



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Dornat (Wayne) A. Drummond, Chief
FBI NA #230
Division of Police
1300 Ontario Street, Suite 929
Cleveland, Ohio 44113
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Pre-Disciplinary Hearing Letter

November 29, 2022

Patrol Officer Melissa Marquard #1760
C/o First District Headquarters
3895 West 130th Street
Cleveland, Ohio 44111

Re: DBI2022-0101, DBI2022-0107

Patrol Officer Marquard #1760:

Please be advised, in accordance with Article 28 of the collective bargaining agreement between the City of Cleveland and the Cleveland Police Patrolmen's Association, a pre-disciplinary hearing has been scheduled to determine whether you violated the following provisions of the Manual of Rules, Department of Public Safety and the Rules of the Civil Service Commission of the City of Cleveland.

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.

SPECIFICATIONS

Specification #1: (DBI2022-0101) On or about August 6, 2022, at 0800 hours, you, Patrol Officer Melissa Marquard #1760, were Absent Without Leave (AWOL). An officer responded to your home, and after the officer conferred with you, you called to use sick time, all in violation of General Police Order 1.3.24 and Manual of Rules 10.01. (*Group I Violation*)

Specification #2: (DBI2022-0107) On or about August 21, 2022, you, Patrol Officer Melissa Marquard #1760, failed to report for duty at your scheduled start time for a second time within a week, with the previous tardy occurring on August 15, 2022, all in violation of Manual of Rules 10.01. (*Group I Violation*)

These specifications violate the rules and procedures of the Division of Police, Department of Public Safety.

RULES, POLICIES AND PROCEDURES

General Police Order 1.3.24: Sick Leave (effective: 1/1/06)

POLICY: The Cleveland Division of Police shall grant sick leave per the existing collective bargaining agreements and establish procedures for returning members back to full duty following the use of sick leave.

II. Conditions of Sick Leave

- C. Members are paid sick leave only if they notify their immediate supervisor before their scheduled starting time on the first day of absence. Members who fail to make the proper notification shall be considered Absent Without Leave (AWOL) and shall be subject to disciplinary charges.

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police

X. SCHEDULED AND DUTY HOURS

- 10.01 Personnel shall work such hours as assigned, report promptly for duty at the time and place assigned, and shall not be absent from duty without permission from their superior officer.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Wednesday, December 7, 2022, at 1000 hours** in the **Cleveland Division of Police Headquarters, Room 924**. Should you desire union representation, you must notify your union of this hearing. All officers shall have an opportunity to testify. All testimony provided during the hearing shall be given the same weight as sworn testimony; therefore, your statements can and may be used against you at the hearing or a later date. **Any documentation explaining any of the above allegations shall be forwarded to the Case Preparation Unit a minimum of 48 hours before the scheduled hearing. Any new or additional evidence brought to the hearing will result in the hearing being suspended, and the matter shall be returned to the Internal Affairs Unit or the Police Review Board for consideration, as appropriate. In addition, you must bring the documentation to this scheduled hearing.**

If you are to have witnesses appear on your behalf, a Form-1 listing their names must be provided to the Case Preparation Unit via email (CasePrep@clevelandohio.gov) a minimum of 48 hours before the scheduled hearing. You are to ensure the attendance of any witnesses appearing on your behalf, and it is your responsibility to notify said witnesses of the date and time of the hearing. Prior permission for any Division member's attendance **MUST** be obtained from the Case Preparation Unit. Any witnesses appearing are to be in the full uniform of the day. No overtime shall accrue as a result of their attendance.

In accordance with General Police Order 1.1.12: Uniform and Clothing Regulations, you are to appear in the **"CLASS A" UNIFORM** and have your badge, City-issued service weapon and identification card with you. Failure to attend as ordered may subject you to additional disciplinary charges. You shall **PERSONALLY** contact the Case Preparation Unit (216-623-5022) **IMMEDIATELY** if any conflicts would cause your lack of attendance at the scheduled hearing.

THIS WILL BE YOUR TOUR OF DUTY

THESE CHARGES MAY BE AMENDED AT A LATER DATE

Sincerely,



Dornat A. Drummond
Chief of Police

DAD:bpc:cld:la

cc: Karrie D. Howard, Chief Director, Department of Public Safety
Dorothy Todd, Deputy Chief, Chief of Staff
Sammy Morris, Acting Deputy Chief, Field Operations
Harold Pretel, Deputy Chief, Homeland Special Operations
Daniel Fay, Deputy Chief, Administrative Operations
Thomas Stacho, Commander, Second District
Brian Carney, Commander, Bureau of Compliance
Robert Simon, Captain, Office of Compliance
Christopher Viland, Superintendent, Internal Affairs Unit
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
William Menzalora, Chief Assistant Director of Law
Delante Thomas, Chief Ethics Officer
Mary L. Bradley, Executive Director, Civil Service Commission
Sylvia Grimes, Secretary, Civilian Police Review Board
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Ayesha Bell Hardaway, Interim Monitor, Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission