

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
SERGEANT VICTORIA ELLIS, STAR #1413) NO. 01-2452
DEPARTMENT OF POLICE, CITY OF CHICAGO,) CR.#263884

FINDINGS & DECISION

On March 16, 2001, the Superintendent of Police filed charges with the Police Board of the City of Chicago against Sergeant Victoria Ellis, Star #1413 (hereinafter sometimes referred to as "Respondent") seeking the termination of Sergeant Ellis days 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 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 5: Failure to perform any duty

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

Rule 14: Making a false report, whether written or oral.

Rule 22: Failure to report to the Department any violation of Rules and Regulations or any other improper conduct which is contrary to the policy, orders or directives of the Department.

Rule 24: Failure to follow medical roll procedures.

The Police Board of the City of Chicago caused a hearing on these charges against Sergeant Victoria Ellis to be had before Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago on September 21, 2001 and December 4, 2001.

Following the hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing. Michael G. Berland, 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, finds and determines that:

1. The Respondent was at all times a Sergeant employed 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 Michael G. Berland, Hearing Officer of the Police Board of the City of Chicago, on September 21, 2001 and December 4, 2001

4. Throughout the hearing the Respondent did appear in person and was represented by counsel.

5. The Respondent Sergeant Victoria Ellis, Star#1413, 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.

A. From on or about July 29, 1999 through July 2000, Sergeant Victoria Ellis failed to comply with medical roll

procedures as defined in General Order 98-2, Medical Policy, to wit, failed to report to the Medical Services Section as required, thereby being carried on the medical roll for a one year unauthorized absence, thereby impeding the Departments efforts to achieve its policy and goals and/or bringing discredit upon the Department.

B. On or about July 10, 2000, Sergeant Victoria Ellis gave a false report to Officer Diane Chalmers, Registered Nurse, Medical Services Section, regarding having a hard cast applied to her ankle when in fact no hard cast was applied; and/or regarding having a hard cast removed by Dr. Holmes in November 1999 when Dr. Holmes did not see Sergeant Ellis in November 1999; and/or regarding having called the Referral Clerk Annette Mitchell, Medical Service Section, during her furlough in November 1999 regarding referrals for physical therapy, when Sergeant Ellis did not speak to Mitchell, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

6. The Respondent Sergeant Victoria Ellis, Star#1413, charged herein, contrary to the Rules and Regulations, is guilty of violating, to wit:

Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

A. From on or about July 29, 1999 through July 2000, Sergeant Victoria Ellis failed to comply with medical roll procedures as defined in General Order 98-2, Medical Policy, to wit: failed to report to the Medical Services Section as

required, thereby being carried on the medical roll for a one year unauthorized absence and as a Sergeant of police, failed to promote the Department's efforts to implement its policy and/or accomplish its goals.

B. From August 1999 to July 2000, Sergeant Victoria Ellis failed to notify a supervisor or obtain a Complaint Register Number when the Medical Services Section failed to return her telephone calls regarding her injury, thereby failing to promote the Department's efforts to implement its policy and/or accomplish its goals.

7. The Respondent Sergeant Victoria Ellis, Star 1413, charged herein, contrary to the Rules and Regulations, is guilty of violating, to wit:

Rule 5: Failure to perform any duty.

A. On or about July 29, 1999, Sergeant Victoria Ellis failed to telephone or report to the Medical Service Section after visiting the referral doctor on July 29, 1999, thereby failing to perform a duty required by General Order 98-2, Addendum 1, Article 1X-A.

B. On or about August 25, 1999, Sergeant Victoria Ellis attended an appointment with the referral doctor without obtaining prior authorization from the Medical Services Section, thereby failing to perform a duty required by General Order 98-2, Addendum 1, Article V-B.

C. On or about August 25, 1999, Sergeant Victoria Ellis failed to telephone or report to the Medical Services Section

after visiting the referral doctor on August 25, 1999, thereby failing to perform a duty required by General Order 98-2, Addendum 1, Article 1X-A.

D. From approximately August 1999 to July 2000, Sergeant Victoria Ellis failed to report to or telephone the Medical Services Section, thereby failing to perform a duty required by General Order 98-2, Addendum 1, Article 1X-A.

E. From approximately August 1999 to July 2000, Sergeant Victoria Ellis failed to notify a supervisor from the Medical Services Section or obtain a Complaint Register Number when the Medical Services Section failed to return her telephone calls regarding an injury, thereby failing to perform a duty required by General Order 93-3, Addendum 2A, Article 11-A-7.

8. The Respondent Sergeant Victoria Ellis, Star#1413, charged herein, contrary to the Rules and Regulations, is guilty of violating, to wit:

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

A. On or about July 29, 1999, Sergeant Victoria Ellis failed to telephone or report to the Medical Services Section after visiting the referral doctor on July 29, 1999, thereby violating General Order 98-2, Addendum 1, Article 1X-A.

B. On or about August 25, 1999, Sergeant Victoria Ellis attended an appointment with the referral doctor without obtaining prior authorization from the Medical Services Section, thereby violating General Order 98-2, Addendum 1, Article V-B.

C. On or about August 25, 1999, Sergeant Victoria Ellis

failed to telephone or report to the Medical Services Section after visiting the referral doctor on August 25, 1999, thereby violating General Order 98-2, Addendum 1, Article 1X-A.

