

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

IN THE MATTER OF CHARGES FILED AGAINST)
SERGEANT PATRICK J. MINOGUE, STAR #1858,)
DEPARTMENT OF POLICE, CITY OF CHICAGO.)

CASE #99-2396

C. R. #251044

RESPONDENT.)

FINDINGS AND DECISION

On December 01, 1999, the Superintendent of Police filed charges with the Police Board of the City of Chicago, seeking the separation of Sergeant **PATRICK J. MINOGUE**, Star # 1858, hereinafter sometimes referred to as "Respondent" for violation of 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 6 - "Disobedience of an order or directive, whether oral or written."

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 14 - "Making a false report, 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 38 - "Unlawful or unnecessary use or display of a weapon."

The Police Board of the City of Chicago, caused a hearing on these charges against Sergeant **PATRICK J. MINOGUE**, Star #1858, to be heard by **JACQUELINE A. WALKER**, Hearing Officer of the Police Board of the City of Chicago, on August 15, August 16, and September 22, 2000. Following the Hearing, the members of the Police Board read and reviewed the certified transcription of the proceedings of the hearing. **JACQUELINE A. WALKER**, Hearing Officer made an oral report and conferred with the Police Board before it rendered a decision.

As a result of the foregoing, the Police Board of the City of Chicago finds and determines that:

- (1) The Respondent was, at all times mentioned herein, 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 on 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) Throughout the hearing, the Respondent appeared in person and was represented by legal counsel;
- (4) The Respondent, Sergeant **PATRICK J. MINOGUE**, Star #1858, as 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 the following instances:

(A) On one or more occasions between 1998 and January 1999, he sent or caused to be delivered to Police Officer Laura G. Yukawa-Brancher at her residence and/or workplace, one or more letters, notes, and/or cards that were of a harassing nature.

(B) On or about May 3, 1998, at around 10:30 p.m., inside the residence located at 5957 North Newark Avenue, while off duty, he discharged a firearm without justification and/or failed to make the required Departmental notifications regarding the weapon discharge, and/or failed to submit a Weapon Discharge Report regarding the incident, and/or verbally abused off-duty Police Officer Laura G. Yukawa-Brancher, in that, among other things, he called her a "stupid fucking bitch."

(5) The Respondent, Sergeant **PATRICK J. MINOGUE**, Star #1858, as charged herein, is guilty of violating, to-wit:

RULE 6 - "Disobedience of an order or directive, whether oral or written.", in the following instances:

(A) On or about May 3, 1998, at around 10:30 p.m., inside the residence located at 5957 North Newark Avenue, while off duty, he discharged a weapon and/or failed to make immediate notification of the weapon discharge to the Department, in violation of General Order 85-1, Item V, A, 1.

(B) On or about May 3, 1998, at around 10:30 p.m., inside the residence located at 5957 North Newark Avenue, while off duty, he discharged a weapon and/or failed to make immediate notification of the weapon discharge to the Department, in violation of General Order 85-1, Item V, A, 5.

(C) On or about January 17, 1999, while on duty, he improperly utilized the Department's official communication system for personal gain by using his assigned Portable Data Terminal to obtain a Unit History for Police Officer Laura G. Yukawa-Brancher, in violation of General Order 98-7, Addendum 4, Item II, A.

(D) On or about January 17, 1999, while on duty, he improperly utilized the Department's official communications system for personal gain by using his assigned Portable Data Terminal to send one or more electronic (e-mail) messages of a personal nature not related to official Department business to Police Officer Laura G. Yukawa-Brancher, in violation of General Order 98-7, addendum 4, Item II, A.

(E) He failed to immediately prepare and submit a To-From-Subject Report to his watch commander and/or watch operations lieutenant making notification that he had been served as a Respondent with an Order of Protection in case number 99D680, in violation of General Order 93-3, Addendum 5, Item II, K, 1.

(6) The Respondent, Sergeant **PATRICK J. MINOGUE**, Star # 1858, as charged herein, is guilty of violating, to-wit:

RULE 8 - "Disrespect to or maltreatment of any person, while on or off duty", in that:

On or about May 3, 1998, at around 10:30 p.m., inside the residence located at 5957 North Newark Avenue, he was disrespectful toward and maltreated off-duty Police Officer Laura G. Yukawa-Brancher, in that, including but not limited to, he called Yukawa-Brancher a "stupid fucking bitch".

(7) The Respondent, Sergeant **PATRICK J. MINOGUE**, Star #1858, as charged herein, is **guilty** of violating, to-wit:

RULE 9 - "Engaging in any unjustified verbal or physical altercation with any person, while on or off duty", in that:

On or about May 3, 1998, at around 10:30 p.m., inside the residence located at 5957 North Newark Avenue, he became involved in an unjustified verbal and/or physical altercation with off-duty Police Officer Laura G. Yukawa-Brancher, including but not limited to calling Yukawa-Brancher a "stupid fucking bitch".

