



City of Cleveland

Justin M. Bibb, Mayor

Department of Public Safety

Dornat (Wayne) A. Drummond, Interim Chief

FBI NA #230

Division of Police

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Pre-Disciplinary Hearing

May 31, 2022

Patrol Officer Othelia Hayden #600
C/o Fourth District Headquarters
9333 Kinsman Road
Cleveland, Ohio 44104

Re: DBI2021-0138

Patrol Officer Hayden #600:

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: (DBI2021-0138) On or about February 8, 2021, you, Patrol Officer Othelia Hayden #600, failed to activate your Wearable Camera System (WCS) prior to responding to a call for service (2021-038610), in violation of General Police Order 4.06.04. (*Group I Violation*)

Specification #2: (DBI2021-0138) On or about February 8, 2021, you, Patrol Officer Othelia Hayden #600, failed to activate your Wearable Camera System (WCS) prior to responding to a call for service (2021-038630), in violation of General Police Order 4.06.04. (*Group I Violation*)

Specification #3: (DBI2021-0138) On or about February 8, 2021, you, Patrol Officer Othelia Hayden #600, failed to complete a process tow after receiving a LEADS message that indicated hold for process in connection with the Vehicle Identification Number (VIN) for other wants, in violation of General Police Order 6.2.13. (*Group I Violation*)

Specification #4: (DBI2021-0138) On or about February 8, 2021, you, Patrol Officer Othelia Hayden #600, failed to complete a LERMS report when you recovered a vehicle taken in an Aggravated Robbery, in violation of General Police Order 6.2.13. (*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 4.06.04: Wearable Camera System (WCS) (effective: 1/1/20)

POLICY: The WCS shall be deployed to ensure transparency and foster trust within our community. It shall be the responsibility of each officer to deploy their WCS in accordance with this order.

PROCEDURES:

I. General Guidelines

- A. All officers assigned a WCS, while in the field, shall activate their camera prior to responding to all calls for service, prior to all investigative or enforcement contacts with the public, or other contact with the public that may or does become adversarial after the initial contact. Officers shall understand there are exceptions and prohibited times to record set forth in Section II.C. and II.D. below.

General Police Order 6.2.13: Stolen/Unauthorized Use of Motor Vehicle Recovery Investigations (effective: 3/1/02)

PROCEDURES:

I. Recovery of motor vehicles:

- A. Officers shall computer check vehicles suspected of being stolen or used without authorization via the Communication Control Section (CCS). If a vehicle is stolen or the subject of an unauthorized use entry, the CCS dispatcher shall retrieve the pertinent data for the requesting officer. This data shall include the original RMS report number, if a local incident and if the vehicle is to be held for processing.
- B. Officers recovering a stolen vehicle shall physically view and record the VIN. CCS shall not provide the VIN, they shall only verify the VIN as transmitted by the officers who recover the vehicle. If the VIN is obscured and the vehicle is locked, the officer shall have the tow truck driver unlock the vehicle so the obstruction may be moved and the VIN viewed.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Monday, June 27, 2022, at 1000 hours** in the Academy Unit. 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
Interim Chief of Police

DAD:bpc:cl:la

cc: Sammy Morris, Acting Deputy Chief, Field Operations
Johnny Johnson, Commander, Fifth District
Brian Carney, Commander, Bureau of Compliance
Robert Simon, Captain, Internal Affairs Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
Melissa Dawson, Sergeant, Employee Assistance Unit
Hassan Aden, Federal Monitoring Team