



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Dornat (Wayne) A. Drummond, Chief
FBI NA #230
Division of Police
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Cleveland, Ohio 44113
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Disposition Letter

November 15, 2022

Detective Jared Germaine #1606
C/o Bureau of Special Services
1300 Ontario Street
Cleveland, Ohio 44113

Re: OPS2021-0277

Patrol Officer Germaine #1606:

This letter is to advise you, Detective Jared Germaine #1606, of the result of the administrative pre-disciplinary hearing, which you attended on September 19, 2022, to address an external investigation wherein you were alleged to have engaged in improper procedure and/or conduct.

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: (OPS2021-0277) The Civilian Police Review Board (CPRB) is recommending to the Chief of Police that the allegation of *Unprofessional Behavior/Conduct* be sustained against you, Patrol Officer Jared Germaine #1606, that on or about October 27, 2021, you violated General Police Order 2.01.02 and Manual of Rules 5.01, 5.08, and 5.09 when you failed to avoid taking unnecessary actions that may escalate the need to use force when you used a harsh level of voice and tone. You did not use strategic communication or voice commands to de-escalate the situation. You did not verbalize to the complainant in a calm manner and normal tone of voice when you threatened to break the complainant's "fucking window" and threatened to "tase" him. (*Group I Violation*)

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

RULES, POLICIES AND PROCEDURES

General Police Order 2.01.02: De-escalation (effective 1/1/18)

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police 5.01, 5.08, and 5.09.

PREDISCIPLINARY HEARING

In attendance at the administrative pre-disciplinary hearing, were you, President Jeffrey Follmer, First Vice President David Medina and Attorney Joseph Delguyd of the Cleveland Police Patrolmen's Association, Vice President Erik Melendez of the Hispanic Police Officers' Association, Investigator Eric Richardson of the Office of Professional Standards, Lieutenant Charles DePenti of the Case Preparation Unit, and Deputy Chief Harold Pretel of Homeland Special Operations, who presided over the hearing.

During the hearing, you acknowledged receipt of the charging 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 "Not Guilty" to Specification #1 of the administrative charges as set forth in the charging letter. Upon carefully reviewing the evidence presented, the memorialized record, as well as the arguments of you and your representatives, the Hearing Officer recommended that you be found "Guilty" of the specification.

FINDINGS AND CONCLUSION

I have carefully reviewed the evidence incorporated into the record by reference, the memorialized record, including statements made at your hearing and the applicable Rules, Policies and Procedures, and I accept and adopt the recommendation of the Hearing Officer and Civilian Police Review Board. You violated General Police Order 2.01.02 and Manual of Rules 5.01, 5.08, and 5.09 when you failed to avoid taking unnecessary actions that may escalate the need to use force when you used a harsh level of voice and tone. You did not use strategic communication or voice commands to de-escalate the situation. You did not verbalize to the complainant in a calm manner and normal tone of voice when you threatened to break the complainant's "fucking window" and threatened to "tase" him.

Based on the foregoing, I find you "**Guilty**" of Specification #1, and I am issuing you a **two (2) workday suspension without pay**. This discipline is within the First Group I violation range of the discipline matrix where aggravating factors (*active discipline*) outweigh mitigating factors (*uncooperative suspect*). **In addition, you will attend Retraining in de-escalation with the Training Section.**

The above imposed suspension shall commence, and be effective the next working day after you are served with this notice. You shall surrender your badge, police identification card, unloaded departmentally issued firearm and three (3) loaded magazines plus one (1) live round to your Commanding Officer or designee, at the end of your shift. Upon completion of the suspension days, you shall retrieve the aforementioned property from your Commanding Officer or designee upon reporting for duty.

Additionally, you shall, within five (5) work days of returning from suspension, read General Police Orders 2.01.02 and Manual of Rules 5.01, 5.08, and 5.09, and expect to be reinstructed by a superior officer on those Orders and 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)

Lieutenant Charles DePenti (cdepenti@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.

Respectfully,



Dornat A. Drummond
Chief of Police

DAD:bpc:cl: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
Daniel Fay, Deputy Chief, Administrative Operations
Brian Carney, Commander, Bureau of Compliance
Christopher Viland, Superintendent, Internal Affairs
Robert Simon, Captain, Office of Compliance
Kenneth Ryan, Lieutenant, 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, Chief Human Resource Officer
George E. Coulter, Assistant Director, Department of Public Safety
Monique Tabb-Young, Labor Relations Officer, Human Relations
William Menzalora, Chief Assistant Director of Law
Delante Thomas, Chief Ethics Officer
Mary L. Bradley, Executive Director, Civil Service Commission
Richard Rosenthal, Member, Monitoring Team
Sylvia Grimes, Secretary, Civilian Police Review Board
Thomas Fisher, Interim Administrator, Office of Professional Standards
Eric Richardson, Acting Senior Investigator, Office of Professional Standards
Michael Evanovich, Investigator, Department of Justice
Ayesha Hardaway, Federal Monitoring Team
Leigh Anderson, Executive Director of the Police Accountability Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission