

**BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO**

**IN THE MATTER OF CHARGES FILED AGAINST** )  
**POLICE OFFICER MESHAY OWENS,** ) **No. 15 PB 2888**  
**STAR No. 7737, DEPARTMENT OF POLICE,** )  
**CITY OF CHICAGO,** )  
 ) **(CR No. 1067424)**  
**RESPONDENT.** )

**FINDINGS AND DECISION**

On May 19, 2015, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Meshay Owens, Star No. 7737 (hereinafter sometimes referred to as “Respondent”), recommending that the Respondent be discharged from the Chicago Police Department for violating the following Rules of Conduct:

- 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 8: Disrespect to or maltreatment of any person, while on or off duty.
- Rule 14: Making a false report, written or oral.
- Rule 15: Intoxication on or off duty.
- Rule 20: Failure to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department.

The Police Board caused a hearing on these charges against the Respondent to be had before Police Board Hearing Officer Fredrick H. Bates on October 2 and 5, 2015.

Following the hearing, the members of the Police Board read and reviewed the record of the proceedings and viewed the video-recording of the testimony of the witnesses. Hearing Officer Bates made an oral report to and conferred with the Police Board before it rendered its

findings and decision.

### **POLICE BOARD FINDINGS**

The Police Board of the City of Chicago, as a result of its hearing on the charges, finds and determines that:

1. The Respondent was at all times mentioned herein employed as a police officer by the Department of Police of the City of Chicago.
2. The written charges, and a Notice stating when and where a hearing on the charges was to be held, were personally served upon the Respondent more than five (5) days prior to the hearing on the charges.
3. Throughout the hearing on the charges the Respondent appeared in person and was represented by legal counsel.
4. The Respondent filed a motion to dismiss all charges stemming from her making a false statement—the charges that she violated Rule 2 (Count VI) and Rule 14. The Board finds the Respondent not guilty of these charges (see paragraph nos. 11 and 13 below), rendering it unnecessary for the Board to rule on the motion to dismiss, and the motion is therefore moot.
5. The Respondent, Police Officer Meshay Owens, Star No. 7737, charged herein, is **guilty** of violating, to wit:

Rule 1: Violation of any law or ordinance,

in that the Superintendent proved by a preponderance of the evidence the following charge:

On or about February 9, 2014, in the vicinity of 2800 West American Boulevard in Bloomington, Minnesota, at or around 0230 hours, Police Officer Meshay Owens, while off duty, was in a public or private place and engaged in offensive and/or obscene and/or abusive and/or boisterous and/or noisy conduct and/or engaged in offensive and/or obscene and/or abusive language tending reasonably to arouse alarm and/or anger and/or resentment in others,

knowing, or having reasonable grounds to know that it would, or would tend to, alarm and/or anger and/or disturb others, in violation of Minnesota Statute 609.72.1 (“Disorderly Conduct”), thereby violating any law or ordinance.

The credible evidence in this case clearly established that the Bloomington, Minnesota, police officers in this case responded to a noise complaint at the hotel where Officer Owens was staying. Officer Owen’s conduct, as set forth more fully below, resulted in her being arrested for interfering with a peace officer and disorderly conduct. Although the former charge was dismissed, on the disorderly conduct charge she received Court probation and a \$300 fine for her conduct. There is no question but that her conduct in Bloomington, Minnesota, on February 9, 2014, violated Minnesota Statute 609.72.1 (“Disorderly Conduct”), thereby violating any law or ordinance in violation of Rule 1 as alleged.

Officers Ryan Arbuckle (now Detective) and Tory Bertelson, as well as Sergeant Joseph Spark, all testified credibly that Officer Owens was intoxicated and uncooperative with the Bloomington, Minnesota, police officers. Officers Arbuckle and Bertelson both testified that Officer Owens was told that they were at the hotel because of a noise complaint. She was asked to go back into her room and be quiet. Refusing to do so, she was asked for her ID, which she claimed she did not have. As she became boisterous and loud instead of returning to her room, she was then asked for her name and date of birth. Her agitated response caused a crowd to form in the hallway. She was told why the Bloomington Police needed to identify her, and warned that if she failed to identify herself, she would be arrested for obstruction and disorderly conduct. After numerous unsuccessful attempts to get her to identify herself, she was placed in handcuffs and put in the back of a squad car. The testimony of the Bloomington Police, buttressed by the squad car video in evidence, clearly established that Officer Owens did not calm down. Instead, she refused to cooperate with Officer Arbuckle and Sergeant Ratzloff. As counsel for the Superintendent

concluded: “She basically dared them to arrest and book her instead of giving her name.”

