

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

**IN THE MATTER OF CHARGES FILED AGAINST )**  
**POLICE OFFICER JOHN J. CATANZARA, )** **No. 12 PB 2794**  
**STAR No. 3572, DEPARTMENT OF POLICE, )**  
**CITY OF CHICAGO, )**  
**RESPONDENT. )** **(CR Nos. 1013430**  
**& 1017379)**

**FINDINGS AND DECISION**

On April 18, 2012, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer John J. Catanzara, Star No. 3572 (hereinafter sometimes referred to as “Respondent”), recommending that the Respondent be discharged from the Chicago Police Department for violating the following Rules of Conduct:

- Rule 2: Any action or conduct which impedes the Department’s efforts to achieve its policy and goals or brings discredit upon the Department.
- Rule 3: Any failure to promote the Department’s efforts to implement its policy or accomplish its goals.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 14: Making a false report, written or oral.
- Rule 23: Failure to obey Department orders concerning other employment, occupation, or profession.
- Rule 24: Failure to follow medical roll procedures.

The Police Board caused a hearing on these charges against the Respondent to be had before Michael G. Berland, Hearing Officer of the Police Board, on October 9, November 20, and December 10, 2012.

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 its findings and 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. The Respondent was at all times mentioned herein employed as a police officer by the Department of Police of the City of Chicago.

2. The written charges, and a Notice stating when and where a hearing on the charges was to be held, were served upon the Respondent more than five (5) days prior to the hearing on the charges.

3. Throughout the hearing on the charges the Respondent appeared in person and chose to represent himself.

4. The Respondent filed a Motion to Dismiss, requesting that the charges filed against him be stricken and the case dismissed for the following reasons: (a) the IPRA investigation violated Section 2-57-070 of the Municipal Code of Chicago; (b) the failure to bring timely charges violates the due process rights of the Respondent; (c) material provided to the Respondent during the course of pre-hearing discovery does not include proof of misconduct; and (d) the charges against the Respondent were filed in retaliation for action the Respondent has taken in the past. The Respondent's Motion to Dismiss is **denied** for the reasons set forth below.

a. Municipal Code Section 2-57-070. The Code provides that if the Chief Administrator of the Independent Police Review Authority (IPRA) does not conclude an investigation within six months after its initiation, the Chief Administrator shall notify the Mayor, the City Council,

the complainant, and the accused officer. The Respondent argues that IPRA did not comply with this provision of the Code.

IPRA did not conclude its investigation by December 14, 2008, which was six months after the date of the initiation of the investigation. IPRA sent to the Respondent a notification dated December 29, 2008, informing him that the investigation is continuing. However, even if this provision of the Code was violated, neither Section 2-57-070 nor anything else in the Code states that dismissal of a Police Board case is the sanction for failing to make the report to the Mayor, the City Council, the officer, and the complainant. This is particularly true where the Board finds, as in this case, that there was no due process violation, whether by the alleged violation of this Section of the Code, or from anything else alleged by the Respondent in his Motion to Dismiss. Without any basis or cited authority, and none is given by the Respondent, there is no basis for the Board to dismiss the charges pursuant to Section 2-57-070, and the Board declines to extend the reach of the ordinance in this manner.

b. Due Process. Citing *Morgan v. Department of Financial and Professional Regulation*, 374 Ill.App.3d 275, 871 NE2d 178 (1<sup>st</sup> Dist 2007), the Respondent claims that the Constitution precludes such a lengthy delay in the investigation of the Respondent's alleged misconduct. *Morgan*, however, involved a delay in *adjudication* of allegations of misconduct after the plaintiff had been suspended from his job—not delay in the *investigation* leading to the initial suspension. *Morgan* involved a clinical psychologist accused of sexually abusing a patient, where the state took fifteen months to decide the case after the suspension.

The Respondent's case before the Police Board is different from *Morgan*, as the

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Respondent in his Motion is complaining about the delay from the time of the incident to the bringing of charges, not the time it took to try him once the charges were filed and he was suspended without pay. This difference is important because the due-process analysis in *Morgan* is triggered by the state's decision to deprive the psychologist of his job, thus preventing him from working for a prolonged period of time before he was accorded the opportunity to have a hearing and decision to clear his name. Here, the Respondent was working and was being paid his full salary and benefits during the entire period of the investigation and up to the filing of charges with the Police Board. The Due Process clause precludes a state or local government from "depriving any person of life, liberty or property [i.e. a public job] without due process of law." Here, the Respondent was not suspended without pay from his job until *after* the charges against him were filed. Therefore, the Respondent was *not* deprived of his job prior to the filing of charges, and any delay in bringing the charges is therefore *not* a violation of the Respondent's due process rights.

