



CLEVELAND DIVISION OF POLICE

DIVISIONAL NOTICE

DATE: JANUARY 7, 2022	NUMBER: 22-006
SUBJECT: DISCIPLINE	
CHIEF: <i>Donato. Drummond</i>	PAGE(S): 1 of 5

The following is a disposition of a disciplinary hearing held by the Director of Public Safety on July 23, 2021.

Sergeant Micheal Chapman #9232: Improper Procedure: pursuit violation (failed to log onto Automatic Vehicle Locator (AVL) website) (failed to terminate) – emergency response driving violation (failed to monitor the response of assigned officers via AVL). The disciplinary action was dismissed.

The following is a disposition of a disciplinary hearing held by the Assistant Director of Public Safety on September 24, 2021.

Sergeant Kenneth Allen #9167: Improper Procedure: Wearable Camera System (WCS) violation (failed to place in event mode: ×2) – improper search (outside lung area) (purse) – evidence collection violation (failed to log) – Miranda Warning violation (failed to advise) – failed to supervise – uniform violation (no badge, body armor or badge numerals). Improper Conduct: diminished the esteem of the Division (failed to set proper example for subordinates). Sergeant Kenneth Allen was demoted to Patrol Officer I effective December 3, 2021 (Group I violation (×4) and Group II violation (×5). Group III violation range. Aggravating Factors: third sustained Group II violation, three (3) or more sustained violations occurring in the same group range within a three (3) year period automatically progresses the discipline to the next higher group (Group III), active discipline history, multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range and supervisory rank of the officer – Mitigating Factor: none).

The following is a disposition of a disciplinary hearing held by the Deputy Chief of Administrative Operations on October 11, 2021.

Patrol Officer Trevor Smith #1615: Improper Conduct: unprofessional conduct. Improper Procedure: improper stop – improper citation. Patrol Officer Trevor Smith received a ten (10) workday suspension without pay (Second Group II violation. Aggravating Factor: multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range – Mitigating Factor: none).

PAGE: 2 of 5	SUBJECT: DISCIPLINE	NUMBER: 22-006
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The following are dispositions of disciplinary hearings held by the Director of Public Safety on October 22, 2021.

Patrol Officer Peter Sains #497: Improper Procedure: failed to notify supervisor – failed to attach documentation to report. Improper Conduct: insubordination (refused a lawful direct order). Patrol Officer Peter Sains received a fifteen (15) workday suspension without pay (First Group I violation (×2) and First Group III violation. Aggravating Factor: multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range – Mitigating Factor: no active discipline).

Patrol Officer Willie Hodges #206: Improper Conduct: insubordination (failed to follow a direct order from a supervisor). The disciplinary action was dismissed.

The following are dispositions of disciplinary hearings held by the Deputy Chief of Homeland Special Operations on November 15, 2021.

Sergeant Stephen Beitel #9014: Improper Procedure: improper search (residence). Sergeant Stephen Beitel received a six (6) workday suspension without pay (First Group II violation. Mitigating Factor: no active discipline – Aggravating Factor: supervisory rank of the officer).

Sergeant Thomas Hodous #9223: Improper Conduct: Arrest (Lakewood, Ohio) – operating a motor vehicle under the influence of alcohol or drugs (M-1) – failure to control – pled no contest and found guilty to reckless operation of a vehicle and failure to control. Sergeant Thomas Hodous received an eight (8) workday suspension without pay (First Group II violation. Aggravating Factors: supervisory rank of the officer, the offense had the potential to cause serious harm to the public and active discipline – Mitigating Factor: accepted responsibility).

Patrol Officer Migdelio Camargo #72: Improper Procedure: failed to generate report. Patrol Officer Migdelio Camargo received two (2) workday suspension without pay (First Group I violation. Aggravating Factors: lack of service compromises public trust in the Division and active discipline – Mitigating Factor: none).

Patrol Officer Ryan Sowders #1103: Improper Conduct: unprofessional conduct (comments and tone). Patrol Officer Ryan Sowders received an eight (8) workday suspension without pay (Second Group II violation. Mitigating Factor: comment was made towards another police officer, not the complainant – Aggravating Factor: active discipline).

Patrol Officer Xavier Lynch #730: Improper Procedure: Wearable Camera System (WCS) violation (failed to place in event mode, failed to dock WCS, failed to upload and tag footage and failed to report technical problems to a supervisor). Patrol Officer Xavier Lynch received a ten (10) workday suspension without pay (Second Group II violation. Aggravating Factors: assigned WCS for over one (1) year and active discipline – Mitigating Factor: none).

PAGE: 3 of 5	SUBJECT: DISCIPLINE	NUMBER: 22-006
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The following are dispositions of disciplinary hearings held by the Deputy Chief Executive Officer on November 22, 2021.

Patrol Officer Matthew Diffenbacher #271: Improper Procedure: failed to safeguard and secure assigned divisional equipment (Mobile Terminal Screen) entrusted to his care. Patrol Officer Matthew Diffenbacher received a Non-disciplinary Letter of Reinstruction (First Group I violation. Mitigating Factors: no malice or intent and accepted responsibility – Aggravating Factor: none). In addition, Patrol Officer Matthew Diffenbacher is required to reimburse the City of Cleveland.

Patrol Officer Andreaa Renshaw #413: Improper Procedure: failed to use proper de-escalation techniques. The disciplinary action was dismissed.

Detective Carl Robinson #2364: Improper Procedure: unauthorized secondary employment. Detective Carl Robinson received a one (1) workday suspension without pay (First Group I violation. Aggravating Factors: liability to the City and member was aware of General Police Order 1.02.13 – Mitigating Factors: no active discipline and accepted responsibility).