In sum, Owens engaged in abusive, loud, and boisterous conduct at the Embassy Suites in Bloomington, Minnesota, on February 9, 2014, which reasonably would have aroused anger and resentment in others, which is disorderly conduct in the State of Minnesota. The credible testimony showed that Owens was loud, she cursed, she was leading others on the floor to be loud, and that other hotel guests were disrupted by her behavior. Guests were opening and closing doors to see the disturbance. Even after she was advised that she was disorderly and was in handcuffs she refused to state her name or provide identification.

The defense asserted on her behalf that this was all the result of her race and racial profiling by the Bloomington, Minnesota, Police Department, but this assertion is not supported by the evidence. Rather, the record demonstrates that Owens was arrested for her conduct. In fact, the Bloomington police officers involved testified that upon learning that she was a Chicago police officer they wanted to “cut her a break” and “unarrest her,” but her conduct continued to be combative and uncooperative. Some of her abusive behavior was captured on video, and/or was stipulated to by the parties. Police Officer Owens’s behavior was unacceptable and is not conduct expected of a Chicago police officer, and violated Minnesota Statute 609.72.1 (“Disorderly Conduct”), thereby violating any law or ordinance in violation of Rule 1 as alleged.

6. The Respondent, Police Officer Meshay Owens, Star No. 7737, 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 that the Superintendent proved by a preponderance of the evidence the following charge:

Count I: On or about February 9, 2014, in the vicinity of 2800 West American Boulevard in Bloomington, Minnesota, at or around 0230 hours, Police Officer Meshay Owens, while off duty, was in a public or private place and engaged in offensive and/or obscene and/or abusive and/or boisterous and/or noisy conduct and/or engaged in offensive and/or obscene and/or abusive language tending reasonably to arouse alarm and/or anger and/or resentment in others, knowing, or having reasonable grounds to know that it would, or would tend to, alarm and/or anger and/or disturb others, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

7. The Respondent, Police Officer Meshay Owens, Star No. 7737, 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 that the Superintendent proved by a preponderance of the evidence the following charge:

Count II: On or about February 9, 2014, at approximately 0245 hours, at 2800 West American Boulevard in Bloomington, Minnesota, at or around 0230 hours, Police Officer Meshay Owens, while off duty, refused to identify herself by giving her name and/or birthdate when requested to do so by the Bloomington, Minnesota, Police Department, thereby impeding the Department's efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

8. The Respondent, Police Officer Meshay Owens, Star No. 7737, 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 that the Superintendent proved by a preponderance of the evidence the following charge:

Count III: On or about February 9, 2014, between approximately 0324 hours and approximately 0337 hours, in the vicinity of 2800 West American Boulevard in Bloomington, Minnesota, at or around 0230 hours, Police Officer Meshay Owens, while off duty, stated, “I am a Chicago Police Officer, Duh,” or words to that effect, and/or, “I hope you sleep real good at night for this one, you know, I really do, but please don’t come to Chicago,” or words to that effect, and/or “you wouldn’t last a day, wouldn’t last a week with the real police,” or words to that effect, to Bloomington, Minnesota, Police Officer Ryan Arbuckle, thereby impeding the Department’s efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference. As stated above, the video from the patrol car, combined with the credible testimony by Officer Arbuckle and Sergeant Ratzloff, establish by a preponderance of the evidence that Officer Owens made the comments attributed to her in the Charges, and brought discredit upon the Department in violation of Rule 2, as alleged.

9. The Respondent, Police Officer Meshay Owens, Star No. 7737, 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 that the Superintendent proved by a preponderance of the evidence the following charge:

Count IV: On or about February 9, 2014, at approximately 0410 hours at the Bloomington, Minnesota, Police Department, located at approximately 1800 West Old Shakopee Road in Bloomington, Minnesota, Police Officer Meshay Owens, while off duty, was intoxicated and/or had a Breath Alcohol Content of .151, thereby impeding the Department’s efforts to achieve its policy and goals and/or bringing discredit upon the Department.