D. From approximately August 1999 to July 2000, Sergeant Victoria Elis failed to report or telephone the Medical Services Section, thereby violating General Order 98-2, Addendum 1, Article 1X-A.

E. From approximately August 1999 to July 2000, Sergeant Victoria Ellis failed to notify a supervisor from the Medical Services Section or obtain a Complaint Register Number when the Medical Services Section failed to return her telephone calls regarding an injury, thereby violating General Order 93-3, Addendum 2A, Article 11-A.

9. The Respondent Sergeant Victoria Ellis, Star 1413, charged herein, contrary to the Rules and Regulations, is guilty of violating, to wit:

Rule 14: Making a false report, whether written or oral.

A. On or about July 10, 2000, Sergeant Victoria Ellis gave a false report to Officer Diane Chalmers, Registered Nurse, Medical Services Section, regarding having a hard cast applied to her ankle, when in fact no hard cast was applied.

B. On or about July 10, 2000, Sergeant Victoria Ellis gave a false report to Officer Diane Chalmers, Registered Nurse, Medical Services Section, regarding having a hard cast removed by Doctor Holmes in November 1999 when in fact Doctor Holmes did not see Sergeant Ellis in November 1999.

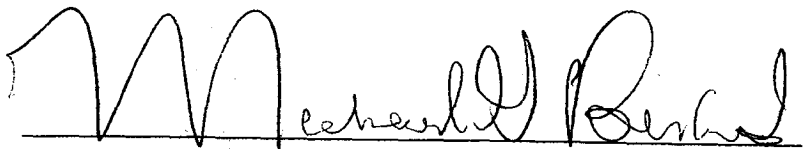
attended an appointment with the referral doctor without obtaining prior authorization from the Medical Services Section, as required by General Order 98-2, Addendum 1, Article V-B, thereby failing to follow medical roll procedures.

C. On or about August 25, 1999, Sergeant Victoria Ellis failed to telephone or report to the Medical Services Section after visiting the referral doctor on August 25, 1999, as required by General Order 98-2, Addendum 1, Article 1X-A, thereby failing to follow medical roll procedures.

D. From approximately August 1999 to July 2000, Sergeant Victoria Ellis failed to report to or telephone the Medical Services Section, as required by General order 98-2, Addendum 1, Article 1X-A, thereby failing to follow medical roll procedures.

BY REASON of the findings of fact, that Sergeant Victoria Ellis is guilty of violating Rules 2, 3, 5, 6, 14, 22 and 24, cause exists for the discharge and termination of Respondent, Sergeant Victoria Ellis, from her position with the Department of Police and from the services of the City of Chicago.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Michael G. Berland", written over a horizontal line.

Michael G. Berland, Hearing Officer

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 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; 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, which is attached hereto as Exhibit A; and;

IT IS HEREBY ORDERED that the respondent, Sergeant Victoria A. Ellis, Star # 1413, as a result of having been found guilty of the charges in Police Board Case 01-2452, is hereby separated and discharged from her position as a Sergeant and from the services of the City of Chicago.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS
DAY OF MARCH, 2002.

26th

Herman E. Conway
Rev. J. L. Miller
Scott Davis
Victor Gonzales
Gregory R. L. P.
Phyllis Gelman

Paul M.
Executive Director of the Police Board

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 _____, 2002.

SUPERINTENDENT OF POLICE

INTERNAL AFFAIRS DIVISION
RECORDS SECTION

13 September 2000

TO: COMMANDING OFFICER UNIT 121 S.I.S.

FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

ELLIS	VICTORIA	1413	006
NAME	LAST FIRST M.I.)	STAR	UNIT
F	B		
SEX	RACE	S.S.N.	

REFERENCE: COMPLAINT REGISTER NUMBER(S) 263884

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

P.O.	BIALAS	17345		121 S.I.S.
RANK	NAME	STAR	S.S.N.	UNIT

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

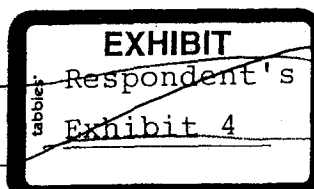
THE RECORDS SECTION, INTERNAL AFFAIRS DIVISION, DISCLOSES THE FOLLOWING DISCIPLINARY ACTION(S) ADMINISTERED TO THE SUBJECT ACCUSED FOR THE PAST FIVE (5) YEARS.

VERIFIED/PREPARED BY:

AGENT FRED HERR
FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

Ex A

NON



263884

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CHICAGO POLICE DEPARTMENT

COMPLIMENTARY HISTORY

DATE 13 Sept 2000

NAME Ellis, Victoria Rank Sgt SSN [REDACTED] STAR 1413 UNIT 006

SPECIAL AWARDS

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DEPARTMENT
COMMENDATIONS:

000

HONORABLE
MENTIONS:

003

COMPLIMENTARY
LETTERS:

000

Complimentary History Requested By:

NAME Bialas, Maryann RANK PO STAR 17345 UNIT 121

C.R.# 263884

Completed By: Demetra Berry
Personnel Division
Records Section-2089-2092
Pax 0-342 or Bell 5-5390

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34

