

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)		
POLICE OFFICER ERNEST WALKUP,)		No. 12 PB 2789
STAR No. 6438, DEPARTMENT OF POLICE,)		
CITY OF CHICAGO,)		
RESPONDENT)		(CR No. 1030341)

MEMORANDUM AND ORDER

On March 9, 2012, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Ernest Walkup, Star No. 6438 (hereinafter sometimes referred to as “Respondent”), recommending that the Respondent be discharged from the Chicago Police Department for violating various Rules of Conduct.

The Police Board caused a hearing on these charges against the Respondent to be had before Thomas E. Johnson, Hearing Officer of the Police Board, on June 7, 2012. 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 Johnson made an oral report to and conferred with the Police Board before it rendered its findings and decision.

On June 21, 2012, the Police Board found the Respondent guilty of violating Rules 1, 2, and 15, and ordered that the Respondent be discharged from his position as a police officer, and from the services of the City of Chicago.

The Respondent filed a petition for administrative review in the Circuit Court of Cook County, Chancery Division, seeking reversal of the Board’s Findings and Decision. On August 8, 2013, Judge Neil H. Cohen entered an Order remanding the case to the Board for it to determine a sanction less drastic than discharge.

Police Board Case No. 12 PB 2789
Police Officer Ernest Walkup
Memorandum and Order

The Board considered all of the evidence made part of the record, including all of the mitigation evidence enumerated in the Court's Memorandum Opinion and Order, before rendering its original Findings and Decision in this case. After further considering this matter, including further considering all mitigation evidence, the Board, for the reasons set forth in its original Findings, remains convinced that a penalty of discharge in this case is warranted.

However, in order to comply with the Court's Order to impose a penalty less than discharge, the Board will order the suspension of the Respondent for a period of five (5) years, from April 3, 2012, to and including April 2, 2017.

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POLICE BOARD ORDER

IT IS HEREBY ORDERED that the Respondent, Police Officer Ernest Walkup, Star No. 6438, as a result of having been found **guilty** of charges in Police Board Case No. 12 PB 2789, be and hereby is **suspended** from his position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period from April 3, 2012, to and including April 2, 2017 (five years).

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 19th DAY OF SEPTEMBER, 2013.

/s/ Demetrius E. Carney

/s/ Melissa M. Ballate

/s/ Ghian Foreman

/s/ Rita A. Fry

/s/ Susan L. McKeever

/s/ Johnny L. Miller

/s/ Elisa Rodriguez

Attested by:

/s/ Max A. Caproni
Executive Director
Police Board

DISSENT

I agree with the majority of the Board that a penalty of discharge in this case is warranted. However, I find that a suspension of seven (7) years is a more appropriate penalty in response to the Court's Order due to the seriousness of the Respondent's misconduct.

/s/ William F. Conlon

RECEIVED A COPY OF
THIS MEMORANDUM AND ORDER
THIS ____ DAY OF _____, 2013.

SUPERINTENDENT OF POLICE