

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER JOSEPH GROH) Case No. 04-2539
STAR NO. 4457)

FINDINGS AND DECISION

On March 3, 2004, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Police Officer Joseph Groh, Star No. 4457 (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 (Two counts)

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

Rule 14: Making a false report, written or oral (Three counts)

The Police Board of the City of Chicago investigated these charges and caused a hearing on these charges against Police Officer Joseph Groh, Star No. 4457, to be had before Thomas E. Johnson, Hearing Officer of the Police Board of the City of Chicago, on March 15, 2005, and March 23, 2005.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing 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 March 15, 2005 and March 23, 2005.

4. Throughout the hearing, Police Officer Joseph Groh, Star No. 4457, was present and represented by counsel.

5. The Respondent Police Officer Joseph Groh, Star No. 4457, 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:

Count I: On 17 April 2003, in the vicinity of 1230 N. Burling, Officer Groh, while on duty, took action that brought discredit upon the Department when he physically maltreated Rondell Freeman when he kicked Freeman about the body.

Count II: On 05 June 2003, at approximately 1600 hours, at the Office of Professional Standards, Officer Groh brought discredit upon the Department when he gave a statement that contained false information and responded to questions in a manner intended to impede and/or obstruct the Department's investigation of the incident occurring on 17 April 2003, in the vicinity of 1230 N. Burling.

Rule 8: Disrespect or maltreatment of any person, in that on 17 April 2003, in the vicinity of 1230 N. Burling, Officer Groh, while on duty, physically maltreated Rondell Freeman when he kicked Freeman about the body.

Rule 14: Making a false report, written or oral, in that:

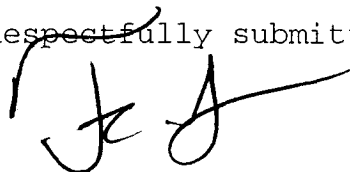
Count I: On 05 June 2003, at approximately 1600 hours, at the Office of Professional Standards, Officer Groh gave a statement that contained false information in that he denied kicking Rondell Freeman.

Count II: On 05 June 2003, at approximately 1600 hours, at the Office of Professional Standards, Officer Groh gave a statement that contained false information in that he denied being able to identify himself on tape while viewing video footage of the incident occurring on 17 April 2003, in the vicinity of 1230 N. Burling.

Count III: On 05 June 2003, at approximately 1600 hours, at the Office of Professional Standards, Officer Groh gave a statement wherein he provided false information in that he stated he was standing maybe forty to fifty feet away from the van occupied by Rondell Freeman.

By reason of the findings of fact, the Respondent is guilty of violating Rules 2, 8, and 14.

Respectfully submitted,



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 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, 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 Joseph Groh, Star No. 4457, as a result of having been found **guilty** of the charges in Police Board Case No. 04-2539, is hereby **suspended** from his position as a Police Officer, and from the services of the City of Chicago, from 03 March 2004 to and including 31 MAY 2005.
MAC

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
28th **DAY OF** APRIL, 2005.

William C. Fu King
Scott Baker
Edna
Patricia C. Ball
Walter
Res. Jimmy Miller
James Miller
Max A. Cann

Executive Director
Police Board

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Police Officer Joseph Groh
Star No. 4457

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 in Police Board Case No. 04-2539.

~~_____~~
~~_____~~
~~_____~~
~~_____~~

RECEIVED A COPY OF THIS COMMUNICATION

THIS _____ DAY OF _____, 2005.

SUPERINTENDENT OF POLICE

Chicago Police Department
Personnel Division

07/09/2003

COMPLIMENTARY HISTORY

<u>Name</u>	<u>Title</u>	<u>SSN</u>	<u>Star</u>	<u>Unit</u>	<u>Detail Unit</u>
GROH JOSEPH	9161	[REDACTED]	04457	018	

HONORABLE MENTIONS

3

COMPLIMENTARY LETTERS

0

DEPT. COMMENDATIONS

AWARD NUMBER:

0

1

2

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4

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10

OTHER AWARDS:

SPECIAL AWARDS:

Jr. Chamber . of Comm	0	Unit Meritorious	0	Fitness Award	0
Rich. J Daley Award	0	Lambert Tree	0	Appearance Award	0
Police Medal	0	Carter Harrison	0	Special Commendation	0
Awd of Valor	0	WGN Award	0	Partnership Award	0
Supt. Awd of Merit	0	Honored Police Star	0	Special Serv. Award	0
Police Blue Star	0	Life Saving Awd	0	Problem Solving Awd	0
Officer of The Month	0	Hnd Cld Med. of Val	0	Blue Shield Awd	0

Complimentary History Requested By:

NAME DUFFY MICHAEL OPS SUPERVISOR STAR: 00105 UNIT: 113

Completed by:

CR #: 288879

Annette Steptore
Personnel Division
Records Section -2089-2092
Pax 0-342 or Bell 5-5390

Ex. A.

**INTERNAL AFFAIRS DIVISION
RECORDS SECTION**

09 JULY 2003

TO: COMMANDING OFFICER UNIT 113
FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION
SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

GROH	JOSEPH	4457	018
NAME	(LAST, FIRST M.I.)	STAR	UNIT
MALE	WHITE		
SEX	RACE	S.S.N.	

REFERENCE: COMPLAINT REGISTER NUMBER 288879

**THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT
ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:**

SUPV.	DUFFY	105	113
RANK	NAME	STAR	S.S.N.
			UNIT

**RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE
ABOVE REFERENCED COMPLAINT REGISTER NUMBER.**

**THE RECORDS SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE
FOLLOWING DISCIPLINARY ACTION ADMINISTERED TO THE SUBJECT
ACCUSED FOR THE PAST FIVE (5) YEARS.**

VERIFIED/PREPARED BY:

NIYA SCOTT

NONE

**FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION**

Ex. A