Police Officer Owens admitted that she was drinking at a party she attended down the street from the Embassy Suites Hotel in Bloomington, Minnesota, from 8:00pm until 2:00am. She stated: “I don’t believe I was intoxicated.” (Tr. 274). However, Detective Arbuckle testified that Officer Owens was intoxicated, and that she slurred her speech and was unstable. Sergeant Sparks

said that he “knew she was drunk” by her speech and mannerisms and that “back at the jail, I could smell the alcohol emitting from her.” (Tr. 149-150). The preponderance of the credible evidence, including that the Board specifically finds Detective Arbuckle’s and Sergeant Sparks’s testimony to be more credible than Officer Owens’s testimony, demonstrates that on or about February 9, 2014, at approximately 0410 hours at the Bloomington, Minnesota, Police Department, located at approximately 1800 West Old Shakopee Road in Bloomington, Minnesota, Police Officer Meshay Owens, while off duty, was intoxicated, thereby impeding the Department’s efforts to achieve its policy and goals (Rule 15) and/or bringing discredit upon the Department.<sup>1</sup>

10. The Respondent, Police Officer Meshay Owens, Star No. 7737, 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 that the Superintendent proved by a preponderance of the evidence the following charge:

Count V: Police Officer Meshay Owens failed to immediately submit a written report notifying the Chicago Police Department that she was arrested by the Bloomington, Minnesota, Police Department for Disorderly Conduct and Obstructing Legal Process on or about February 9, 2014, at or near 2800 West American Boulevard in Bloomington, Minnesota, thereby impeding the Department’s efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the findings set forth in paragraphs nos. 5 and 9 above, which are incorporated here by reference. Rule 20 of the Rules of Conduct of the Chicago Police Department require that Officers “submit immediately a written report that any member, including self, is under investigation by

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<sup>1</sup> The Board’s determination that Officer Owens was intoxicated is based solely upon the credible testimony of the Bloomington police officers regarding their observations of her that led them each to separately conclude that she was intoxicated, and is not based upon the results of the breathalyzer examination administered at the police station. Accordingly, the constitutional arguments regarding the breathalyzer are moot, and therefore need not be addressed herein.

any law enforcement agency other than the Chicago Police Department.” In this case Officer Owens admits that she did not notify the Chicago Police Department that she was arrested by the Bloomington, Minnesota, Police Department for Disorderly Conduct and Obstructing Legal Process on or about February 9, 2014, at or near 2800 West American Boulevard in Bloomington, Minnesota, thereby impeding the Department’s efforts to achieve its policy and goals as alleged.

11. The Respondent, Police Officer Meshay Owens, Star No. 7737, charged herein, is **not 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 that the Superintendent did not prove by a preponderance of the evidence the following charge:

Count VI: On or about September 10, 2014, Police Officer Meshay Owens made one or more of the following false statements to Sergeant Chris Tsoukalas of the Chicago Police Department, Bureau of Internal Affairs: she was not informed by the Bloomington, Minnesota, Police Department why they responded to the Embassy Suites Hotel, or words to that effect, and/or she was not informed by the Bloomington, Minnesota, Police Department why they requested her name when they responded to the Embassy Suites Hotel, or words to that effect, and/or she was not informed by the Bloomington, Minnesota, Police Department to quiet down or stay in her room for the night, or words to that effect, and/or she was not asked by the Bloomington, Minnesota, Police Department to see her identification card, or words to that effect, and/or she was not informed by the Bloomington, Minnesota, Police Department that her refusal to supply her name and date of birth would result in her being arrested for obstruction, or words to that effect, thereby impeding the Department’s efforts to achieve its policy and goals and/or bringing discredit upon the Department.

See the findings set forth in paragraphs no. 5 & 9 above, which are incorporated herein by this reference. The Board has determined that Police Officer Meshay Owens was intoxicated on February 9, 2014, in Bloomington, Minnesota. On the unique facts of this case, it is our belief that she could not reasonably be expected to recall the details of the events of that evening, when she was clearly intoxicated. Accordingly, the Board finds that the Superintendent did not establish that



Officer Owens made intentional false statements when she gave her statement on September 10, 2014, to Sergeant Chris Tsoukalas of the Chicago Police Department, Bureau of Internal Affairs, regarding the events that took place while she was intoxicated in Bloomington, Minnesota.

