

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST     )  
POLICE OFFICER RICHARD KLEINPASS             )     Case No. 04-2543  
STAR NO. 14625                                 )

FINDINGS AND DECISION

On March 22, 2004, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police Officer Richard Kleinpasse, Star No. 14625 (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.

Rule 6: Disobedience of an order or directive, whether written or oral.

Rule 23: Failure to obey Department orders concerning other employment, occupation or profession.

The Police Board of the City of Chicago investigated these charges and caused a hearing on these charges against Police Officer Richard Kleinpasse, Star No. 14625, to be had before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on September 21, 2004.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing, the briefing in this case, and viewed the videotape 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, found and determined that:

1. The Respondent was at all times employed as a police officer 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 September 21, 2004.

4. Throughout the hearing, Police Officer Richard Kleinpass, Star No. 14625, was present and represented by counsel.

5. The Respondent's Motion to Dismiss was taken with the case on the merits.

6. The Respondent Police Officer Richard Kleinpass, Star No. 14625, charged herein, contrary to the Rules and Regulations, is **not 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**, which charged that from about 9 October 2000, until about 2 May 2001, Police Officer Kleinpass engaged in secondary employment while on the medical roll of the Chicago Police Department, in that he worked for Tribo Construction Services and Kole Construction Services, thereby impeding the Department's

efforts to achieve its policy and goals and bringing discredit upon the Department.

Rule 6: **Disobedience of an order or directive, whether written or oral**, which charged that:

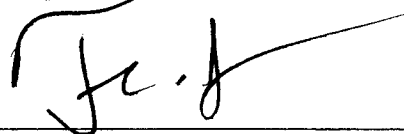
Count I: From about 9 October 2000, until about 26 April 2001, Police Officer Kleinpass engaged in secondary employment while on the medical roll of the Chicago Police Department, in that he worked for Tribco Construction Services, thereby violating General Order 89-8-IV-K.

Count II: From about 30 April 2001, until about 2 May 2001, Police Officer Kleinpass engaged in secondary employment while on the medical roll of the Chicago Police Department, in that he worked for Kole Construction Services, thereby violating General Order 89-8-IV-K.

Rule 23: **Failure to obey Department orders concerning other employment, occupation or profession**, which charged that from about 9 October 2000, until about 2 May 2001, Police Officer Kleinpass engaged in secondary employment while on the medical roll of the Chicago Police Department, in that he worked for Tribo Construction Services and Kole Construction Services, thereby failing to obey Department orders concerning other employment, occupation or profession.

By reason of the findings of fact, the Respondent is **not guilty** of violating Rules 2, 6, and 23.

Respectfully submitted,



---

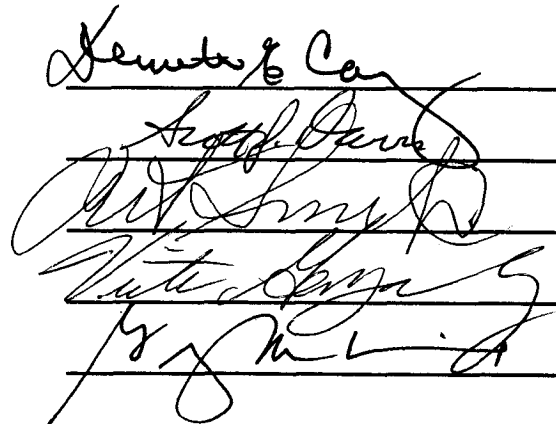
THOMAS E. JOHNSON

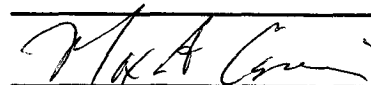
D E C I S I O N

The members of the Police Board, having read and reviewed the certified copy of the transcription of the hearing, having viewed the videotapes of the hearing, having received the oral report of the Hearing Officer, Thomas E. Johnson, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopt all findings herein,

**IT IS HEREBY ORDERED** that the Respondent, Police Officer Richard J. Kleinpass, Star No. 14625, as a result of having been found not guilty of the charges in Police Board Case No. 04-2543, is hereby restored to his position as a Police Officer, and to the services of the City of Chicago, effective March 24, 2004.

**DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS**  
30TH DAY OF NOVEMBER, 2004.

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

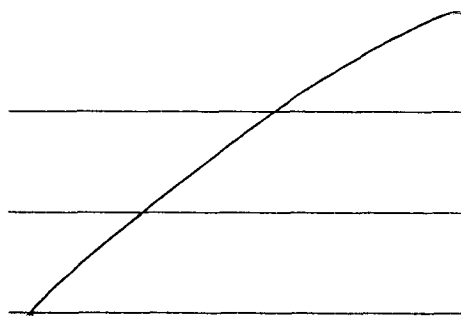
  
\_\_\_\_\_

Executive Director, Police Board

Page 5 - Findings and Decision  
Police Officer Richard J. Kleinpas  
Star No. 14625

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 \_\_\_\_\_, 2004

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