

14PB2871

CHARGES

Officer Maria Fregoso-Hein, Star Number 19498, 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.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 14: Making a false report, written or oral.

SPECIFICATIONS

1. Officer Maria Fregoso-Hein, Star Number 19498, 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 March 26, 2009, at approximately 7:30 PM, at or near the M&M Mini Mart, A.K.A. the Burham Quick Food Mart, located at 1201 North Austin Boulevard, Officer Fregoso-Hein knowingly and without legal authority detained Jeremy Augustus, in violation of 720 ILCS 5/10-3 ("unlawful restraint"), thereby violating a law or ordinance.
 - Count II: On or about March 26, 2009, at approximately 7:30 PM, at or near the M&M Mini Mart, A.K.A. the Burham Quick Food Mart, located at 1201 North Austin Boulevard, Officer Fregoso-Hein detained and/or falsely arrested Jeremy Augustus, in violation of Fourth Amendment of the Constitution of the United States of America, thereby violating a law or ordinance.
2. Officer Maria Fregoso-Hein, Star Number 19498, 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 March 26, 2009, at approximately 7:30 PM, at or near the M&M Mini Mart, A.K.A. the Burham Quick Food Mart, located at 1201 North Austin Boulevard, Officer Fregoso-Hein knowingly and without legal authority detained Jeremy Augustus, and/or falsely arrested Jeremy Augustus, thereby impeding the Department's efforts to achieve its policy and goals, and/or bringing discredit upon the Department.

Count II: On or about March 26, 2009, Officer Fregoso-Hein falsified an original case incident report by falsely stating that an employee of the Burham Quick Food Mart informed her that Jeremy Augustus “was given notice and ask [sic] not to return to the store after he caused a disturbance being loud, disruptive, exhibited rude behavior using vulgar profanity while in the store and in the present [sic] of other customers,” or used words to that effect, and/or Jeremy Augustus was arrested for trespassing, or used words to that effect, thereby impeding the Department’s efforts to achieve its policy and goals, and/or bringing discredit upon the Department.

Count III: On or about March 26, 2009, at approximately 7:30 PM, at or near the M&M Mini Mart, A.K.A. the Burham Quick Food Mart, located at 1201 North Austin Boulevard, Officer Fregoso-Hein observed and/or was aware that Officer Theron Jones shoved and/or conducted a takedown on Jeremy Augustus without justification, and/or that Officer Jones failed to complete a Tactical Response Report, and Officer Fregoso-Hein failed to immediately notify a supervising member and/or prepare a written report to the commanding officer, in violation of General Order G93-03-02B (II)(B)(1) (“Specific Responsibilities Regarding Allegations of Misconduct”), thereby impeding the Department’s efforts to achieve its policy and goals, and/or bringing discredit upon the Department.

3. Officer Maria Fregoso-Hein, Star Number 19498, is charged with violating Rule 6, “Disobedience of an order or directive, whether written or oral,” in the following instance:

On or about March 26, 2009, at approximately 7:30 PM, at or near the M&M Mini Mart, A.K.A. the Burham Quick Food Mart, located at 1201 North Austin Boulevard, Officer Fregoso-Hein observed and/or was aware that Officer Theron Jones shoved and/or conducted a takedown on Jeremy Augustus without justification, and/or that Officer Jones failed to complete a Tactical Response Report, and Officer Fregoso-Hein failed to immediately notify a supervising member and/or prepare a written report to the commanding officer, in violation of General Order G93-03-02B (II)(B)(1) (“Specific Responsibilities Regarding Allegations of Misconduct”), thereby disobeying an order or directive, whether written or oral.

4. Officer Maria Fregoso-Hein, Star Number 19498, is charged with violating Rule 14, "Making a false report, written or oral," in the following instance:

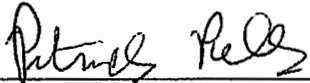
On or about March 26, 2009, Officer Fregoso-Hein falsified an original case incident report by falsely stating that an employee of the Burham Quick Food Mart informed her that Jeremy Augustus "was given notice and ask [sic] not to return to the store after he caused a disturbance being loud, disruptive, exhibited rude behavior using vulgar profanity while in the store and in the present [sic] of other customers," or used words to that effect, and/or Jeremy Augustus was arrested for trespassing, or used words to that effect, thereby making a false report, written or oral.

Based on the foregoing charges and specifications, the Superintendent recommends that Officer Maria Fregoso-Hein, Star Number 19498, be discharged from the Chicago Police Department.



GARRY F. MCCARTHY
Superintendent of Police

APPROVED AS TO FORM



PATRICK POLK
Assistant Corporation Counsel

P. B. CASE # FILED

14 - 2871 AUG 21 2014

CHICAGO POLICE BOARD