



CLEVELAND DIVISION OF POLICE

DIVISIONAL NOTICE

DATE: NOVEMBER 29, 2022	NUMBER: 22-419
SUBJECT: DISCIPLINE	
CHIEF: <i>Dornat A. Drummond, Chief</i>	PAGE(S): 1 of 9

The following are dispositions of disciplinary hearings held by the Acting Deputy Chief of Field Operations on May 23, 2022.

Superior Officer: Failed to provide guidance to officers on scene and ensure that an assault report is created (*General Police Order 2.2.02, Divisional Notice 20-104 and 20-110 and Manual of Rules 1.06, 4.01, 4.18 and 4.19*) – Failed to wear Personal Protective Equipment (PPE) and failed to enforce that PPE is worn by all responding officers (*Divisional Notice 20-124 and 20-125*). Even though the scene was chaotic, the officer should have ensured that a police report was completed on-scene rather than sending the victim to a district headquarters where the report was completed. The officer took responsibility for the violation (pled “No Contest”). Found “Guilty” of one Group I violation. Considering the officer’s active discipline history (12/13/2021 – one-day suspension), the officer received a Written Reprimand. This corrective action is within the First Group I violation range of the discipline matrix where mitigating factors (*circumstances under which the rule was violated (chaotic scene)*) outweigh aggravating factors (*supervisory rank of officer and active discipline*). The officer failed to ensure compliance with Division Policy regarding N-95 procedures. Reinstruction is appropriate in this instance. The officer received a Non-disciplinary Letter of Reinstruction.

Patrol Officer: Failed to de-escalate and made an unnecessary comment (*Manual of Rules 5.01, 5.08 and 5.09*). The officer made an unnecessary comment, “I’m looking at a child, that’s what I’m looking at,” during an incident where the parties were leaving, and the situation was nearly complete. Reinstruction is appropriate in this instance. The officer received a Non-disciplinary Letter of Reinstruction.

Patrol Officer: Referred to a complainant as “Mr. Don’t Touch Me” during an interaction, and the statements were mocking in nature (*General Police Order 2.01.02 and Manual of Rules 5.01, 5.08, and 5.09*). The officer’s actions and language were used to de-escalate the situation, and the language, while seemingly unorthodox, was not “mocking in nature.” The officer did begin using the complainant’s real name, and the complainant reacted negatively, so the officer reverted to “Mr. Don’t Touch Me.” Found “Not Guilty,” and the disciplinary action was dismissed.

The following is a disposition of a disciplinary hearing held by the Deputy Chief Executive Officer on May 25, 2022.

Patrol Officer: While on duty, in a City-issued uniform, the officer knowingly posted multiple videos on social media absent the approval from the Chief of Police or the Chief’s designee (*General Police Order 7.03.03 and Manual of Rules 2.03, 2.04, 4.12, 5.01 and 5.08*). Found “Guilty” of one Group II violation. Because the officer has two previous active Group II sustained violations, the discipline automatically progresses to the next higher group, placing this corrective action in the Group III violation range. Considering the officer’s active discipline history (8/9/2021 – six-day suspension, 11/3/2021 – eight-day suspension), the officer received a

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ten-day suspension. This discipline is within the First Group III violation range of the discipline matrix when mitigating factors (*redacted any indicators that the officer is a member of the Cleveland Police before posting*) outweigh aggravating factors (*active discipline*).

The following is a disposition of a disciplinary hearing held by the Deputy Chief of Administrative Operations on June 23, 2022.

Chief Dispatcher: While on their public Facebook page, that depicted the Chief Dispatcher in their Dispatcher uniform, made several comments that advocated for the neglect of the City of Cleveland infrastructure, accused all protesters of rioting, accused Black Lives Matter of being a terrorist organization and liked a comment that stated protesters should be shot (*Manual of Rules 5.01*). The Chief Dispatcher used the “Like” button to show support for the opinion that protesters downtown on May 30, 2020, should have been shot. Because the required Ten Day Notice of Investigation was not issued to the then Dispatcher (as required by the CPPA Civilian Collective Bargaining Agreement, Article 31), the Division is contractually barred from imposing discipline. The Chief Dispatcher received a Non-disciplinary Letter of Reinstruction.

