



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
216/623-5005 • 216/623-5584 Fax
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Pre-Disciplinary Hearing Letter

November 23, 2022

Sergeant Bryan Moore #9104
C/o Fourth District Headquarters
9333 Kinsman Avenue
Cleveland, Ohio 44104

Re: CPD2022-0042

Sergeant Moore #9104:

Please be advised, in accordance with Article 4 of the collective bargaining agreement between the City of Cleveland and the Fraternal Order of Police, Lodge #8, 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.

SPECIFICATION

Specification #1: (CPD2022-0042) On or about Monday, March 07, 2022, while acting in the capacity of a sector supervisor (4S33), you, Sergeant Bryan Moore #9104, failed to report alleged officer misconduct per policy as reported to you by your subordinates via phone call and an incident report that you signed and forwarded, in violation of General Police Order (GPO) 1.07.05 and Manual of Rules 2.04 and 5.01. (*Group II 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 1.07.05: Internal Complaints of Misconduct (effective: 2/21/20)

POLICY: It is the policy of the Division to ensure that all allegations of member misconduct observed or that a member becomes aware of are reported to a supervisor, Internal Affairs or anonymously to Internal Affairs (IA) or the Employee Assistance Unit (EAU). All allegations of misconduct shall be considered and fully, fairly, and efficiently investigated.

PROCEDURES:

I. Reports of Member Misconduct

- D. Where an act of any misconduct is reported to a supervisor, the supervisor shall immediately document and report the incident, via Division tracking software, forwarding the entry to the Internal Affairs Superintendent for review and assignment in accordance with IA procedures and copy the Platoon Commander.

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

II. Administrative Compliance

- 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.

V. Behavior

- 5.01 Personnel shall not engage in any conduct, speech or acts while on duty or off duty that would reasonably tend to diminish the esteem of the Division of Police or its personnel in the eyes of the public.

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,

A handwritten signature in blue ink, appearing to read "D. A. Drummond".

Dornat A. Drummond
Chief of Police

DAD:bpc:eld:kfs

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
Harold Pretel, Deputy Chief, Homeland Special Operations
Brian Carney, Commander, Bureau of Compliance
Brandon Kutz, Commander, Fourth District
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
James O'Malley, President, Fraternal Order of Police, Lodge #8
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