



City of Cleveland

Justin M. Bibb, Mayor

Department of Public Safety

Karrie D. Howard, Director

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August 5, 2022

Patrol Officer Thomas Rakovec #1695
C/o Bureau of Special Investigations
1300 Ontario Street
Cleveland, Ohio 44113

Re: DBI2021-0238

Patrol Officer Rakovec #1695:

This letter is to advise you, Patrol Officer Thomas Rakovec #1695, of the result of the administrative due process hearing which occurred on February 25, 2022 and then reconvened on June 3, 2022 in the Cleveland Public Auditorium. The hearing was held to address the results of a Civil Service Rule 9.10.14 examination conducted by Doctor Richard Krupkin (MD) on November 18, 2021.

FACTUAL SUMMARY

The City's Civil Service Commission (CSC) approved a Civil Service Commission (CSC) Rule 9.10(14) fitness-for-duty examination. On November 18, 2021, you completed a Functional Capacity Evaluation (FCE) and on November 18, 2021, Doctor Richard Krupkin (MD) concluded that you are no longer able to perform the required functions of a patrol officer and that you will not be able to return to full duty as a patrol officer.

On or about March 7, 2022, you received an independent medical evaluation from your personal primary care physician and submitted the results to the Safety Medical Unit.

STATEMENT OF POLICY

In part: The Manual of Rules sets forth the conduct and behavior to be followed by officers and employees. Any violation of these rules shall be a basis for disciplinary action. Disciplinary action includes, but is not limited to, verbal and written reprimands and the preferring of divisional charges which can result in suspension, loss of pay, demotion or termination. The rules and standards contained in this manual shall apply whether the officer or employee is on or off duty. Where a conflict exists between a Rule and a General Police Order, the Rule provision shall be adhered to.

RULES, POLICIES AND PROCEDURES

Rules of the Civil Service Commission: 9.10 Tenure: Rule 14

PREDISCIPLINARY HEARING

In attendance at the due process hearings that I presided over, were President Jeffrey Follmer, Second Vice President Andrew Gasiewski and Attorney Keith Wolgamuth of the Cleveland Police Patrolmen's Association, Sergeant Ian Mussell of the Internal Affairs Unit, Chief Assistant Director William Menzalora and Assistant Director Amanda Boutton of the Department of Law, Lieutenant Charles DePenti of the Case Preparation Unit, Medical Unit Manager Aikaterini Houston, Assistant Director Jakimah R. Dye and Sergeant Kelly Smith of Department of Public Safety.

During the hearing, your representatives acknowledged receipt of the due process letter.

CONCLUSION

Upon carefully reviewing the evidence presented, the memorialized record and the determination from the Safety Medical Unit that the documentation received from your primary care physician was unsatisfactory, I am abiding by the conclusion of Doctor Krupkin – that you are not able to perform the required functions of a patrol officer, and find there is just cause to impose Civil Service Rule 9.10.14.

Therefore, you are hereby terminated from employment with the City of Cleveland, Department of Public Safety, Division of Police, effective Friday, August 5, 2022.

Sincerely,



Karrie D. Howard, Chief Director
Department of Public Safety

KDH:dad:kas

cc: Dornat Drummond, Chief, Cleveland Division of Police
Jakimah R. Dye, Assistant Director, Department of Public Safety
George E. Coulter, Assistant Director, Department of Public Safety
Joellen O'Neill, Deputy Chief, Executive Officer
Sammy Morris, Acting Deputy Chief, Field Operations
Harold Pretel, Deputy Chief, Homeland Special Operations
Daniel Fay, Deputy Chief, Administrative Operations
Brian Carney, Commander, Bureau of Compliance
Mark Maguth, Commander, Bureau of Support Services
Christopher Viland, Superintendent, Internal Affairs Unit
William Mokshefsky, Sergeant, Officer-in-Charge, Personnel Unit
Cynthia Oliver, Sergeant, Officer-in-Charge, Timekeeping Unit
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
Paul Patton, Director, Department of Human Resources
Michael Spreng, Secretary, Civil Service Commission
William Menzalora, Chief Assistant Director of Law
Amanda Boutton, Assistant Director of Law
Michael Pike, Assistant Director of Law
Monique Tabb-Young, Labor Relations Officer, Human Relations
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Aikaterini Houston, Safety Medical Unit Manager
Eve Bonvissuto, Assistant Administrator, Department of Human Resources
Antoinette McMahan, Sergeant, Officer-in-Charge, Medical Unit
Hassan Aden, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission