

### CHARGES

Officer Brian R. Gentzle, Star Number 8737, 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 dates of the alleged violations.

- 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 15: Intoxication on or off duty.

### SPECIFICATIONS

1. Officer Brian Gentzle, Star Number 8737, 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 10, 2008, at approximately 4:15 - 4:45 A.M, at or near the 19<sup>th</sup> Police District, Officer Gentzle impeded the Department's efforts to achieve its policy and goals or brought discredit upon the Department, in that Officer Gentzle failed to comply with direct orders from Sergeant Michael Rogers and/or Captain James McGovern to submit to and/or complete and/or comply with an Administrative Breathalyzer and/or breath test.
  - Count II: From on or about March 9, 2008, from approximately 11:25 P.M, through on or about March 10, 2008, through approximately 4:45 A.M, Officer Gentzle impeded the Department's efforts to achieve its policy and goals or brought discredit upon the Department, in that Officer Gentzle was intoxicated while off duty.
  - Count III: On or about April 26, 2010, while being interviewed by the Internal Affairs Division, Officer Gentzle impeded the Department's efforts to achieve its policy and goals or brought discredit upon the Department, when Officer Gentzle denied being stopped with Nicholas Cosek in the stairwell of 2846 North Clybourn by on-duty officers from the 19<sup>th</sup> Police District, or used words to that effect, when both Officer Gentzle and Cosek were, in fact, stopped by on-duty officers from the 19<sup>th</sup> Police District.

Count IV: On or about April 26, 2010, while being interviewed by the Internal Affairs Division, Officer Gentzle impeded the Department's efforts to achieve its policy and goals or brought discredit upon the Department, when Officer Gentzle stated he complied with the orders from Sergeant Michael Rogers and/or Captain James McGovern to submit to an Administrative Breathalyzer, when Officer Gentzle did, in fact, refuse to submit to and/or complete and/or comply with the Administrative Breathalyzer and/or breath test.

Count V: On or about April 26, 2010, while being interviewed by the Internal Affairs Division, Officer Gentzle impeded the Department's efforts to achieve its policy and goals or brought discredit upon the Department, when Officer Gentzle stated he informed the breath tech/evidence technician that he had a specific problem that prevented him from complying with the instructions he had been given to submit to an administrative breath test, or words to that effect, when Officer Gentzle, in fact, made no such statement.

2. Officer Brian Gentzle, Star Number 8737, is charged with violating Rule 3, "Any failure to promote the Department's efforts to implement its policy or accomplish its goals," in the following instance:

On or about March 10, 2008, at approximately 4:15 - 4:45 A.M, at or near the 19<sup>th</sup> Police District, Officer Brian Gentzle failed to promote the Department's efforts to implement its policy or accomplish its goals in that Officer Gentzle disobeyed direct orders from Sergeant Michael Rogers and/or Captain James McGovern to submit to and/or complete and/or comply with an Administrative Breathalyzer and/or breath test.

3. Officer Brian Gentzle, Star Number 8737, is charged with violating Rule 6, "Disobedience of an order or directive, whether written or oral," in one or more of the following instances:

Count I: On or about March 10, 2008, at approximately 4:15 - 4:45 A.M, at or near the 19<sup>th</sup> Police District, Officer Brian Gentzle disobeyed an order or directive, whether written or oral, in that Officer Gentzle disobeyed direct orders from from Sergeant Michael Rogers and/or Captain James McGovern to submit to and/or complete and/or comply with an Administrative Breathalyzer and/or breath test.

Count II: On or about March 10, 2008, at approximately 4:15 - 4:45 A.M, at or near the 19<sup>th</sup> Police District, Officer Brian Gentzle disobeyed an order or directive, whether written or oral, in that Officer Gentzle refused to submit to and/or complete and/or comply with an Administrative Breathalyzer in violation of General Order 93-03-05B.

4. Officer Brian Gentzle, Star Number 8737, is charged with violating Rule 14, "Making a false report, written or oral," in one or more of the following instances:

Count I: On or about April 26, 2010, while being interviewed by the Internal Affairs Division, Officer Gentzle made a false report, written or oral, when Officer Gentzle denied being stopped with Nicholas Cosek in the stairwell of 2846 North Clybourn by on-duty officers from the 19<sup>th</sup> Police District, or used words to that effect, when Officer Gentzle and Cosek were, in fact, stopped by on-duty officers from the 19<sup>th</sup> Police District.

Count II: On or about April 26, 2010, while being interviewed by the Internal Affairs Division, Officer Gentzle made a false report, written or oral, when Officer Gentzle stated he complied with the orders from Sergeant Michael Rogers and/or Captain James McGovern to submit to an Administrative Breathalyzer, or words to that effect, when Officer Gentzle, in fact, refused to submit to and/or complete and/or comply with the Administrative Breathalyzer and/or breath test.

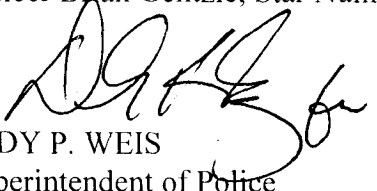
Count III: On or about April 26, 2010, while being interviewed by the Internal Affairs Division, Officer Gentzle made a false report, written or oral, when Officer Gentzle stated he informed the breath tech/evidence technician that that he had a specific problem that prevented him from complying with the instructions he had been given to submit to an administrative breath test, or words to that effect, when Officer Gentzle, in fact, made no such statements.

Count IV: On or about April 26, 2010, while being interviewed by the Internal Affairs Division, Officer Gentzle made a false report, written or oral, when Officer Gentzle stated he informed Sergeant Michael Rogers that his purpose for being at 2846 North Clybourn was to chase graffiti offenders that may have fled to the apartment building, or words to that effect, when Officer Gentzle, in fact, made no such statements.

5. Officer Brian Gentzle, Star Number 8737, is charged with violating Rule 15, "Intoxication on or off duty," in the following instance:

From on or about March 9, 2008, from approximately 11:25 P.M., through on or about March 10, 2008, through approximately 4:45 A.M., or for some period of time therein, Officer Brian Gentzle was intoxicated off duty.

Based on the foregoing charges and specifications, the Superintendent recommends that Officer Brian Gentzle, Star Number 8737, be discharged from the Chicago Police Department.

  
JODY P. WEIS  
Superintendent of Police

APPROVED AS TO FORM

  
Mary Ernesti  
Assistant Corporation Counsel

P.B. CASE #      FILED

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CHICAGO POLICE BOARD