

13PB2839

CHARGES

Police Officer George Porter, Star Number 18680, 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 date of the alleged violations:

- Rule 1: Violation of any law or ordinance.
- Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

SPECIFICATIONS

1. Police Officer George Porter, Star Number 18680, is charged with violating Rule 1, "Violation of any law or ordinance," in one or more of the following instances:

Count I: On or about May 23, 2009, at or about 18:47 hours, at an Automated Teller Machine ("ATM") at or near a CVS Pharmacy near 2475 S. Western Ave, in Chicago, you knowingly obtained or exerted unauthorized control over property of another, and/or obtained by deception control over property of another, in that you withdrew about \$203.00 (including service fees) from Police Officer Linda Nunez's Founders Bank account, including by promising and/or representing that you would use said funds to purchase groceries for her and return the rest, when you did not do so. You did so intending to permanently deprive Officer Nunez of the use or benefit of said funds, and/or you knowingly used some or all of said funds in such a manner as to permanently deprive Officer Nunez of their use or benefit, and/or knowing that such use would probably permanently deprive her of their use or benefit, including but not limited to by losing some or all of said funds gambling at the Blue Chip Casino on or about May 25, 2009, in violation of 720 ILCS 5/16-1(a).

Count II: On or about May 25, 2009, at or about 15:42 hours, at an ATM at or near a Walgreen's Pharmacy near 2345 W. 103rd Street, in Chicago, you knowingly obtained or exerted unauthorized control over property of another, and/or obtained by deception control over property of another, in that you withdrew about \$203.00 (including service fees) from Officer Nunez's Founders Bank account, while she was hospitalized at Metro South Hospital and unaware of your actions at the time. You did so intending to permanently deprive Officer Nunez of the use or benefit of said funds, and/or you knowingly used some or all of said funds in such a manner as to permanently deprive Officer Nunez of their use or benefit, and/or knowing that such use would probably permanently deprive her of their use or benefit, including but not limited to by losing some or

all of said funds gambling at the Blue Chip Casino on or about May 25, 2009, in violation of 720 ILCS 5/16-1(a).

Count III: On or about May 25, 2009, at or about 18:54 hours, at an ATM at or near Blue Chip Casino near 2 Easy Street, in Michigan City, Indiana, you knowingly or intentionally exerted unauthorized control over property of another, in that you withdrew about \$203.00 (including service fees) from Officer Nunez's Founders Bank account, while she was hospitalized at Metro South Hospital and unaware of your actions at the time. You did so intending to deprive Officer Nunez of all or part of the value or use of said funds, including but not limited to by losing some or all of said funds gambling at the Blue Chip Casino on or about May 25, 2009, in violation of Indiana Code ("IC") 35-43-4-2(a).

Count IV: On or about May 25, 2009, at or about 21:15 hours, at an ATM at or near Blue Chip Casino near 2 Easy Street, in Michigan City, Indiana, you knowingly or intentionally exerted unauthorized control over property of another, in that you withdrew about \$203.00 (including service fees) from Officer Nunez's Founders Bank account, while she was hospitalized at Metro South Hospital and unaware of your actions at the time. You did so intending to deprive Officer Nunez of all or part of the value or use of said funds, including but not limited to by losing some or all of said funds gambling at the Blue Chip Casino on or about May 25, 2009, in violation of IC 35-43-4-2(a).

Count V: Between about May 23, 2009, and May 26, 2009, for some or all of that time period, you possessed another person's check guaranty, key, or identification card for cash dispensing machines without the authority of the account holder or financial institution and with intent to defraud, in that you possessed Officer Nunez's Founders Bank account card and/or Personal Identification Number ("PIN") thereto, without her or Founders Bank's authority and with intent to defraud, in violation of then-existing 720 ILCS 5/17-1(C)(4).

Count VI: Between about May 23, 2009, and May 26, 2009, for some or all of that time period, you knowingly or intentionally possessed and/or used Officer Nunez's identifying information, including her Founders Bank account card and/or Personal Identification Number ("PIN") thereto, without her consent and with intent to harm or defraud her, in violation of IC 35-43-5-3.5.

2. Police Officer George Porter, Star Number 18680, 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 May 23, 2009, at or about 18:47 hours, at an ATM at or near a CVS Pharmacy near 2475 S. Western Ave, in Chicago, you withdrew about \$203.00 (including service fees) from Officer Nunez's Founders Bank account using deception, including by promising and/or representing that you would use said funds to purchase groceries for her and return the rest, when you did not do so. Instead, you kept and/or used said funds for your own purposes, including but not limited to by losing some or all of said funds gambling at the Blue Chip Casino on or about May 25, 2009.
- Count II: On or about May 25, 2009, at or about 15:42 hours, at an ATM at or near a Walgreen's near 2345 W. 103rd Street, in Chicago, you withdrew about \$203.00 (including service fees) from Officer Nunez's Founders Bank account without her authorization, including because she was hospitalized at Metro South Hospital and unaware of your actions at the time. You kept and/or used said funds for your own purposes, including but not limited to by losing some or all of said funds gambling at the Blue Chip Casino on or about May 25, 2009.
- Count III: On or about May 25, 2009, at or about 18:54 hours, at an ATM at or near Blue Chip Casino near 2 Easy Street, in Michigan City, Indiana, you withdrew about \$203.00 (including service fees) from Officer Nunez's Founders Bank account without her authorization, including because she was hospitalized at Metro South Hospital and unaware of your actions at the time. You kept and/or used said funds for your own purposes, including but not limited to by losing some or all of said funds gambling at the Blue Chip Casino on or about May 25, 2009.
- Count IV: On or about May 25, 2009, at or about 21:15 hours, at an ATM at or near Blue Chip Casino near 2 Easy Street, in Michigan City, Indiana, you withdrew about \$203.00 (including service fees) from Officer Nunez's Founders Bank account without her authorization, including because she was hospitalized at Metro South Hospital and unaware of your actions at the time. You kept and/or used said funds for your own purposes, including but not limited to by losing some or all of said funds gambling at the Blue Chip Casino on or about May 25, 2009.
- Count V: Between about May 23, 2009, and May 26, 2009, for some or all of that time period, you possessed Officer Nunez's Founders Bank account card and/or PIN without her authority.

Count VI: On or about May 25, 2009, you withdrew \$609.00 (including service fees) from Officer Nunez's Founders Bank account without her knowledge and/or authorization, while knowing that she was hospitalized at Metro South Hospital.

Based on the foregoing charges and specifications, the Superintendent recommends that Police Officer George Porter, Star Number 18680, be discharged from the Chicago Police Department.



GARRY F. MCCARTHY
Superintendent of Police

APPROVED AS TO FORM



DANIEL W. MYERSON
Assistant Corporation Counsel

P. B. CASE # FILED

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CHICAGO POLICE BOARD