

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)		
POLICE OFFICER THOMAS JOHNSON,)		No. 09 PB 2709
STAR No. 14711, DEPARTMENT OF POLICE,)		
CITY OF CHICAGO,)		
RESPONDENT)		(CR No.1019211)

FINDINGS AND DECISION

On February 24, 2009, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Thomas Johnson, Star No. 14711 (hereinafter sometimes referred to as "Respondent"), recommending that the Respondent be discharged from the Chicago Police Department for violating the following Rules of Conduct:

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.

The Police Board caused a hearing on these charges against Police Officer Thomas Johnson to be had before Michael G. Berland, Hearing Officer of the Police Board, on December 2, 2009.

Following the hearing, the members of the Police Board read and reviewed the record of proceedings and viewed the video-recording of the testimony of the witnesses. Hearing Officer Berland made an oral report to and conferred with the Police Board before it rendered its findings and decision.

POLICE BOARD FINDINGS

The Police Board of the City of Chicago, as a result of its hearing on the charges, finds and determines that:

1. The Respondent was at all times mentioned herein 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, were served upon the Respondent more than five (5) days prior to the hearing on the charges.

3. The Respondent was properly notified of the hearing by first-class and certified U.S. mail to the address listed on the notice of charges. The Respondent did not appear at the hearing and was not represented by counsel. The hearing officer proceeded with the hearing in the Respondent's absence in accordance with the Police Board Rules of Procedure, Section III-G.

4. The Respondent, Police Officer Thomas Johnson, Star No. 14711, 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 that:

Count I: On or about August 12, 2008, the Respondent disobeyed a direct order when he failed to report to Advocate Occupational Health Sykes Center and submit to a mandatory physical examination on or about August 12, 2008, after being ordered to do so, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Count II: On or about August 18, 2008, the Respondent disobeyed a direct order when he failed to report to the Center for Applied Psychology and Forensic Studies and submit to a psychological evaluation on or about August 18, 2008, after being ordered to do so, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Sergeant Mary Conley testified that she gave the Respondent a direct order to appear and submit to both a physical examination and a psychological examination. She also testified that the Respondent was notified in writing of these mandatory examinations. The Respondent did not appear and submit to either examination. In an official statement to the Internal Affairs Division, the Respondent admitted that he was given a direct order to appear and submit to the examinations and that he was notified in writing of the mandatory examinations; in addition, the Respondent admitted that he did not appear and submit to either examination and that he did not

inform anyone of his inability to keep the appointments. The Respondent failed to present at the Police Board hearing any evidence to rebut the evidence presented by the Superintendent.

5. The Respondent, Police Officer Thomas Johnson, Star No. 14711, charged herein, is **guilty** of violating, to wit:

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

Count I: On or about August 12, 2008, the Respondent failed to report to Advocate Occupational Health Sykes Center and submit to a mandatory physical examination after being ordered to do so, thereby disobeying an order or directive, whether written or oral.

Count II: On or about August 18, 2008, the Respondent failed to report to the Center for Applied Psychology and Forensic Studies and submit to a psychological evaluation after being ordered to do so, thereby disobeying an order or directive, whether written or oral.

See the reasons for the finding set forth in paragraph no. 4 above.

6. The Police Board has considered the facts and circumstances of the Respondent's conduct, and that the Respondent presented no evidence in defense or mitigation. The Police Board finds that the conduct of which the Board has found the Respondent guilty is sufficiently serious to constitute a substantial shortcoming that renders his continuance in his office detrimental to the discipline and efficiency of the service of the Chicago Police Department, and is something which the law recognizes as good cause for his no longer occupying his office.

By reason of the findings of fact and guilt set forth herein, cause exists for the discharge of the Respondent, Police Officer Thomas Johnson, Star No. 14711, from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

POLICE BOARD DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses, having received the oral report of the Hearing Officer, Michael G. Berland, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts 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 histories, copies of which are attached hereto as Exhibit A; and

IT IS HEREBY ORDERED that the Respondent, Police Officer Thomas Johnson, Star No. 14711, as a result of having been found **guilty** of charges in Police Board Case No. 09 PB 2709, be and hereby is **discharged** from his position as a police officer with the Department of Police, and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 21st DAY OF JANUARY, 2010.

Denton J. Carver
Scott J. Davis
Patti Bobb
Vincent Stomach
William J. Allen
Mark Smith
James J. Miller

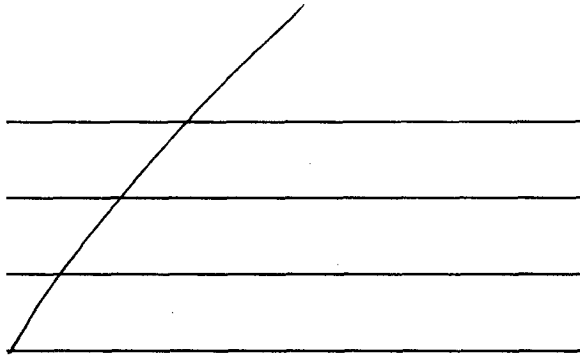
Attested by:

Max A. Caproni

Executive Director
Police Board

DISSENT

The following members of the Police Board hereby dissent from the Decision of the majority of the Board.



RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS ____ DAY OF _____, 2010.

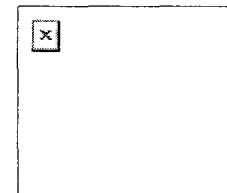
SUPERINTENDENT OF POLICE

Report Date: 14 Oct 2008
Report Time: 1046 Hrs

Chicago Police Department

Personnel Division

Information Services Division
Data Warehouse
Produced by: PC0F764



Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
JOHNSON, THOMAS M	9161	14711	003	376	100231

Achievements

Total No.

HONORABLE MENTION
DEPARTMENT COMMENDATION
TOTAL AWARDS

4

1

5

C.R.# 1019211
ATTACHMENT # 24
24

CR# 1019211

NOTE: THIS REPORT IS FOR OFFICIAL LAW
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THE INFORMATION IS CURRENT AS OF THE
DATE AND TIME OF THE REPORT. THIS



Citizen & Law Enforcement Analysis & Reporting
System

1 / 1

ATTACHMENT #
C.R.# 1019211
24
3/4

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

20 OCTOBER 2008

TO: COMMANDER OFFICER UNIT 121

FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

JOHNSON THOMAS 14711 376

NAME	(LAST,FIRST)	STAR	UNIT
MALE	WHITE	100231	
SEX	RACE	EMPLOYEE#	

REFERENCE: COMPLAINT REGISTER/ LOG NUMBER 1019211

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

PA	DEL VALLE	7485		121
RANK	NAME	STAR	EMPLOYEE#	UNIT

RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE
ABOVE REFERENCE COMPLAINT LOG NUMBER.

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

VERIFIED/PREPARED BY:

NIYA SCOTT

NONE ☒
SEE ATTACHED ☐

FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

C.R. # 1019211
ATTACHMENT # 24 4/4