral" in one or more of the following instances:

Count I: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia failed to notify the zone dispatcher that he was in a pursuit of a motorcycle, in violation of General Order 03-02-01, V.A.3.

Count II: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia failed to notify the zone dispatcher that he left his district in pursuit of a motorcycle in violation of General Order 97-06-01, V.H.

Count III: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia failed to complete a Traffic Pursuit Report as required by General Order 03-02-01.

4. Police Officer Brian Garcia, Star Number 8573, is charged with violating Rule 10, "Inattention to Duty" in one or more of the following instances:

Count I: On or about July 9, 2007, at approximately 0221.30 hours at or near 9800 to 9900 South Halsted, Police Officer Brian Garcia left the scene of a fatal traffic crash and/or failed to render aid to victim(s) of a fatal traffic crash, thereby being inattentive to his duties as a Police Officer.

Count II: On or about July 9, 2007, at approximately 0221.30 at or near 9800 to 9900 South Halsted Police Officer Brian Garcia failed to complete a Traffic Pursuit Report, thereby being inattentive to his duties as a Police Officer.

5. Police Officer Brian Garcia, Star Number 8573, is charged with violating Rule 14, "Making a false report, written or oral" in the following instance:

Count I: On or about July 9, 2007, Police Officer Brian Garcia made a false report when he indicated on a Contact Card that on or about July 9, 2007, at 0222 hours, he stopped a motorist at or near 11900 S. Emerald Street, for a minor traffic violation, in that he was observed at the intersection of 99<sup>th</sup> Street and South Halsted on or about July 9, 2007, at approximately 0221.30 hours.

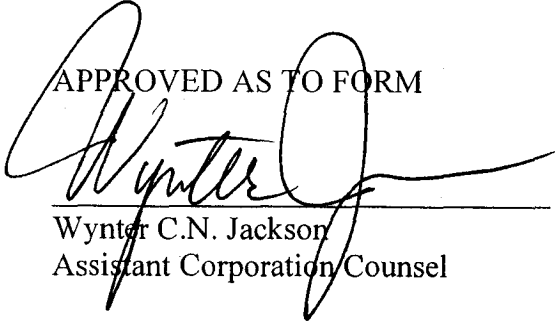


Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer Brian Garcia, Star Number 8573, be discharged from the Chicago Police Department.



Jody P. Weis  
Superintendent of Police

APPROVED AS TO FORM



Wynter C.N. Jackson  
Assistant Corporation Counsel

P.B. CASE #      FILED

09-2715 JUL 07 2009

CHICAGO POLICE BOARD