We recognize that the Circuit Court of Cook County, in *Orsa v. City of Chicago Police Board*, 11 CH 08166 (March 1, 2012) found that the protections of the Due Process clause are triggered by an unreasonable delay in the investigation of a matter, even if the officer retains his job, salary and benefits during the investigation. The Court cited *Stull v. Department of Children and Family Services*, 239 Ill.App.3d 325 (5<sup>th</sup> Dist. 1992). *Stull* involved a teacher accused of sexually abusing two of his students. The statute and regulations governing DCFS investigations of child abuse provided strict time limits on the length of any investigation and on the time within which a hearing must be conducted and a decision entered if the adult found to have abused children sought a hearing. The *Stull* court found that DCFS had grossly violated these

time limits and required expungement of the adverse finding against the teacher, even though the administrative appeal found that he had been properly “indicated” as an abuser. The *Stull* court did find that the teacher’s due process rights had been infringed, but it was not because of a delay in DCFS’s investigation of the case. The court held that due process was violated by the more than one-year delay in adjudicating the teacher’s appeal because during that period of time there was an indicated finding of child abuse lodged against the teacher and this finding prohibited him from working, *see* 239 Ill.App.3d at 335, thus triggering the kind of deprivation that is not present in the Respondent’s case. *Cavaretta v. Department of Children and Family Services*, 277 Ill.App.3d 16 (2<sup>nd</sup> Dist. 1996), also cited by the Circuit Court, is identical to *Stull*, which it relies upon. The *Cavaretta* court was quite careful to find that due process was not implicated until DCFS (after its investigation was complete) “indicated” the teacher as a child abuser and placed the teacher’s name in the state’s central registry, which directly deprived the teacher of the ability to work.<sup>1</sup>

c. Lack of proof. The Respondent argues that material provided to him during the course of pre-hearing discovery does not include proof of misconduct, in that it does not include any proof that he was compensated for his activity at the restaurant. This issue is not grounds for dismissing the case. Rather, it was a factual issue that was decided by the Board based on evidence presented at the hearing. The Board’s findings below deal with the question of the Respondent’s guilt in light of the issue of compensation for his activity at the restaurant.

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<sup>1</sup>The Circuit Court also cited *Cleveland Board of Education v. Loudermill*, 470 U.S. 532 (1985), but only in general terms. There was no issue in *Loudermill* that a deprivation, for due process purposes, had occurred as it involved the discharge of school district employees.

d. Retaliation. The Respondent alleged as a defense that the charges against him were brought because of complaints that he made in 2004 and/or 2005 to supervisory police personnel about certain watch secretaries leaving early or because of certain problems he had with Captain Kolman (Respondent Exhibit 1). The Board finds that Catanzara's retaliation defense has no merit and that the charges in this case were not brought in retaliation for any action Catanzara had taken in the past.

5. The Respondent, Police Officer John J. Catanzara, Star No. 3572, 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 June 14, 2008, Police Officer Catanzara, while on the medical roll and/or on Injured on Duty (IOD) status for a back-related injury, engaged in secondary employment at the Topo Gigio Restaurant, located at or about 1516 North Wells Street, Chicago, in that he worked as a security person/guard, thereby impeding the Department's efforts to achieve its policy and goals, and/or bringing discredit upon the Department.

The Board finds that Police Officer John Catanzara ("Catanzara") went to Topo Gigio Ristorante on June 24, 2008, and performed the duties of a security guard. Catanzara testified that after he went to the restaurant, he explained to customers that because of an art fair in the neighborhood that if they did not have a reservation, they could not get into the restaurant. He also was assisting the hostess, Rebecca, with crowd control. When a customer named Messina tried to get back into the restaurant after the hostess told him to leave, Catanzara told him to leave. Messina refused to leave. Catanzara testified that Messina threatened Catanzara and then spit at him. Catanzara then handcuffed Messina and placed him under arrest. In the process of

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arresting Messina, Catanzara identified himself as a police officer.