The following is a disposition of a disciplinary hearing held by the Director of Public Safety on July 22, 2022.

Patrol Officer: Used their cellular phone to capture a photo of a crime victim while on duty and outside the scope of their duties (*General Police Order 4.06.04*) – Shared a photo of a crime victim via the officer’s cellular phone while on-duty and uploaded this photo to a social media platform, which would also reasonably tend to diminish the esteem of the Division (*General Police Order 7.03.03 and Manual of Rules 5.01*). The officer used their cell phone to capture a photo of a crime victim and shared the photo of the crime victim with other members of the Division of Police via text message and on a Social Media Platform. Found “Guilty” of one Group I violation and one Group III violation. Considering the officer’s active discipline history (2/15/2022 – written reprimand), the officer received a twenty-day suspension. This corrective action is within the First Group III violation range of the discipline matrix when aggravating factors (*active discipline, multiple violations and existence of a demonstrable legal risk to the Division or City*) outweigh mitigating factors (*accepted responsibility*).

The following are dispositions of disciplinary hearings held by the Director of Public Safety on August 12, 2022.

Patrol Officer: Sick leave abuse in the fourth quarter of 2021 (*General Police Order 1.3.06*) – Called in prior to the start of the officer’s shift to use compensatory time that they knew they did not have (*General Police Order 4.04.05 and Manual of Rule 2.02*) – The officer willfully disobeyed a lawful order when they were ordered to check their compensatory and sick time balance days prior, then chose to disregard the order and use the compensatory time in a deceitful manner (*Civil Service Rules 9.10.2 and 9.10.8*) – Failed to report to the Academy Unit for scheduled 2022 Continued Professional Training (CPT) (*General Police Order 4.04.01 and Manual of Rules 10.01 and 10.02*) – Used sick leave after arriving late to the Academy Unit for 2022 Continued Professional Training (CPT) and being ordered to report to the District (*General Police Order 1.3.06*). Found “Not Guilty” of willfully disobeying a lawful order because the officer did confer with the District Timekeeper as ordered by a superior officer. The officer used forty hours of undocumented sick time and displayed a pattern of sick use that preceded or followed scheduled vacation days, holidays and compensatory time during the fourth quarter of

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2021. The officer acknowledged using sick time in such a manner that created a pattern of leave following vacation, holidays and compensatory time, and did fail to report to the Academy Unit for scheduled training and used sick leave after being ordered to return to the district of assignment by a superior officer. Found “Guilty” of four Group I violations. Considering the officer’s active discipline history (none), the officer received a three-day suspension. This corrective action is within the Group I violation range of the discipline matrix when aggravating factors (*multiple violations*) outweigh mitigating factors (*no discipline history*). In addition, the officer was placed on Step-1 of the Sick Leave Abuse Control Program until October 3, 2023.

Patrol Officer: Knowingly caused another to believe that they were going to cause serious physical harm by showing up to the victim’s residence with a firearm and then chasing him around the front of his apartment complex in the presence of multiple city residents. The officer sent a multitude of threatening audio messages, voicemails, text messages, emails and social media messages that were lewd and indecent from their cellphone to the victim prior to showing up at his residence uninvited, all of which made him feel threatened and/or harassed. These actions resulted in the officer being criminally charged for City of Cleveland Codified Ordinance (CCO) 621.06: Aggravated Menacing. This charge was dismissed on Rule 29 by the Court; the preponderance of the evidence supports that the officer did engage in behavior and acts that constitute CCO 621.06: Aggravated Menacing and CCO 621.11: Threatening or Harassing Telecommunications (*Manual of Rules 2.01, 4.12, 5.01, 5.08, and 5.09*) At the hearing, the officer did admit to carrying their City-issued weapon, but it was clear that they did not admit to brandishing or pointing the weapon. The officer’s messages and carrying of their firearm reasonably lead to the conclusion that the victim ran because the officer intended to do him harm. The statements and actions all give support that the complainant believed the officer was capable and willing to harm him had he not fled as the officer gave chase. The string of text message evidence shows that the officer was emotionally hurt and not thinking clearly. They also show that while the officer may have intended to create a belief in the complainant that they would hurt him, the officer later stated, “I could never bring myself to kill you...” While sobering, this statement raises significant concerns. A preponderance of the evidence supports that the conduct the officer engaged in is contrary to the values of the Division, interferes with its mission, operations or professional image, or involves a demonstrable serious risk to officer or public safety and is more in line with a Group II violation. The Group III violation was amended to a Group II violation. Found “Guilty” of two Group II violations. Considering the officer’s active discipline history (none), the officer received a ten-day suspension. This corrective action is within the Group II violation range of the discipline matrix when aggravating factors (*criminal violation of Cleveland Codified Ordinance, the potential of injury or harm to the public, multiple violations from a single event or incident and severity of the actions*) outweigh mitigating factors (*no active discipline*).

The following is a disposition of a disciplinary hearing held by the Director of Public Safety on August 19, 2022.

Patrol Officer: Failed to de-escalate by taking unnecessary actions leading to the escalation of the need to use force. The officer escalated the situation by being loud, confrontational and aggressive to a possible suspect (*General Police Order 2.01.02*) – Failed to report a use of force to the supervisor on scene after pushing a person to the ground that was filming the incident (*General Police Order 2.01.05*) – Placed a suspect into handcuffs without asking for the suspect’s identifying documents or information when there were no indicators that the suspect would flee or become a safety risk. The officer did not ask for compliance or give verbal

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commands for the suspect to turn around for handcuffing (*General Police Order 2.02.01*) – Failed to provide their name, rank or badge number after being requested twice by a citizen (*Manual of Rules 4.13*) – Arrested and used force on someone that was standing in a place they were legally able to be. The officer failed to give instructions as to where the subject could stand when the subject was only verbally confrontational and exercising their First Amendment rights. The officer then stated, “If the other one comes back, he goes too,” referencing the person involved in the unreported use of force (*General Police Order 2.01.03*) – Used force on an individual who was standing in a place they had a legal right to be. The force used was not necessary or proportional to the threat or resistance the individual displayed (*General Police Order 2.01.03*). The officer failed to de-escalate properly during a call for service. The officer was loud, aggressive and confrontational in their initial contact with a subject and created a situation where they needed to use force without first using de-escalation tactics such as time, distance, cover, or requesting a supervisor and EMS. The officer failed to report a use of force to a supervisor when they used force that was more than de minimus and pushed a subject to the ground. The officer placed a suspect into handcuffs without asking for the suspect's identifying documents or any information when there were no indicators that the suspect would flee or become a safety risk and did not ask for compliance or give verbal commands for the suspect to turn around for handcuffing. The officer failed to provide their name, rank or badge number after being asked twice by a citizen, arrested and used force on someone that was standing in a place they were legally able to be. The officer failed to give instructions as to where the subject could stand when the subject was only verbally confrontational and exercising their First Amendment rights, and the force used was unnecessary and not proportional to the subject's level of resistance. Found "Guilty" of two Group I violations, two Group II violations and two Group III violations. Considering the officer's active discipline history (9/10/2021 – seven-day suspension, 12/9/2021 – 8-day suspension, 3/18/2022 – 20-day suspension), the officer received a thirty-day suspension and will be transferred from the Second District, in accordance with General Police Order 1.07.06 (I. Table of Discipline, Section F). This corrective action is within the Second Group III violation range of the discipline matrix when aggravating factors (*multiple violations, active discipline and a demonstrable legal or financial risk to the Division or City*) outweigh mitigating factors (*none*).

The following are dispositions of disciplinary hearings held by the Deputy Chief of Administrative Operations on August 22, 2022.

Superior Officer: Involved in a vehicle pursuit of a mini bike and failed to notify a superior officer to respond to the scene to conduct the follow-up investigation (*General Police Order 3.2.02*) – Involved in a vehicle pursuit of a mini bike and entered their investigation of the pursuit into BlueTeam (*BlueTeam Quick Start Guide for Entering a Vehicle Pursuit and Manual of Rules 2.02*) – Entered a vehicle pursuit into BlueTeam and failed to promptly forward through their chain of command (*General Police Order 3.2.02*). There is a conflict with General Police Order 3.2.02, which states, "All pursuits that result in accidents where property damage, injury, or death occurs shall be the subject of an investigation" and further states, "Pursuits that do not result in property damage or injury require only the completion of the Vehicle Pursuit Form." This incident did not result in property damage, injury or death. Found "Not Guilty" of failing to notify a superior officer to respond to the scene to conduct the follow-up investigation and entering their investigation of the pursuit into BlueTeam. The officer failed to forward the BlueTeam entry well beyond the seven-day requirement. BlueTeam entries must be reviewed and forwarded in a timely manner to support the efficiencies of the Division. Because of the

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conflict between General Police Order 3.2.02 and the BlueTeam Manual, reinstruction is appropriate. The officer received a Non-disciplinary Letter of Reinstruction.

Superior Officer: Conducted an inventory of a vehicle's contents and failed to remove valuable items (i.e., wallet and wireless hotspot) from a vehicle and tag and enter them in the district or unit property book (*General Police Order 8.2.01*). The officer did fail to remove valuable items from a vehicle and enter them in the district or unit property book. Found “Guilty” of one Group I violation. Considering the officer’s active discipline history (12/14/2020 – written reprimand, 2/11/22 – 2-day suspension), the officer received a two-day suspension. This discipline is within the Second Group I violation range of the discipline matrix when aggravating factors (*active discipline, supervisory rank of officer*) outweigh mitigating factors (*none*).

Superior Officer: Sick leave abuse in the fourth quarter of 2021 (*General Police Order 1.3.06*) – Sick leave abuse in the first quarter of 2022 (*General Police Order 1.3.06*) – Sick leave abuse in the second quarter of 2022 (*General Police Order 1.3.06*). The officer used seventy hours of undocumented sick time and displayed a pattern of sick use that preceded or followed scheduled vacation days for the fourth quarter of 2021, used ninety hours of undocumented sick time and displayed a pattern of sick use that preceded or followed scheduled vacation days for the first quarter of 2022 and ninety hours of sick time without providing documentation to the Medical Unit in the second quarter of 2022. The officer received a Non-disciplinary Letter of Reinstruction, placing the officer on Step-1 of the Sick Leave Abuse Control Program until September 20, 2023.

Superior Officer: Worked secondary employment without approval (*General Police Order 1.02.13*) – Worked secondary employment without wearing a ballistic vest (*General Police Order 4.06.01*) – Worked secondary employment without carrying intermediate weapons (*General Police Order 1.02.13*). The officer engaged in unauthorized secondary employment at First Federal of Lakewood (Cleveland, Ohio) and failed to carry intermediate weapons and wear a ballistic vest. The officer took responsibility for the violations (pled “No Contest”). Found “Guilty” of three Group I violations. Considering the officer’s active discipline history (*none*), the officer received a two-day suspension. This discipline is within the First Group I violation range of the discipline matrix when aggravating factors (*multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range, the supervisory rank of officer*) outweigh mitigating factors (*no active discipline, took responsibility*).

Patrol Officer: Sick leave abuse in the first quarter of 2022 (*General Police Order 1.3.06*). The officer used forty-eight hours of undocumented sick time and displayed a pattern of sick use that preceded or followed scheduled vacation days in the first quarter of 2022. Reinstruction is appropriate regarding this instance of sick abuse. The officer received a Non-disciplinary Letter of Reinstruction, placing the officer on Step-1 of the Sick Leave Abuse Control Program until September 6, 2023.

Patrol Officer: Sick leave abuse in the first quarter of 2022 (*General Police Order 1.3.06*). The officer used fifty hours of undocumented sick time in the first quarter of 2022. Reinstruction is appropriate regarding this instance of sick abuse. The officer received a Non-disciplinary Letter of Reinstruction, placing the officer on Step-1 of the Sick Leave Abuse Control Program until September 8, 2023.

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Patrol Officer: While investigating a Motor Vehicle Accident (MVA), removed the Wearable Camera System (WCS) from their person and placed it on the roof of the vehicle while having a conversation with a supervisor regarding an off-duty member of the Division involved in the MVA (*General Police Order 4.06.04*). The officer took responsibility for the violation (pled “No Contest”). Reinstruction is appropriate in this instance. The officer received a Non-disciplinary Letter of Reinstruction.

