

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST )  
POLICE OFFICER ERNEST HUTCHINSON, STAR ) CASE # 98-2349  
#7118, DEPARTMENT OF POLICE, CITY OF )  
CHICAGO, ) C.R. # 246315  
)  
RESPONDENT. )

FINDINGS & DECISION

On August 21, 1998, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the termination of Police Officer ERNEST HUTCHINSON, Star # 7118, hereinafter sometimes referred to as "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 4:** "Any conduct or action taken to use the official position for personal gain or influence."  
**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 ERNEST HUTCHINSON to be had before JACQUELINE A. WALKER, Hearing Officer of the Police Board of the City of Chicago on June 28, 2005.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing. JACQUELINE A. WALKER,

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**POLICE OFFICER ERNEST HUTCHINSON, STAR #7118, C. R. # 246315**

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Hearing Officer, made a report and conferred with the Police Board before it rendered a decision.

As a result of the foregoing, the Police Board of the City of Chicago finds and determines that:

1. The Respondent was, at all times mentioned herein, 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, were served upon the Respondent more than five (5) days prior to the hearing on the charges;
3. Throughout the hearing, the Respondent did not appear in person and was not represented by counsel.
4. The Respondent, Police Officer **ERNEST HUTCHINSON**, Star # 7118, as charged herein, is guilty of violating, to wit:

**Rule 1:** "Violation of any law or ordinance", in the following instances:

- A) On or about June 23, 1998, he committed the offense of home invasion, in that he, not acting in the line of duty, without authority knowingly entered the dwelling of Cecilio Lugo at or near 1200 West Huron Street, Chicago, Illinois, when he knew or had reason to know that one or more persons were present, and while armed with a weapon used force or the imminent threat of force upon Cecilio Lugo, and/or Wanda Lugo and/or Sonia Guzman, in violation of 720 ILCS 5/12-11.

**FINDINGS & DECISIONS, CONT'D.**

**POLICE OFFICER ERNEST HUTCHINSON, STAR #7118, C. R. # 246315**

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- B) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he committed the offense of armed robbery, in that he, while armed with a dangerous weapon, took \$8,000.00 in cash from Cecilio Lugo by the use of force or by threatening the imminent use of force, in violation of 720 ILCS 5/18-2.
- C) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, Officer Carriger committed the offense of official misconduct, in that he, while on duty as a Chicago Police Officer, knowingly performed an act which he knew was forbidden by law to perform, in violation of 720 ILCS 5/33-3(b).
- D) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he committed the offense of official misconduct, in that he, while on duty as a Chicago Police Officer, with intent to obtain a personal advantage for himself or another, performed an act in excess of his lawful authority, i.e., unlawfully requested money from Cecilio Lugo, in violation of 720 ILCS 5/33-3(c).
- E) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he committed the offense of aggravated unlawful restraint, in that he, while using a deadly weapon, knowingly without legal authority detained Wanda Lugo, in violation of 720 ILCS 5/10-3.1.
- F) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he committed the offense of aggravated unlawful

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**POLICE OFFICER ERNEST HUTCHINSON, STAR #7118, C. R. # 246315**

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restraint, in that he, while using a deadly weapon, knowingly without legal authority detained Sonia Guzman, in violation of 720 ILCS 5/10-3.1.

5. The Respondent, Police Officer **ERNEST HUTCHINSON**, Star # 7118, is 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 the following instances:

- A) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he, while on duty, unlawfully took \$ 8,000.00 in cash from Cecilio Lugo, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.
- B) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he, without legal authority, handcuffed and forcibly detained Wando Lugo, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.
- C) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he, without legal authority, forcibly detained Sonia Guzman, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

6. The Respondent, Police Officer **ERNEST HUTCHINSON**, Star # 7118, as charged herein, is **guilty** of violating, to wit:

**FINDINGS & DECISIONS, CONT'D.**

**POLICE OFFICER ERNEST HUTCHINSON, STAR #7118, C. R. # 246315**

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**Rule 4:** "Any conduct or action taken to use the official position for personal gain or influence", in that:

On or about June 23, 1998, at or near 1200 West Huron, Chicago, Illinois, he, while on duty, used his official position as a Chicago Police Officer to gain entry to the apartment of Cecilio Lugo and to unlawfully take money from Cecilio Lugo.

7. The Respondent, Police Officer **ERNEST HUTCHINSON**, Star # 7118, as charged herein, is **guilty** of violating, to wit:

**Rule 8:** "Disrespect to or maltreatment of any person, while on or off duty", in the following instances:

- A) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he, while on duty and without legal authority handcuffed and forcibly detained Wanda Lugo, thereby being disrespectful to and/or maltreating her.
- B) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he, while on duty, told Wanda Lugo to "shut the fuck up before I gag you", thereby being disrespectful to and/or maltreating her.
- C) On or about June 23, 1998, at or near 1200 West Huron Street, Chicago, Illinois, he shoved Sonia Guzman and called her a "bitch" and spat on her, thereby being disrespectful to and/or maltreating her.

**BY REASON** of the findings of fact and guilt herein, cause exists for the


**FINDINGS & DECISIONS, CONT'D.**

**POLICE OFFICER ERNEST HUTCHINSON, STAR #7118, C. R. # 246315**

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discharge of Respondent, Police Officer **ERNEST HUTCHINSON**, Star # 7118, from  
the Department of Police and from the services of the City of Chicago.

Respectfully Submitted,



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JACQUELINE A. WALKER

Hearing Officer

**FINDINGS & DECISIONS, CONT'D.**

**POLICE OFFICER RODNEY S. CARRIGER, STAR #3483, C.R. #246315**

**POLICE OFFICER ERNEST HUTCHINSON, STAR #7118, C.R. #246315**

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**DECISION**

The members of the Police Board, having read and reviewed the certified transcription of the hearing, having received the oral report of the Hearing Officer, JACQUELINE A. WALKER, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopt 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 history, a copy of which is attached hereto as Exhibit A; and

**IT IS HEREBY ORDERED** that the Respondent, Police Officer **ERNEST HUTCHINSON**, Star #7118, as a result of having been found **guilty** of the charges in Police Board Case No. 98-2349, be and hereby is **discharged** from his position as a Police Officer, and from the services of the City of Chicago.

**DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 21<sup>st</sup> DAY OF JULY, 2005.**

*Patricia C. Pyle*  
*[Signature]*  
*William King*  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

*Max A. Cannon*

Executive Director  
Police Board

**FINDINGS & DECISIONS, CONT'D.**

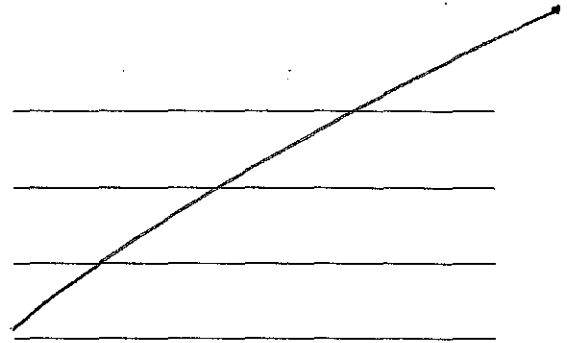
**POLICE OFFICER RODNEY S. CARRIGER, STAR #3483, C.R. #246315**

**POLICE OFFICER ERNEST HUTCHINSON, STAR #7118, C.R. #246315**

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**DISSENT**

The following members of the Police Board hereby dissent from the decision of the majority of the Board in Police Board Case No. 98-2349.



RECEIVED A COPY OF THIS COMMUNICATION

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005.

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