12. The Respondent, Police Officer Meshay Owens, Star No. 7737, charged herein, is **guilty** of violating, to wit:

Rule 8: Disrespect to or maltreatment of any person, while on or off duty,

in that the Superintendent proved by a preponderance of the evidence the following charge:

On or about February 9, 2014, between approximately 0324 hours and approximately 0337 hours, in the vicinity of 2800 West American Boulevard in Bloomington, Minnesota, at or around 0230 hours, Police Officer Meshay Owens, while off duty, stated, "I am a Chicago Police Officer, Duh," or words to that effect, and/or, "I hope you sleep real good at night for this one, you know, I really do, but please don't come to Chicago," or words to that effect, and/or "you wouldn't last a day, wouldn't last a week with the real police," or words to that effect, to Bloomington, Minnesota, Police Officer Ryan Arbuckle, thereby disrespecting or maltreating any person, while on or off duty.

See the findings set forth in paragraph nos. 5 and 8 above, which are incorporated here by reference.

13. The Respondent, Police Officer Meshay Owens, Star No. 7737, charged herein, is **not guilty** of violating, to wit:

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

in that the Superintendent did not prove by a preponderance of the evidence the following charge:

On or about September 10, 2014, Police Officer Meshay Owens made one or more of the following false statements to Sergeant Chris Tsoukalas of the Chicago Police Department, Bureau of Internal Affairs: she was not informed by the Bloomington, Minnesota, Police Department why they responded to the Embassy Suites Hotel, or words to that effect, and/or she was not informed by the Bloomington, Minnesota, Police Department why they requested her name when they responded to the Embassy Suites Hotel, or words to that effect, and/or she

was not informed by the Bloomington, Minnesota, Police Department to quiet down or stay in her room for the night, or words to that effect, and/or she was not asked by the Bloomington, Minnesota, Police Department to see her identification card, or words to that effect, and/or she was not informed by the Bloomington, Minnesota, Police Department that her refusal to supply her name and date of birth would result in her being arrested for obstruction, or words to that effect, thereby making a false report, written or oral.

See the findings set forth in paragraph no. 11 above, which are incorporated here by reference.<sup>2</sup>

14. The Respondent, Police Officer Meshay Owens, Star No. 7737, charged herein, is **guilty** of violating, to wit:

Rule 15: Intoxication on or off duty,

in that the Superintendent proved by a preponderance of the evidence the following charge:

On or about February 9, 2014, at approximately 0410 hours at the Bloomington, Minnesota, Police Department, located at approximately 1800 West Old Shakopee Road in Bloomington, Minnesota, Police Officer Meshay Owens, while off duty, was intoxicated and/or had a Breath Alcohol Content of .151, thereby being intoxicated on or off duty.

See the findings set forth in paragraph no. 9 above, which are incorporated here by reference.<sup>3</sup>

15. The Respondent, Police Officer Meshay Owens, Star No. 7737, charged herein, is **guilty** of violating, to wit:

Rule 20: Failure to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department,

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<sup>2</sup> Respondent's Motion to Dismiss the Rule 14 allegation, which was taken with the case, is deemed moot as the Board has decided that Officer Owens is not guilty of this Charge on the merits. As such, the Board does not reach the issues raised by the Motion to Dismiss.

<sup>3</sup> See *supra* note 1, at page 6.

in that the Superintendent proved by a preponderance of the evidence the following charge:

Count V: Police Officer Meshay Owens failed to immediately submit a written report notifying the Chicago Police Department that she was arrested by the Bloomington, Minnesota, Police Department for Disorderly Conduct and Obstructing Legal Process on or about February 9, 2014, at or near 2800 West American Boulevard in Bloomington, Minnesota, thereby failing to submit immediately a written report that any member, including self, is under investigation by any law enforcement agency other than the Chicago Police Department.

See the findings set forth in paragraph no. 10 above, which are incorporated here by reference.

16. The Police Board has considered the facts and circumstances of the Respondent's conduct, the evidence presented in defense and mitigation, and her complimentary and disciplinary histories.

