

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER MILTON STOREY, STAR #8622,) NO.98-2324
DEPARTMENT OF POLICE, CITY OF CHICAGO) CR #233874

FINDINGS & DECISION

On January 13, 1998, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police Officer Milton Storey, Star #8622, (hereinafter sometimes referred to as ("Respondent")) seeking the separation of the Respondent for violating the following Rules:

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 8: Disrespect to or maltreatment of any person, while on or off duty.

The Police Board of the City of Chicago caused a hearing on these charges against Police Officer Milton Storey to be had before Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago on August 6, 1998, September 15, 1998, and September 28, 1998.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing. Michael G. Berland, Hearing Officer, made a report and conferred with the Police Board before it rendered a decision.

The Police Board of the City of Chicago, as a result of its

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Investigation of the charges, finds and determines that:

1. The Respondent was at all times a Police Officer employed by the Department of Police of the City of Chicago.

2. The charges were filed in writing and a Notice, stating the time, date and place, when and where a hearing of the charges was to be held, together with a copy of the original charges, was served upon the Respondent more than five (5) days prior to the hearing on the charges.

3. The hearing was conducted before Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago, on August 6, 1998, September 15, 1998, and September 28, 1998.

4. Throughout the hearing the Respondent did appear in person and was represented by counsel.

5. Respondent Police Officer Milton Storey, Star # 8622 charged herein, contrary to the Rules and Regulations, is not guilty of violating, to wit:

Rule 1: Violation of any law or ordinance.

A. On or about January 23, 1997, Officer Storey did not obtain or exert unauthorized control over property owned by Abdul Muhammed, including one coat and one shoe, or do any act to violate 720 ILCS 5/16-1 (a)(1).

B. On or about January 23, 1997, Officer Storey did not strike Abdul Muhammad on the face and the head with a gun, nor did he cause bodily harm to him or make any contact with Muhammad of an insulting or provoking nature, or do any act to violate 720 ILCS '12-3(a).

7. The Respondent Police Officer Milton Storey, Star #8622, charged herein, contrary to the Rules and Regulations, is not guilty of violating, to wit:

Rule 8: Disrespect to or maltreatment of any person, while on or off duty.

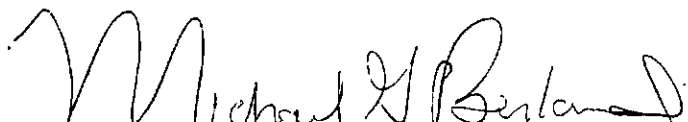
A. On or about January 23, 1997, Officer Storey did not disrespect Abdul Muhammad by saying "This is for fucking with my car."

B. On or about January 23, 1997, Officer Storey did not disrespect and maltreat Abdul Muhammad by striking Muhammad on the face and head with a gun, or cause any bodily harm, or making any physical contact of an insulting or provoking nature.

8. The Board denied the Respondent's Motion To Bar Certain testimony. That testimony was admissible as an excited utterance.

By reason of the fact that Officer Milton Storey, Star #8622 is not guilty of violating Rules 1, 2, and 8 the Police Board orders that Officer Storey be reinstated to his position as a Police Officer with the Department Of Police of the City Of Chicago effective January 14, 1998 with restoration of all rights and benefits.

Respectfully submitted,


Michael G. Berland, Hearing Officer

D E C I S I O N

The members of the Police Board, having read and reviewed the certified copy of the transcription of the hearing, 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; and,

IT IS HEREBY ORDERED that the respondent, Police Officer Milton Storey, Star # 8622, as a result of having been found not guilty of the charges in Police Board Case 98-2324, is hereby restored to his position as a Police Officer, and to the services of the City of Chicago, effective January 14, 1998.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 23rd
DAY OF Oct. 1998, 1998.

Scott Davis

William Collins

John King

Patricia C. Bell

Al Smith

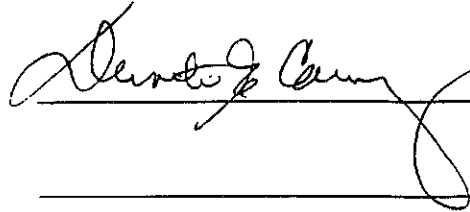
Mulder

Executive Director of the Police Board

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Police Officer Milton Storey, Star # 8622

D I S S E N T

The following members of the Police Board hereby dissent from the decision of the majority of the Board.



RECEIVED A COPY OF THIS COMMUNICATION

THIS _____ DAY OF _____, 1998.

SUPERINTENDENT OF POLICE

PD 0003119

Police Board Case
98-2324
P.O. Milton Storey
October 23, 1998



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Under Illinois law, you have the right to appeal the Police Board's decision. In accordance with 735 Illinois Compiled Statutes 5/3-102, your appeal must be filed within 35 days of the date the Board personally serves you with a copy of the decision, or within 35 days of the postmark of the date the Board mails a copy of the decision to you. Failure to appeal the Board's decision within this time limit can result in dismissal of your complaint.

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