There was substantial credible evidence presented at the hearing that Catanzara was working as a security guard on June 14, 2008. Police Officer Victor Montoya responded to the call for assistance at the restaurant after Messina was placed under arrest. Catanzara told him, either at the scene of the arrest or at the police station, that he was working security at the restaurant. Mary Micelli worked for the Chicago Police Department and retired as a Sergeant. Catanzara saw her with Messina at the restaurant and told her that he was working the door. Micelli testified that Catanzara told her that a customer got belligerent and tried to punch him and that Catanzara then placed the man under arrest. The Police Board finds the testimony of Montoya and Micelli to be credible. Catanzara testified at the hearing that he did not believe he was working security or as a guard on June 14, 2008. The Board finds Catanzara's testimony not credible.

When Frank Reda Jr. called 911 after Messina was not listening to Catanzara's directions, he said in the 911 call that an off-duty police officer was working as a bouncer. Clark Johnson, who was a patron at the restaurant at the time of this incident, told the IPRA investigator that Catanzara was working as a bouncer.

Catanzara had previously testified before the hearing that when Frank Reda Sr. initially called him, he had asked him to work security on the date of the art fair. When Catanzara was called by Reda Sr. on June 14, 2008, and told to come to the restaurant, Catanzara told him that he was on injured on duty status and was not supposed to be working. Since there was no issue that Catanzara was on injured on duty status with the Chicago Police Department on June 14,

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2008, he should not have been working that day and performing the activities that he engaged in while at the restaurant.

This Count also required the Superintendent to prove that Catanzara's working at the Topo Gigio Ristorante constituted secondary employment in violation of General Order 89-8, Section IV-K, and/or Employee Resource E03-01, Glossary Terms 9.B., General Order 08-01, Section IV-K. General Order 89-8. Section IV-K, which is Superintendent's Exhibit 18, states that "Secondary employments is any extra-Department activity for which any Department member is being compensated in salary, wages, or commission, *or other things of value* for services performed for an employer....(Emphasis added)

The Police Board finds that the evidence established that Catanzara received something of value, while working at the restaurant that day. While there is no evidence that Catanzara received any salary, wage, gifts, gratuities, or food for working that day, he testified that he did the work because the people at the restaurant were "very good" to me. Tr. 29. Being "very good" to a person is a thing of value for that person. Furthermore, Catanzara testified there were other benefits to him from his being there. Tr. 29. Therefore, the Board finds that Catanzara engaged in secondary employment in violation of General Order 89-8 IV.K when he was working security at Topo Gigio Ristorante on June 14, 2008

(Board Members Ballate, Carney, McKeever, and Rodriguez dissent from the above finding: We find that there is insufficient evidence to establish that Catanzara's activities at the restaurant constituted "secondary employment." There is no evidence that Catanzara received any salary, wage, gifts, gratuities, or food for being at the restaurant. We find that "other things of value" do not include any intangible "benefits" Catanzara may have received. The



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Superintendent did not meet his burden of proving this charge by a preponderance of the evidence, and we therefore vote to find the Respondent not guilty of this charge.)

6. The Respondent, Police Officer John J. Catanzara, Star No. 3572, 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 June 14, 2008, Police Officer Catanzara, while on the medical roll, represented himself as a Chicago police officer while working as a non-uniformed security person/guard at the Topo Gigio Restaurant, located at or about 1516 North Wells Street, Chicago, thereby impeding the Department's efforts to achieve its policy and goals, and/or bringing discredit upon the Department.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference. This count did not require proof that Catanzara received wages or anything of value while working on June 14, 2008.

(Board Members Ballate and Carney dissent from the above finding: There is no evidence that Catanzara received any compensation for his activities at the restaurant—there is no record that he received any salary, wage, gifts, gratuities, or food for being at the restaurant. Because there is no evidence of tangible compensation, there is insufficient evidence to find that his activities constituted work as a security guard. The Superintendent did not meet his burden of proving this charge by a preponderance of the evidence, and we therefore vote to find the Respondent not guilty of this charge.)

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7. The Respondent, Police Officer John J. Catanzara, Star No. 3572, 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 October 20, 2008, Police Officer Catanzara, during a statement to the Independent Police Review Authority, denied that he was working security at Topo Gigio on June 14, 2008, and/or denied that he accepted gratuities, gifts or food in exchange for doing security at Topo Gigio, and/or made statements to that effect, while one or more employees of Topo Gigio stated that he was working security that day, thereby impeding the Department's efforts to achieve its policy and/or bringing discredit upon the Department.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference. The Board finds Catanzara guilty of falsely denying that he was working security on June 14, 2008.

