

IN THE NAME OF THE PEOPLE OF THE STATE OF ILLINOIS
COUNTY DEPARTMENT/ First DISTRICT/DIVISION

Dana V. Starks, Interim Superintendent of
Police of the City of Chicago,

v.

William Cozzi and The Police Board of
the City of Chicago,

Court Case No.: **07CH 34649**

Court Date: _____

Court Time: _____ Room No.: _____

SUMMONS IN ADMINISTRATIVE REVIEW

To each defendant:

YOU ARE SUMMONED and required to file an answer in this case or otherwise file your appearance in the office of the Clerk of this Court located at Chancery Division, Room 802 County Division, Room 1202, Richard J. Daley Center, 50 W. Washington Street, Chicago, Illinois 60602, within 35 days after the date of this summons.

This summons is served upon you by registered or certified mail pursuant to the provisions of 735 ILCS 5/3-101, et seq.

Atty. No.: 90909

Name: Tina Y Tilkins

WITNESS: **NOV 27 2007**

Atty. for: Superintendent of Police of the City

Address: 30 N. LaSalle St., Ste 1040 of Chicago

City/State/Zip: Chicago, IL 60602

Telephone: (312) 744-1796

DOROTHY BROWN
CLERK OF CIRCUIT COURT



CERTIFICATE OF MAILING

7002 2410 0005 1458

7002 2410 0005 1457

On **DEC - 3 2007**, I sent by registered mail a copy of this summons to each defendant addressed as follows:

Defendant

Address

William Cozzi

7218 W. Seminole St.

Chicago, IL 60631 (2256)

The Police Board of the City of Chicago

30 N. LaSalle St., Suite 1220

Chicago, IL 60602 (8747)

25 11 20 030 9-

Dated: _____

POLICE BOARD

Clerk of Court

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

DANA V. STARKS,
INTERIM SUPERINTENDENT OF POLICE OF
THE CITY OF CHICAGO,

Plaintiff,

v.

WILLIAM COZZI AND THE POLICE
BOARD OF THE CITY OF CHICAGO,

Defendants.

No. **07CH 346 49**

-6 DEC 07
POLICE BOARD
11.53

COMPLAINT FOR ADMINISTRATIVE REVIEW

NOW COMES the Plaintiff, DANA V. STARKS, Interim Superintendent of Police of the City of Chicago, by his attorney, MARA S. GEORGES, Corporation Counsel of the City of Chicago, and complaining of the Defendants, WILLIAM COZZI, and POLICE BOARD OF THE CITY OF CHICAGO, states as follows:

1. This is a Complaint for Administrative Review of a decision of the Police Board of the City of Chicago (hereinafter "the Board").
2. Defendant William Cozzi ("Officer Cozzi") is a Police Officer employed by the City of Chicago.
3. On or about April 3, 2006, the Superintendent of Police filed charges with the Board against Officer Cozzi, alleging violations of certain rules and regulations of the Chicago Police Department, specifically Rules 1, 2, 6, 8, 9, and 14.
4. Defendant Police Board of the City of Chicago was established pursuant to 65 ILCS 5/10, and Chicago Municipal Code Section 2-84-010, and is the body responsible for hearing and determining separation cases for employees of the City of Chicago, Department of Police.
5. A decision of the Board is subject to judicial review pursuant to the Administrative Review Law, 735 ILCS 5/3-101, *et seq.*
6. Officer Cozzi received notice of the charges and of the hearing, at least (5) days prior to the hearing on the charges.

CLERK
CITY OF CHICAGO
COUNTY DEPARTMENT
CHANCERY DIV.
NOV 27 PM 5:29

7. Evidentiary proceedings were commenced in the matter entitled In the Matter of Charges Filed against Police Officer William Cozzi, Star No. 4129, No. 06 PB 2604. The hearing on the charges was conducted before Thomas E. Johnson, a Hearing Officer duly appointed by the Board.
8. Officer Cozzi was represented by an attorney and entered a plea of Not Guilty to all of the charges.
9. On October 18, 2007, the Board entered its Findings and Decision, finding Officer Cozzi **guilty** of all of the alleged violations including committing the offenses of Aggravated Battery and Battery, striking an individual with an unauthorized police department weapon, disobeying an order or directive, maltreatment of any person, engaging in unjustified verbal or physical altercations with any person, and making false police reports. See Police Board Findings and Decision attached as Exhibit A. The Board issued William Cozzi a two year suspension.
10. The findings of the Board are inconsistent and the Board's decision is contrary to law.
11. The decision of the Board is also arbitrary, capricious and contrary to law and sound public opinion.
12. The decision of the Board is inconsistent, arbitrary, capricious, unrelated to the requirements of service, and/or contrary to law and sound public opinion for the following reasons:
 - A. The evidence before the Board does not support its decision;
 - B. The Board's decision is inconsistent with the evidence. The Board found that William Cozzi was guilty of all of the violations alleged, including committing the offenses of Aggravated Battery and Battery, striking an individual with an unauthorized police department weapon, disobeying an order or directive, maltreatment of any person, engaging in unjustified verbal or physical altercations with any person, and making false police reports. However, the Board only issued a two year suspension against Officer Cozzi. The Board's decision to suspend William Cozzi for two years is completely unsupported by the facts and the record and contrary to law;
 - C. The Board erred in failing to separate Officer Cozzi where the evidence supported such penalty;
 - D. Plaintiff relies on all other errors that are in the record of proceedings before the Police Board of the City of Chicago in Case No. 06 PB 2604.

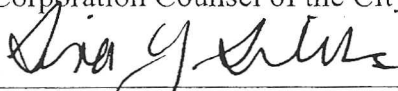
13. Plaintiff requests that the Police Board of the City of Chicago be directed by this Honorable Court to file the transcript of the proceedings had before that agency in this matter, pursuant to sections 3-106 and 3-108(b) of the Administrative Review Law, 735 ILCS 5/3-106, 3-108(b).

WHEREFORE, Plaintiff requests that this Honorable Court review the decision of the Board and issue an order reversing and remanding the case to the Police Board of the City of Chicago; and for any additional relief this Court deems proper.

Respectfully submitted,

MARA S. GEORGES
Corporation Counsel of the City of Chicago

BY:



Tina Y. Tiliks
Assistant Corporation Counsel

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30 North LaSalle St., Room 1040
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(312) 744-1796