



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Karrie D. Howard, Director
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November 10, 2022

Patrol Officer Rashawn Rahim #238
C/o Bureau of Community Relations
2001 Payne Avenue
Cleveland, Ohio 44114

Re: CPD2022-0018

Patrol Officer Rahim #238:

This letter is to advise you, Patrol Officer Rashawn Rahim #238, of the result of the administrative pre-disciplinary hearing you attended on Friday, October 14, 2022. The hearing was held to address the results of an internal investigation wherein you were alleged to have engaged in improper procedures and/or misconduct. You were charged with a series of rule violations, which follow:

FACTUAL SUMMARY

Between approximately April 5, 2021, and December 26, 2021, you, Patrol Officer Rashawn Rahim #238 acquired a financial reimbursement from the City of Cleveland for the amount of \$937.50 via the Cleveland Division of Police Tuition Reimbursement Program while also receiving financial reimbursement from the United States Air Force's tuition assistance program in the amount of \$1500.00. This appropriation of funds from the City is beyond the scope of expressed or implied consent of the Division's Tuition Reimbursement Program.

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.

SPECIFICATION

Specification #1: (CPD2022-0018) Between approximately April 5, 2021, and December 26, 2021, you, Patrol Officer Rashawn Rahim #238, did knowingly acquire financial reimbursement in the amount of \$937.50 from the City of Cleveland, via the Cleveland Division of Police Tuition Reimbursement Program, while also receiving financial reimbursement from the United States Air Force's tuition assistance program in the amount of \$1,500. This appropriation of funds from the City is beyond the scope of expressed or implied consent of the Division's Tuition Reimbursement Program. This conduct would constitute the crime of Petty Theft under City of Cleveland Codified Ordinance 625.05, a

Misdemeanor of the First Degree, in violation of General Police Order 1.3.21 and Manual of Rules 2.01 and 5.01. (*Group III Violation*)

This specification is in violation of the rules and procedures of the Division of Police, Department of Public Safety.

RULES, POLICIES AND PROCEDURES

Cleveland Codified Ordinance § 625.05 Petty Theft (Passed 9-23-13, eff. 9-27-13)

General Police Order 1.3.21: Tuition Reimbursement Program (effective date: 2/28/2005)

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police, Rules 2.01 and 5.01.

PREDISCIPLINARY HEARING

In attendance at the administrative pre-disciplinary hearing that I presided over were you, First Vice President David Medina, Second Vice President Andrew Gasiewski and Attorney Joseph Delguyd of the Cleveland Police Patrolmen's Association, Sergeant Michael Schwebs and Lieutenant Jarod Schlacht of the Internal Affairs Unit, Assistant Director Amanda Boutton of the Department of Law, Sergeant Diane Salamon of the Inspection Unit, Sergeant Kelly Smith, Assistant Director George Coulter and Assistant Director Jakimah R. Dye of the Department of Public Safety.

During the hearing, you acknowledged receipt of the charge letter; you and your representatives waived the reading of your charge letter and were then afforded the opportunity to be heard. You entered a plea of "No Contest" to Specification #1 as set forth in the charge letter.

Discipline History

12/29/2020—Appearance of Impropriety (c/w covering WCS)—Suspended 14 Days

Findings and Conclusions

- ***Mitigating and Aggravating Factors***

Mitigating: Accepted responsibility, paid restitution to the City of Cleveland.

Aggravating: Active discipline.

- ***Anomalies***

None.

Disciplinary Conclusion

A thorough review was conducted by the Department of Public Safety. Upon carefully reviewing the evidence incorporated into the record by reference, statements made at the hearing, and pertinent rules, policies and procedures, I have determined that you, Patrol Officer Rashawn Rahim #238 violated General Police Order 1.3.21 and Manual of Rules 2.01 and 5.01 when you acquired a financial reimbursement from the City of Cleveland for the amount of \$937.50 via the Cleveland Division of Police Tuition Reimbursement Program while also receiving financial reimbursement from the United States Air Force's tuition assistance program in the amount of \$1500.00 (*Specification #1*).

Based on the foregoing, I find you "**Guilty**" of Specification #1. Because your intentions were not to defraud the system and flaws in the pre-structured Form-1 associated with General Police Order 1.3.21 were clearly articulated by Sergeant Schwebs during your pre-disciplinary hearing, I am amending this specification from a Group III Violation to a Group I Violation for erroneous reporting. **Consistent with**

City of Cleveland policies and procedures, I am issuing you Written Reprimand for one (1) Group I Violation. This corrective action is within the First Group I violation range of the discipline matrix where mitigating factors (*accepted responsibility, paid restitution to the City of Cleveland*) outweigh aggravating factors (*active discipline*). Additionally, you shall, within five (5) work days of receiving this letter, read General Police Order 1.3.21 and Manual of Rules 2.01 and 5.0 and expect to be reinstructed by a superior officer on that Order and those Rules. Upon completion of the reinstruction, you will email a Form-1 (as an attachment) indicating reinstruction, and endorsed by the same superior officer, to:

- The Case Preparation Unit (caseprep@clevelandohio.gov) and
- The Department of Public Safety (publicsafetyadmin@clevelandohio.gov)

It is the Division's earnest desire that this letter will serve as a deterrent against future acts of this nature. Any prospective acts of same or similar conduct may lead to progressive discipline. Pursuant to the terms and conditions of the collective bargaining agreement between the City of Cleveland and the Cleveland Police Patrolmen's Association, verbal disciplinary warnings and disciplinary written reprimands shall not be used for progressive discipline purposes after one (1) year from the date the discipline was administered, and disciplinary suspensions shall not be used for progressive discipline purposes after three (3) years from the date the discipline was administered.

Sincerely,



Karrie D. Howard, Chief Director
Department of Public Safety

KDH:DAD:kas

cc: Dornat Drummond, Chief, Division of Police
George Coulter, Assistant Director, Department of Public Safety
Jakimah R. Dye, Assistant Director, Department of Public Safety
Nicole Carlton, Assistant Director, Department of Public Safety
Dorothy Todd, Deputy Chief, Chief of Staff
Sammy Morris, Acting Deputy Chief, Field Operations
Brian Carney, Commander, Bureau of Compliance
Arneil Rose, Acting Commander, Bureau of Community Relations
William Menzalora, Chief Assistant Director of Law
Michael Pike, Assistant Director of Law
Amanda Boutton, Assistant Director of Law
Christopher Viland, Superintendent, Internal Affairs Unit
Kenneth Ryan, Lieutenant, Officer-in-Charge, Personnel Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
Cynthia Oliver, Sergeant, Officer-in-Charge, Timekeeping Unit
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Paul Patton, Director, Department of Human Resources
Mary L. Bradley, Executive Director, Civil Service Commission
Michael Evanovich, Investigator, Department of Justice
Richard Rosenthal, Member, Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission
Ayesha Hardaway, Federal Monitoring Team