The Board finds that there is insufficient evidence to prove that he accepted gratuities, gifts, or food on the day in question. Therefore, there is also insufficient evidence that he made a false statement as to whether "he accepted gratuities, gifts or food in exchange for doing security." However, the Board finds that he is still guilty of this charge, which also charges and alleges that he falsely denied that he was working security *and/or* accepted gratuities, gifts or food in exchange for doing security *and/or* made statements to that effect.

(Board Members Ballate and Carney dissent from the above finding of guilt for the reasons set forth in paragraph no. 6 above, and vote to find the Respondent not guilty of this charge.)

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8. The Respondent, Police Officer John J. Catanzara, Star No. 3572, 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 January 15, 2008, Police Officer Catanzara, after being released from the medical roll at approximately 1330 hours, failed to report for duty in the 18<sup>th</sup> District, third watch, thereby impeding the Department's efforts to achieve its policy and/or bringing discredit upon the Department.

The evidence is uncontested that Officer Catanzara did not work on January 15, 2008, for the Chicago Police Department after he had been released from the medical roll. The evidence at the hearing established that Catanzara was required to be working on that date. Catanzara testified that he forgot that he was supposed to work on January 15, 2008.

9. The Respondent, Police Officer John J. Catanzara, Star No. 3572, charged herein, is **guilty** of violating, to wit:

Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals,

in that:

Count I: On or about June 14, 2008, Police Officer Catanzara, while on the medical roll and/or on Injured on Duty (IOD) status for a back-related injury, engaged in secondary employment at the Topo Gigio Restaurant, located at or about 1516 North Wells Street, Chicago, in that he worked as a security person/guard.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference. The allegations in this Count relate to working secondary employment.

(Board Members Ballate, Carney, McKeever, and Rodriguez dissent from the above

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finding for the reasons set forth in paragraph no. 5 above, and vote to find the Respondent not guilty of this charge.)

10. The Respondent, Police Officer John J. Catanzara, Star No. 3572, charged herein, is **guilty** of violating, to wit:

Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals,

in that:

Count II: On or about June 14, 2008, Police Officer Catanzara, while on the medical roll, represented himself as a Chicago police officer while working as a non-uniformed security person/guard at the Topo Gigio Restaurant, located at or about 1516 North Wells Street, Chicago.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference. This count did not require proof that Catanzara received wages or anything of value while working on June 14, 2008.

(Board Members Ballate and Carney dissent from the above finding for the reasons set forth in paragraph no. 6 above, and vote to find the Respondent not guilty of this charge.)

11. The Respondent, Police Officer John J. Catanzara, Star No. 3572, 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 June 14, 2008, Police Officer Catanzara, while on the medical roll and/or on Injured on Duty (IOD) status for a back-related injury, engaged in secondary employment at the Topo Gigio Restaurant, located at or about 1516 North Wells Street, Chicago, in that he worked as a security person/guard, thereby violating Employee Resource

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E01-11, Section III-J, Employee Resource E03-01, Glossary Terms 9-B, General Order 08-01, Section IV-K, and/or General Order 89-08, Section IV-K.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

(Board Members Ballate, Carney, McKeever, and Rodriguez dissent from the above finding for the reasons set forth in paragraph no. 5 above, and vote to find the Respondent not guilty of this charge.)

12. The Respondent, Police Officer John J. Catanzara, Star No. 3572, 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 June 14, 2008, Police Officer Catanzara, while on the medical roll, represented himself as a Chicago police officer while working as a non-uniformed security person/guard at the Topo Gigio Restaurant, located at or about 1516 North Wells Street, Chicago, thereby violating Employee Resource E01-11, Section II-f, General Order 08-01, Section III-F, and/or General Order 89-08, Section III-F.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

(Board Members Ballate, Carney, McKeever, and Rodriguez dissent from the above finding for the reasons set forth in paragraph no. 5 above, and vote to find the Respondent not guilty of this charge.)

13. The Respondent, Police Officer John J. Catanzara, Star No. 3572, charged herein, is **guilty** of violating, to wit:

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

in that:

On or about October 20, 2008, Police Officer Catanzara, during a statement to the Independent Police Review Authority, denied that he was working security at Topo Gigio on June 14, 2008, and/or denied that he accepted gratuities, gifts or food in exchange for doing security at Topo Gigio, and/or made statements to that effect, while one or more employees of Topo Gigio stated that he was working security that day.

See the findings set forth in paragraph no. 7 above, which are incorporated here by reference.

