

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
OPS INVESTIGATOR II NELSON E. PEREZ,) Case No. 99-2377
EMPLOYEE NO. 640384)

FINDINGS AND DECISION

On January 25, 1999, the Superintendent of Police filed charges with the Police Board of the City of Chicago against OPS Investigator II Nelson E. Perez, Employee No. 640384 (hereinafter sometimes referred to as "Respondent"), for violating the following rules:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department. (2 Counts)

The Police Board of the City of Chicago investigated these charges and caused a hearing on these charges against OPS Investigator II Nelson E. Perez to be had before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on July 1, 1999.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing. Thomas E. Johnson, Hearing Officer, made an oral 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 investigation of the charges, finds and determines that:

1. The Respondent was at all times employed as an OPS Investigator II 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 Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on July 1, 1999.

4. Throughout the hearing, the Respondent appeared in person and through counsel.

5. The Respondent OPS Investigator II Nelson E. Perez, Employee No. 640384, charged herein, contrary to the Rules and Regulations, is guilty of violating to wit:

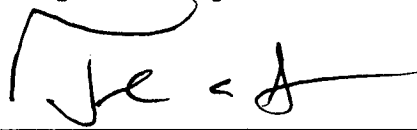
Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in that:

- A. On or about April 17, 1997, Investigator Nelson Perez improperly discussed his suspension case, a matter pending before the Police Board on appeal, with Victor Armendariz, a member of the Chicago Police Board, thereby attempting to exert improper influence on the outcome of the appeal, thereby impeding the Department's efforts to achieve its policy and goals and bringing discredit upon the Department.
- B. On or about April 17, 1997, Investigator Nelson Perez improperly sought advice from Police Board member Victor Armendariz regarding the submission of additional evidence in his suspension case pending before the Police Board on appeal, in an effort to circumvent the Department's procedures for submitting additional evidence, as provided in General Order 93-3, Addendum 4-II, J, thereby impeding the Department's efforts to achieve its policy and goals and bringing discredit upon the Department.

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OPS Investigator II Nelson E. Perez
Employee No. 640384

By reason of the findings of fact, the Respondent is guilty of violating Rule 2. Cause exists for the separation of the Respondent OPS Investigator II Nelson E. Perez, Employee No. 640384, as an OPS Investigator II in the Department of Police and from the services of the City of Chicago.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'T. E. Johnson', is written over a horizontal line.

THOMAS E. JOHNSON
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 proceedings, having received the report of the Hearing Officer, Thomas E. Johnson, having conferred with the Hearing Officer on the credibility of witnesses and the evidence, and having considered the investigator's complimentary and disciplinary history, a copy of which is Exhibit A hereto, hereby adopt all findings and;

IT IS HEREBY ORDERED that the Respondent OPS Investigator II Nelson E. Perez, Employee No. 640384, as a result of being found guilty of the charges in Police Board Case No. 99-2377, be and hereby is separated from his position as an OPS Investigator II in the Department of Police and from the services of the City of Chicago.

Victor Armendariz took no part in the consideration of this case. Mark Iris took no part in the processing of this case and was not present during its consideration by the Board.

DATED AT CHICAGO, ILLINOIS, COUNTY OF COOK, STATE OF ILLINOIS,
THIS 20TH DAY OF SEPTEMBER, A.D. 1999.

William B. King
Phyllis Spillman
Scott Davis
James D. [illegible]
James D. [illegible]
James D. [illegible]

James D. [illegible]
Supervising Clerk of the Police Board

RECEIVED A COPY OF THE FOREGOING COMMUNICATION
THIS 23 DAY OF Sept, 1999.

Ray D. Hall
SUPERINTENDENT OF POLICE