Patrol Officer Lester Webb #2064: Improper Procedure: involved in a motor vehicle accident (MVA) that was reviewed by the Traffic Safety Analysis Panel (TSAP) and determined to be preventable – Wearable Camera System (WCS) violation (failed to place in buffering mode). Patrol Officer Lester Webb received a Written Reprimand for the preventable MVA. In addition, he received a one (1) workday suspension without pay for the remaining charge (First Group I violation. Aggravating Factors: assigned WCS for over one (1) year, multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range and MVA was ruled preventable – Mitigating Factor: no active discipline).

Patrol Officer Michael Wheeler #1139: Improper Procedure: failed to ask additional questions and notify a supervisor when an arrested female made a sexual assault allegation – failed to ensure arrested female received medical attention prior to being conveyed to the Cuyahoga County Jail. The charge of failing to ask additional questions was dismissed. Patrol Officer Michael Wheeler received a two (2) workday suspension without pay for the remaining charge (First Group I violation. Aggravating Factors: a supervisor should have been consulted prior to conveying the female to County Jail, additional questions should have been asked after a sexual assault allegation was made and failed to ensure that immediate medical needs are addressed – Mitigating Factor: no discipline history).

Patrol Officer Anthony Rice #1886: Improper Procedure: Wearable Camera System (WCS) violation (failed to place on outermost garment) – failed to ensure emergency medical needs were addressed. Patrol Officer Anthony Rice received a ten (10) workday suspension without pay (Second Group II violation. Aggravating Factors: active discipline and multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range – Mitigating Factor: none).

PAGE: 4 of 5	SUBJECT: DISCIPLINE	NUMBER: 22-006
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Patrol Officer Michael Dunn #269: Improper Procedure: failed to thoroughly search suspect – failed to conduct a thorough end of tour inspection. The Group II violation was amended to a Group I violation. Patrol Officer Michael Dunn received a two (2) workday suspension without pay (First Group I violation. Aggravating Factors: multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range, failing to properly search a subject and failing to thoroughly inspect the zone car resulted in a firearm not being discovered – Mitigating Factors: accepted responsibility and no discipline history). In addition, Patrol Officer Michael Dunn is to attend retraining in search and seizure from the Training Section.

The following is a disposition of disciplinary action taken for a pre-disciplinary hearing that was waived by a member and their respective collective bargaining unit during the month of November.

Sergeant Stephanie Maye #9272: Wearable Camera System (WCS) violation (failed to place in event mode). Sergeant Stephanie Maye received a one (1) workday suspension without pay (First Group I violation. Aggravating Factors: assigned WCS for over one (1) year and supervisory rank of the officer – Mitigating Factor: no active discipline).

With a pre-disciplinary hearing pending, the following member separated from the Division of Police.

Patrol Officer Aric Pruitt-Humphrey #1658: Improper Procedure: failed to safeguard evidence (currency and bloody clothing) entrusted to his care. On December 8, 2021, Patrol Officer Aric Pruitt-Humphrey submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against him are dismissed without prejudice. In addition, by submitting his resignation while administrative charges were pending, Patrol Officer Aric Pruitt-Humphrey is barred from withdrawing the resignation under the provisions set forth in Civil Service Rule 8.43 which states, “Wherever an employee or officer in the classified service has resigned while charges of misconduct were pending, such resignation may not be withdrawn”.

The following members were terminated from employment with the City of Cleveland during the month of December.

Patrol Officer Elaina Ciacchi #2066: Improper Conduct: Arrest (Medina Township, Ohio) – operating a motor vehicle under the influence of alcohol or drugs (M-1) – failure to control – reckless operation – found guilty of operating a motor vehicle under the influence of alcohol or drugs (M-1) – diminished the esteem of the Division (uncooperative, belligerent and derogatory statements). (First Group III violation (×2). Aggravating Factors: multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range, Patrol Officer Elaina Ciacchi received a criminal conviction and the offense had the potential to cause serious harm to the public, diminished the esteem of the Division and displayed conduct unbecoming a member of the Division – Mitigating Factor: no active discipline). Patrol Officer Elaina Ciacchi was “Terminated” from employment with the City of Cleveland, Department of Public Safety, Division of Police, effective: December 3, 2021.

PAGE: 5 of 5	SUBJECT: DISCIPLINE	NUMBER: 22-006
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Chief Clerk LaChana Siggers: Improper Procedure: sick leave abuse (second quarter of 2021). Improper Conduct: provided a fraudulent document. The sick leave abuse charge was dismissed. (First Group III violation. Aggravating Factors: a deliberate attempt to justify sick time use by submitting a fraudulent document, deceitfulness and dishonestly, diminished the esteem of the Division – Mitigating Factor: no active discipline). Chief Clerk LaChana Siggers was “Terminated” from employment with the City of Cleveland, Department of Public Safety, Division of Police, effective: December 3, 2021.

Patrol Officer Paul Herrin #2173: Improper Conduct: Arrest (Cleveland, Ohio) – driving or physical control while under the influence of alcohol or drugs (M-1) – stopping after accident upon streets (M-1) – failure to control (MM) – pled guilty to the charge of driving or physical control while under the influence of alcohol or drugs (M-1) – diminished the esteem (engaged in inappropriate conduct and speech towards officers of the Division and a member of the Ohio State Highway Patrol). Patrol Officer Paul Herrin struck another motor vehicle on city streets while knowingly intoxicated, failed to stop after the motor vehicle crash to check on the wellbeing of the vehicle’s driver or juvenile passengers, continued to drive while admittedly intoxicated and put the public at additional risk. (First Group II violation (×2). First Group III violation. Aggravating Factors: multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range, actions had the potential to cause serious injury to the public and diminished the esteem of the Division – Mitigating Factor: no discipline history).

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Office of the Chief