(Board Members Ballate and Carney dissent from the above finding of guilt for the reasons set forth in paragraph no. 6 above, and vote to find the Respondent not guilty of this charge.)

14. The Respondent, Police Officer John J. Catanzara, Star No. 3572, charged herein, is **guilty** of violating, to wit:

Rule 23: Failure to obey Department orders concerning other employment, occupation, or profession,

in that:

Count I: On or about June 14, 2008, Police Officer Catanzara, while on the medical roll and/or on Injured on Duty (IOD) status for a back-related injury, engaged in secondary employment at the Topo Gigio Restaurant, located at or about 1516 North Wells Street, Chicago, in that he worked as a security person/guard, thereby violating Employee Resource E01-11, Section III-J, Employee Resource E03-01, Glossary Terms 9-B, General Order 08-01, Section IV-K, and/or General Order 89-08, Section IV-K.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

(Board Members Ballate, Carney, McKeever, and Rodriguez dissent from the above

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finding for the reasons set forth in paragraph no. 5 above, and vote to find the Respondent not guilty of this charge.)

15. The Respondent, Police Officer John J. Catanzara, Star No. 3572, charged herein, is **guilty** of violating, to wit:

Rule 23: Failure to obey Department orders concerning other employment, occupation, or profession,

in that:

Count II: On or about June 14, 2008, Police Officer Catanzara, while on the medical roll, represented himself as a Chicago police officer while working as a non-uniformed security person/guard at the Topo Gigio Restaurant, located at or about 1516 North Wells Street, Chicago, thereby violating Employee Resource E01-11, Section II-f, General Order 08-01, Section III-F, and/or General Order 89-08, Section III-F.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

(Board Members Ballate, Carney, McKeever, and Rodriguez dissent from the above finding for the reasons set forth in paragraph no. 5 above, and vote to find the Respondent not guilty of this charge.)

16. The Respondent, Police Officer John J. Catanzara, Star No. 3572, charged herein, is **guilty** of violating, to wit:

Rule 24: Failure to follow medical roll procedures,

in that:

Count I: On or about June 14, 2008, Police Officer Catanzara, while on the medical roll and/or on Injured on Duty (IOD) status for a back-related injury, engaged in secondary employment at the Topo Gigio Restaurant, located at or about 1516 North Wells Street,

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Chicago, in that he worked as a security person/guard, thereby violating Employee Resource E01-11, Section III-J, Employee Resource E03-01, Glossary Terms 9-B, General Order 08-01, Section IV-K, and/or General Order 89-08, Section IV-K.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

(Board Members Ballate, Carney, McKeever, and Rodriguez dissent from the above finding for the reasons set forth in paragraph no. 5 above, and vote to find the Respondent not guilty of this charge.)

17. The Respondent, Police Officer John J. Catanzara, Star No. 3572, charged herein, is **guilty** of violating, to wit:

Rule 24: Failure to follow medical roll procedures,

in that:

Count II: On or about June 14, 2008, Police Officer Catanzara, while on the medical roll, represented himself as a Chicago police officer while working as a non-uniformed security person/guard at the Topo Gigio Restaurant, located at or about 1516 North Wells Street, Chicago, thereby violating Employee Resource E01-11, Section II-F, General Order 08-01, Section III-F, and/or General Order 89-08, Section III-F.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

(Board Members Ballate, Carney, McKeever, and Rodriguez dissent from the above finding for the reasons set forth in paragraph no. 5 above, and vote to find the Respondent not guilty of this charge.)



18. The Respondent, Police Officer John J. Catanzara, Star No. 3572, charged herein, is **guilty** of violating, to wit:

Rule 24: Failure to follow medical roll procedures,

in that:

Count III: On or about January 15, 2008, Police Officer Catanzara, after being released from the medical roll at approximately 1330 hours, failed to report for duty in the 18<sup>th</sup> District, third watch, thereby violating Employee Resource E03-01-01 or any of its predecessor general orders, and/or the Department's medical roll procedures/policy.

See the findings set forth in paragraph no. 8 above, which are incorporated here by reference.

19. The Police Board has considered the facts and circumstances of the Respondent's conduct, the evidence presented in defense and mitigation, and the Respondent's complimentary and disciplinary histories, copies of which are attached hereto as Exhibit A. The Board finds and determines that a suspension is the appropriate penalty in this case.