The Respondent engaged in disorderly conduct in a public place while intoxicated, refused to cooperate with police officers and was disrespectful to them, leading to her arrest. Her behavior on the night in question showed a disregard for the law and brought discredit upon the Chicago Police Department, thereby undermining public confidence in the judgment of its officers.

This is not the first time the Respondent has engaged in serious misconduct as a Chicago police officer. Her disciplinary history, made part of the record as Hearing Officer Exhibit No. 1 without objection from the parties, includes a 7 ½-month suspension in 2006 for making false statements to the Office of Professional Standards (Police Board Case No. 06 PB 2595) and a 10-day suspension in 2008 for being absent from duty without authorization and making a false report to a supervisor (Police Board Case No. 07 SR 2204).

The Respondent offered evidence in mitigation that the Board has considered. A former CPD lieutenant who supervised the Respondent testified that she was a hard worker with

outstanding character and an excellent reputation. Her complimentary history consists of 23 total awards, including 19 honorable mentions. However, the Respondent's accomplishments as a police officer and her former supervisor's positive evaluation of her do not mitigate the seriousness of her actions.

The Respondent's conduct on February 9, 2014, and her disciplinary history warrant her discharge from the Chicago Police Department. Permitting her to continue to serve as a Chicago police officer would impair the Department's mission. Effective law enforcement depends upon a high degree of cooperation between the police department and the public it serves. Conduct such as the Respondent's fosters public distrust and a lack of confidence in police officers, thereby impeding the Department's efforts to achieve the important goals of preventing crime, preserving the public peace, identifying and arresting those who commit crimes, and promoting respect and cooperation of all Chicagoans for the law and those sworn to enforce it.

The Board finds that the Respondent's conduct is sufficiently serious to constitute a substantial shortcoming that renders her continued employment as a police officer detrimental to the discipline and efficiency of the Chicago Police Department, and is good cause for her to no longer occupy her position.

**POLICE BOARD DECISION**

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses, having received the oral report of the Hearing Officer, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts the findings set forth herein by the following votes:

By votes of 9 in favor (Lori E. Lightfoot, Ghian Foreman, Melissa M. Ballate, William F. Conlon, Michael Eaddy, Rita A. Fry, John H. Simpson, Rhoda D. Sweeney, and Claudia B. Valenzuela) to 0 opposed, the Board finds the Respondent **guilty** of violating Rule 1, Rule 2 (Counts I – V), Rule 8, Rule 15, and Rule 20; and

By votes of 9 in favor (Lightfoot, Foreman, Ballate, Conlon, Eaddy, Fry, Simpson, Sweeney, and Valenzuela) to 0 opposed, the Board finds the Respondent **not guilty** of violating Rule 2 (Count VI) and Rule 14.

As a result of the foregoing, the Board, by a vote of 9 in favor (Lightfoot, Foreman, Ballate, Conlon, Eaddy, Fry, Simpson, Sweeney, and Valenzuela) to 0 opposed, hereby determines that cause exists for discharging the Respondent from her position as a police officer with the Department of Police, and from the services of the City of Chicago.

**NOW THEREFORE, IT IS HEREBY ORDERED** that the Respondent, Police Officer Meshay Owens, Star No. 7737, as a result of having been found **guilty** of charges in Police Board Case No. 15 PB 2888, be and hereby is **discharged** from her position as a police officer with the Department of Police, and from the services of the City of Chicago.

This disciplinary action is adopted and entered by a majority of the members of the Police Board: Lori E. Lightfoot, Ghian Foreman, Melissa M. Ballate, William F. Conlon, Michael Eaddy, Rita A. Fry, John H. Simpson, Rhoda D. Sweeney, and Claudia B. Valenzuela.

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 09<sup>th</sup> DAY OF DECEMBER, 2015.

Police Board Case No. 15 PB 2888  
Police Officer Meshay Owens

Attested by:

/s/ LORI E. LIGHTFOOT  
President

/s/ MAX A. CAPRONI  
Executive Director

**DISSENT**

The following members of the Police Board hereby dissent from the Findings and Decision of the majority of the Board.

[None]

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RECEIVED A COPY OF  
THESE FINDINGS AND DECISION  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

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JOHN ESCALANTE  
Interim Superintendent of Police