(8) The Respondent, Sergeant **PATRICK J. MINOGUE**, Star #1858, as charged herein, is **guilty** of violating, to-wit:

RULE 14 - "Making a false report, written or oral", in that:

On or about April 29, 1999, while giving a statement at the Office of Professional Standards, he falsely stated that he had not been present during a weapon discharge incident which occurred inside the residence located at 5957 North Newark Avenue on or about May 3, 1998.

(9) The Respondent, Sergeant **PATRICK J. MINOGUE**, Star #1858, as charged herein, is **guilty** of violating, to-wit:

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", in that:

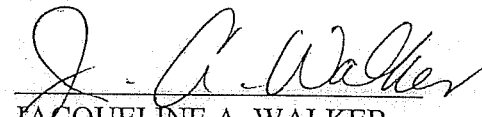
On an unspecified date during May, 1998, after he became aware of the incident, he failed to report to the Department that off-duty Police Officer Laura G. Yukawa-Brancher had discharged a weapon inside her residence on or about May 3, 1998, and/or that she failed to notify the Department of that weapon discharge, in violation of General Order 85-1, Item V, A, 1.

(10) The Respondent, Sergeant **PATRICK J. MINOGUE**, Star #1858, as charged herein, is **guilty** of violating, to-wit:

RULE 38 - "Unlawful or unnecessary use or display of a weapon.", in that:

On or about May 3, 1998, at around 10:30 p.m., inside the residence located at 5957 North Newark Avenue, he discharged a weapon without justification.

BY REASON of the findings of fact and of guilty herein, cause exists for the suspension of Respondent, Sergeant **PATRICK J. MINOGUE**, Star #1858, from the Department of Police and from the services of the City of Chicago.


JACQUELINE A. WALKER
Hearing Officer

DECISION

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, JACQUELINE A. WALKER, 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, which is attached hereto as Exhibit A, and;

IT IS HEREBY ORDERED that the respondent, Sergeant **PATRICK J. MINOGUE**, Star #1858, as a result of having been found guilty of the charges in Police Board Case 99-2396, is hereby suspended from his position as a Sergeant, and from the services of the City of Chicago, from December 2, 1999, to and including **November 30, 2000**.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 21st DAY OF November, , 2000.

Scott Dewar

John J. Miller

Patricia C. Bobb

Walter J. ...

Patricia C. Bobb

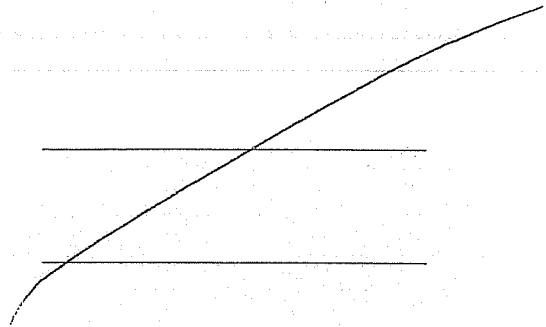
Walter J. ...

Michael ...

Executive Director of the 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 THIS COMMUNICATION

THIS _____ DAY OF _____, 2000

FOR THE SUPERINTENDENT OF POLICE

TO: CHIEF ADMINISTRATOR O.P.S

FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION

SUBJECT: PREVIOUS DISCIPLINARY RECORD OF:

MINOGUE,	Patrick	1858	018
NAME	(LAST, FIRST, M.I.)	STAR	UNIT
M	W	[REDACTED]	
SEX	RACE	S.S.N.	

REFERENCE: COMPLAINT REGISTER NUMBER(S) 251044

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

SUPV. Michael DUFFY	105	[REDACTED]	113
RANK	NAME	STAR	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.

NONE

VERIFIED/PREPARED BY:

Jerelene PORTE'

FOR: COMMANDING OFFICER
RECORDS SECTION
INTERNAL AFFAIRS DIVISION

CHICAGO POLICE DEPARTMENT
COMPLIMENTARY HISTORY

DATE: 08 June 1999

NAME: Patrick Minoque RANK Sgt SSN [REDACTED] STAR 1858 UNIT 018

SPECIAL AWARDS Life Saving Award 03/98 04/86

DEPARTMENT
COMMENDATIONS: 002

HONORABLE
MENTIONS: 050

COMPLIMENTARY
LETTERS: 008

Complimentary History Requested By:

NAME Duffy, Michael RANK: Supv STAR 105 UNIT: 113

CR#: 251044

Completed By: Demetra Berry

PERSONNEL SERVICES



JUN 1999



CHICAGO POLICE DEPARTMENT

Personnel Division
Records Section-Rm 803
Pax 0342 - Bell 747-5549