The Respondent violated the rules that govern when an officer is allowed to work while on the medical roll. Nonetheless, the Board does not find that the Respondent is a flagrant abuser of the medical roll, and does not find that his medical-roll violations and one false statement as to what he was doing at the restaurant are sufficiently serious to warrant a penalty of discharge. Rather, the Board finds that a suspension is a more fitting punishment on the facts of this particular case and based on the limited nature of the Respondent's misconduct. In determining the length of the suspension, the Board took into consideration that the Respondent worked at the restaurant on one day and that he received no wages for doing so, and that his disciplinary history contains no prior sustained complaints or discipline (see attached Exhibit A).

### **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, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts the findings set forth herein by the following votes.

By a unanimous vote, the Board denies the Respondent's Motion to Dismiss the charges.

By a vote of 5 (Davis, Conlon, Foreman, Fry, Miller) to 4 (Carney, Ballate, McKeever, Rodriguez), the Board finds the Respondent guilty of violating Rule 2 (Count I), Rule 3 (Count I), Rule 6, Rule 23, and Rule 24 (Counts I and II).

By a vote of 7 (Davis, Conlon, Foreman, Fry, McKeever, Miller, Rodriguez) to 2 (Carney, Ballate), the Board finds the Respondent guilty of violating Rule 2 (Counts II and III), Rule 3 (Count II), and Rule 14.

By a unanimous vote, the Board finds the Respondent guilty of violating Rule 2 (Count IV) and Rule 24 (Count III).

As a result of the foregoing, the Police Board, by a vote of 7 (Carney, Davis, Ballate, Fry, McKeever, Miller, Rodriguez) to 2 (Conlon, Foreman), hereby determines that cause exists for suspending the Respondent from his position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period of twenty (20) days, from April 20, 2012, to and including May 9, 2012.

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**NOW THEREFORE, IT IS HEREBY ORDERED** that the Respondent, Police Officer John J. Catanzara, Star No. 3572, as a result of having been found **guilty** of charges in Police Board Case No. 12 PB 2794, 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 April 20, 2012, to and including May 9, 2012 (twenty days).

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 17<sup>th</sup> DAY OF JANUARY, 2013.

/s/ Demetrius E. Carney

/s/ Scott J. Davis

/s/ Melissa M. Ballate

/s/ Rita A. Fry

/s/ Susan L. McKeever

/s/ Johnny L. Miller

/s/ Elisa Rodriguez

Attested by:

/s/ Max A. Caproni  
Executive Director  
Police Board

**DISSENT**

We find the Respondent guilty of all charges and, based on the serious and intentional nature of the Respondent's misconduct, his self-serving false statements and testimony under oath, we vote to order that he be discharged from his position as a police officer.

For the reasons set forth above, the undersigned hereby dissent from the Decision of the majority of the Board.

/s/ William F. Conlon

/s/ Ghian Foreman

# Chicago Police Department Personnel Division

*\*Only for active personnel\**

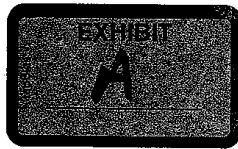
## Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
CATANZARA JR, JOHN J	9161	3572	014	376	[REDACTED]

### Achievements

PRESIDENTIAL ELECTION DEPLOYMENT AWARD 2008	1
HONORABLE MENTION	16
2004 CRIME REDUCTION RIBBON	1
EMBLEM OF RECOGNITION - PHYSICAL FITNESS	2
2009 CRIME REDUCTION AWARD	1
DEMOCRATIC NATIONAL CONVENTION AWARD	1
<b>TOTAL AWARDS</b>	<b>22</b>

Total No.



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BUREAU OF INTERNAL AFFAIRS  
RECORDS SECTION

17 April 2012

TO: COMMANDING OFFICER UNIT 113/IPRA  
FROM: RECORDS SECTION  
BUREAU OF INTERNAL AFFAIRS  
SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

CATANZARA JR., JOHN J.     3572     376  
NAME (LAST, FIRST M.I.)     STAR     UNIT

M     W                 
SEX     RACE     EMPLOYEE #  
REFERENCE:     COMPLAINT REGISTER # 1017379

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

GEN. COUNSEL ERIC MUELLENBACH     113/IPRA  
RANK     NAME     STAR     EMP#     UNIT

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

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

VERIFIED/PREPARED BY:

P.A. CHRISTINA FABIAN#17699  
FOR: COMMANDING OFFICER  
RECORDS SECTION  
BUREAU OF INTERNAL  
AFFAIRS

SPAR-NONE  
CR- NONE