



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

October 25, 2022

**Detective Johnny Harris #692
C/o Fourth District Headquarters
9333 Kinsman Road
Cleveland, Ohio 44104**

Re: CPD2022-0080

Patrol Officer Harris #692:

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: (CPD2022-0080) On or about July 8, 2022, you, Detective Johnny Harris #692, engaged in secondary employment that was not approved, in violation of General Police Order 1.02.13. (*Group I Violation*)

Specification #2: (CPD2022-0080) On or about July 8, 2022, you, Detective Johnny Harris #692, were not wearing the required Class-B uniform shirt, did not have the badge numeral affixed, and did not have the official Cleveland Police badge as required for secondary employment, all in violation of General Police 1.1.12. (*Group I Violation*)

Specification #3: (CPD2022-0080) On or about July 8, 2022, you, Detective Johnny Harris #692, did not have your Taser and second intermediate weapon on your duty belt while engaged in secondary employment, all in violation of General Police 2.01.04. *(Group I Violation)*

Specification #4: (CPD2022-0080) On or about July 26, 2022, you, Detective Johnny Harris #692, were not wearing the required Class-B uniform shirt, did not have the badge numerals affixed, and did not have the official Cleveland Police badge as required for secondary employment, all in violation of General Police 1.1.12. *(Group I Violation)*

Specification #5: (CPD2022-0080) On or about July 26, 2022, you, Detective Johnny Harris #692, did not have your Taser and second intermediate weapon on your duty belt while engaged in secondary employment, all in violation of General Police 2.01.04. *(Group I Violation)*

Specification #6: (CPD2022-0080) On or about July 26, 2022, you, Detective Johnny Harris #692, did not wear your Division issued body armor while engaged in secondary employment, all in violation of General Police 4.06.01. *(Group I Violation)*

These specifications are in violation of the rules and procedures of the Division of Police, Department of Public Safety.

RULES, POLICIES AND PROCEDURES

General Police Order 1.1.12: Uniform and Clothing Regulations (effective: 3/1/02)

POLICY: It is the policy of the Division to ensure that its members present a neat, clean, and professional appearance. Uniformed personnel shall wear only those uniform items and equipment designated by the Chief of Police. Uniform clothing shall be worn and dress code standards shall apply to officers while on duty, at secondary employment, field force duties, special ceremonies, weddings, funerals, memorial services and other related police functions and while traveling directly to and from such functions.

PROCEDURES:

V. Miscellaneous Items

- A. The official Cleveland Police badge shall be worn on the left breast side of the outermost garment using the badge tab, eyelet, or black leather badge board. The badge shall not be modified nor shall any insignias, ornamentation, or emblems be affixed to it except a mourning band may be worn when specifically authorized by the Chief.

- B. Badge Numerals: Patrol officers and sergeants shall wear their badge number sewn on or affixed to any uniform shirt or jacket, 1/4" above the right breast pocket flap. On the commando sweater, the numerals shall be sewn on the right front opposite the badge. The patch size is 2" x 3/4" and the numerals are block numerals 1/2" high. The numerals shall be in such a font size and style whereby the numerals are clearly discernible from a reasonable distance.

General Police Order 1.02.13: Secondary Employment (effective: 12/30/20)

PROCEDURES:

I. General Guidelines

- A. All requests for secondary employment shall be submitted as new requests and may be submitted anytime throughout the year.

II. Secondary Employment Requirements

- A. Members shall obtain permission consistent with procedures within this order before engaging in secondary employment.

General Police Order 2.01.04: Use of Force – Intermediate Weapons (effective: 7/1/19)

PROCEDURES:

I. General

- A. Intermediate Weapons: Requirements to Carry and Qualify

- 3. Uniformed officers shall carry the Conducted Electrical Weapon (CEW) if qualified, and a second intermediate weapon: ASP baton or Oleoresin Capsicum (OC) Spray. If not CEW qualified, officers shall carry both approved intermediate weapons: ASP baton and OC Spray. Officers may elect to carry all three intermediate weapons.

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

II. ADMINISTRATIVE COMPLIANCE

- 2.02 Personnel shall not willfully disobey any rules, General Police Orders or directives of the Division of Police, or any lawful orders, written or oral, issued to them by a superior officer of the Division of Police.
- 2.03 Personnel shall perform all duties required by rules, General Police Orders, directives, or orders of the Division of Police.

- 2.04 Personnel shall study all rules, General Police Orders and directives pertaining to their duties, and shall be held accountable for any action contrary to these instructions.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Monday, November 14, 2022, at 1000 hours** in the **Cleveland Division of Police Headquarters, Room 924**. Should you desire union representation, it is your responsibility to 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 at a later date. **Any documentation that could explain any of the above allegations shall be forwarded to the Case Preparation Unit a minimum of 48 hours prior to the scheduled hearing. Any new or additional evidence brought to the hearing will result in the hearing to be suspended and the matter shall be returned to the Internal Affairs Unit or the Police Review Board for consideration, as appropriate. In addition, it is also your responsibility to bring the documentation to this scheduled hearing.**

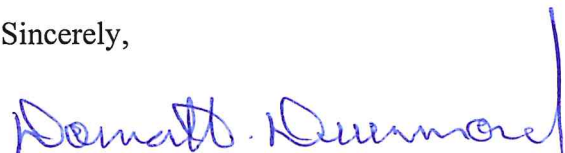
If you are to have witnesses appear on your behalf, a Form-1 listing their names must be provided to the Case Preparation Unit via email (CasePrep@clevelandohio.gov) a minimum of 48 hours prior to the scheduled hearing. It is your responsibility to notify said witnesses of the date and time of the hearing. In addition, it is your sole responsibility to ensure the attendance of any witnesses appearing on your behalf. Prior permission for any Division member's attendance MUST be obtained from the Case Preparation Unit. Any witnesses that will appear are to be in 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 **"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 there are any conflicts that would cause your lack of attendance to 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

Detective Johnny Harris #692

October 25, 2022

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cc: Karrie D. Howard, Chief Director, Department of Public Safety
Dorothy Todd, Deputy Chief, Chief of Staff
Sammy Morris, Acting Deputy Chief, Field Operations
Brandon Kutz, Commander, Fourth District
Brian Carney, Commander, Bureau of Compliance
Robert Simon, Captain, Office of Compliance
Jarod Schlacht, Lieutenant, Internal Affairs Unit
Christopher Viland, Superintendent, Internal Affairs Unit
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Parolmen's Association
Mark Griffin, Chief Director of Law
William Menzalora, Chief Assistant Director of Law
Timothy Puin, Assistant Director of Law
Delante Thomas, Chief Ethics Officer
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Hassan Aden, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission