

14PB 2866

### CHARGES

Officer Donald Klein, Star Number 12446, is charged with violating the following rules contained in Article V of the Rules and Regulations of the Chicago Police Department, which were in full force and effect on the date of the alleged violations:

- Rule 1: Violation of any law or ordinance
- 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 5: Failure to perform any duty.
- Rule 6: Disobedience of an order or directive, whether written or oral.
- Rule 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 9: Engaging in any unjustified verbal or physical altercation with any person, while on or off duty.
- Rule 30: Leaving duty assignment without being properly relieved or without proper authorization.

### SPECIFICATIONS

1. Officer Donald Klein, Star Number 12446, is charged with violating Rule 1, "Violation of any law or ordinance," in the following instance:

On or about August 28, 2010, at approximately 12:01 AM, at or near the Loomis Food Mart, located at 6859 South Loomis Boulevard, Officer Klein shoved Reginald Mitchell into the Loomis Food Mart's doors, and/or shoved Reginald Mitchell into the door of a squad car, and/or punched Reginald Mitchell and/or Christopher McKnight about their heads and/or bodies, thereby knowingly and without legal justification caused bodily harm and/or made physical contact of an insulting or provoking nature with an individual and/or with individuals, in violation of 720 ILCS 5/12-3(a)(1) or (a)(2) ("Battery"), thereby violating a law or ordinance.
2. Officer Donald Klein, Star Number 12446, is charged with violating 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 one or more of the following instances:

- Count I: On or about August 28, 2010, at approximately 12:01 AM, at or near the Loomis Food Mart, located at 6859 South Loomis Boulevard, Officer Klein shoved Reginald Mitchell into the Loomis Food Mart's doors, and/or shoved Reginald Mitchell into the door of a squad car, and/or punched Reginald Mitchell and/or Christopher McKnight about their heads and/or bodies, thereby impeding the Department's efforts to achieve its policy and goals, or bringing discredit upon the Department.
- Count II: On or about August 28, 2010, at approximately 12:01 AM, Officer Klein transported Reginald Mitchell and/or Christopher McKnight from the vicinity of Loomis Food Mart, located at 6859 South Loomis Boulevard, to another city neighborhood without justification, thereby impeding the Department's efforts to achieve its policy and goals, or bringing discredit upon the Department.
- Count III: On or about August 28, 2010, at approximately 12:01 AM, at the Loomis Food Mart, located at 6859 South Loomis Boulevard, Officer Klein shoved Reginald Mitchell into the Loomis Food Mart's doors, and/or shoved Reginald Mitchell into the door of a squad car, and/or placed Reginald Mitchell and/or Christopher McKnight into a squad car and/or into custody, but failed to document his actions with a Field Contact Card, and/or Tactical Response Report, thereby impeding the Department's efforts to achieve its policy and goals, or bringing discredit upon the Department.
- Count IV: On or about August 28, 2010, at approximately 12:01 AM, Officer Klein left his district of assignment when he transported Reginald Mitchell and/or Christopher McKnight from the vicinity of the Loomis Food Mart, located at 6859 South Loomis Boulevard to an area outside the 7<sup>th</sup> District, thereby impeding the Department's efforts to achieve its policy and goals, or bringing discredit upon the Department.

3. Officer Donald Klein, Star Number 12446, is charged with violating Rule 5, "Failure to perform any duty," in the following instance:

On or about August 28, 2010, at approximately 12:01 AM, at the Loomis Food Mart, located at 6859 South Loomis Boulevard, Officer Klein shoved Reginald Mitchell into the Loomis Food Mart's doors, and/or shoved Reginald Mitchell into the door of a squad car, and/or placed Reginald Mitchell and/or Christopher McKnight into a squad car and/or into custody, but failed to document his actions with a Field Contact Card, and/or Tactical Response Report, thereby failing to perform a duty.

4. Officer Donald Klein, Star Number 12446, is charged with violating Rule 6, "Disobedience of an order or directive, whether written or oral," in one or more of the following instances:

- Count I: On or about August 28, 2010, at approximately 12:01 AM, at or near the Loomis Food Mart, located at 6859 South Loomis Boulevard, Officer Klein shoved Reginald Mitchell into the Loomis Food Mart's doors, and/or shoved Reginald Mitchell into the door of a squad car, and/or punched Reginald Mitchell and/or Christopher McKnight about their heads and/or bodies, thereby failing to treat any person with respect, and/or failing to treat any person with courtesy and dignity, in violation of General Order 02-01, (II)(B) and (III)(B), ("Human Rights and Human Resources"), thereby disobeying an order or directive, whether written or oral.
- Count II: On or about August 28, 2010, Officer Klein failed to document his encounter with Reginald Mitchell and/or Christopher McKnight in a Field Contact Card, in violation of Chicago Police Department Special Order S04-13-09 (III)(B) ("Contact Information System"), thereby disobeying an order or directive, whether written or oral.

5. Officer Donald Klein, Star Number 12446, is charged with violating Rule 8, "Disrespect to or maltreatment of any person, while on or off duty," in one or more of the following instances:

- Count I: On or about August 28, 2010, at approximately 12:01 AM, at or near the Loomis Food Mart, located at 6859 South Loomis Boulevard, Officer Klein shoved Reginald Mitchell into the Loomis Food Mart's doors, and/or shoved Reginald Mitchell into the door of a squad car, thereby disrespecting or maltreating any person, while on or off duty.
- Count II: On or about August 28, 2010, at approximately 12:01 AM, at or near the Loomis Food Mart, located at 6859 South Loomis Boulevard, Officer Klein punched Reginald Mitchell and/or Christopher McKnight about their heads and/or bodies, thereby disrespecting or maltreating any person, while on or off duty.

6. Officer Donald Klein, Star Number 12446, is charged with violating Rule 9, "Engaging in any unjustified verbal or physical altercation with any person, while on or off duty," in one or more of the following instances:

Count I: On or about August 28, 2010, at 12:01 AM, at or near the Loomis Food Mart, located at 6859 South Loomis Boulevard, Officer Klein shoved Reginald Mitchell into the Loomis Food Mart's doors, and/or shoved Reginald Mitchell into the door of a squad car, thereby engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

Count II: On or about August 28, 2010, at 12:01 AM, at or near the Loomis Food Mart, located at 6859 South Loomis Boulevard, Officer Klein punched Reginald Mitchell and/or Christopher McKnight about their heads and/or bodies, thereby engaging in any unjustified verbal or physical altercation with any person, while on or off duty.

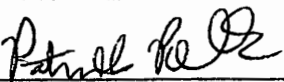
7. Officer Donald Klein, Star Number 12446, is charged with violating Rule 30, "Leaving duty assignment without being properly relieved or without proper authorization," in the following instance:

On or about August 28, 2010, at approximately 12:01 AM, Officer Klein transported Reginald Mitchell and/or Christopher McKnight from the vicinity of the Loomis Food Mart, located at 6859 South Loomis Boulevard to an area outside the 7<sup>th</sup> District, thereby leaving his duty assignment without being properly relieved or without proper authorization.

Based on the foregoing charges and specifications, the Superintendent recommends that Officer Donald Klein, Star Number 12446, be discharged from the Chicago Police Department.

  
GARRY F. MCCARTHY  
Superintendent of Police

APPROVED AS TO FORM

  
PATRICK POLK  
Assistant Corporation Counsel

P.B. CASE # FILED

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CHICAGO POLICE BOARD