Patrol Officer: Driving a motor vehicle while under the influence of alcohol or drugs in violation of Cleveland Codified Ordinance (CCO) 433.01; found guilty of that same offense in a court of law (Cleveland Municipal Court Case 2022-TRC-002776) (*Manual of Rules 2.01, 2.02 and 5.01*) – Failed to control a motor vehicle, striking two parked vehicles in violation of Cleveland Codified Ordinance 431.34A; found guilty of that same offense in a court of law (Cleveland Municipal Court Case 2022-TRD-003085) (*Manual of Rules 2.01 and 2.02*). The officer took responsibility for the violation (pled “No Contest”). Found “Guilty” of one Group I violation and one Group II violation. Considering the officer's active discipline history (none), the officer received an eight-day suspension. This discipline is within the First Group II violation range of the discipline matrix when aggravating factors (*actions had the potential to cause injury and harm to the public*) outweigh mitigating factors (*no active discipline, accepted responsibility*).

Patrol Officer: Failed to possess a Division issued firearm while assisting the United States Secret Service with a Presidential protection mission (*General Police Order 1.3.11*) – Placed the public in danger and diminished the esteem of the Division by jumping onto a plastic bag with unknown contents and stating, “Boom” during an explosive sweep (*Manual of Rules 4.03 and 5.01*) – Disrespectful and insolent towards a superior officer when the officer directly referred to the supervisor as an expletive (*Manual of Rules 2.06*). – Did not operate a Cleveland Division of Police vehicle in a safe manner, to wit: sped up and depressed the brake pedal, causing the vehicle to slide on the wet, snow-covered pavement (*Manual of Rules 6.03*) – Failed to possess a Wearable Camera System (WCS) while on-duty (*General Police Order 4.06.04*) – Disrespectful and insolent towards a superior officer when the officer stated that he did not want the superior officer inside their Division issued vehicle (*Manual of Rules 2.06*) – Disrespectful and insolent towards a superior officer when the officer told a superior officer, “I’m not your officer” (*Manual of Rules 2.06*). There was a lack of corroborating evidence (i.e., Wearable Camera System video, venue video, or a witness) regarding, "jumping onto a plastic bag with unknown contents and stating, 'Boom' during an explosive sweep." Found "Not Guilty," and the disciplinary action was dismissed. There was no damage sustained to the police vehicle the officer was operating, and there is a witness indicating he did not observe the officer driving in an unsafe manner. Found "Not Guilty," and the disciplinary action was dismissed. There is no corroborating evidence that the officer was not wearing their Wearable Camera System (WCS), and it is possible that the supervisor may not have seen the wearable camera due to the officer wearing a jacket because of inclement weather. Found "Not Guilty," and the disciplinary action was dismissed. The statement, "I am not your officer," does not rise to the level of "disrespectful, mutinous, insolent or abusive" language, as noted in the Manual of Rules 2.06. Found "Not Guilty," and the disciplinary action was dismissed. The officer did fail to possess a Division-issued firearm but did have a firearm and other duty equipment nearby. Reinstruction is appropriate in this instance. The officer received a Non-disciplinary Letter of Reinstruction. The officer admitted at the pre-disciplinary hearing that he said the expletive. The context of the quote cannot be determined with certainty, and the specification was amended from a Group II violation to a Group I violation (conduct that has a negative impact on the operations or

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professional image of the Division or that negatively impacts relationships with other officers, agencies or the public). The officer admitted at the pre-disciplinary hearing that he did not want the supervisor to ride back with him. The officer was trying to de-escalate that day's interactions between himself and the supervisor, and the specification was amended from a Group II violation to a Group I violation (conduct that has a negative impact on the operations or professional image of the Division or that negatively impacts relationships with other officers, agencies or the public). Found "Guilty" of two Group I violations. Considering the officer's active discipline history (none), the officer received a Written Reprimand. This corrective action is within the first Group I violation range of the discipline matrix when mitigating factors (*no active discipline*) outweigh aggravating factors (*none*).

The following is a disposition of a disciplinary hearing held by the Director of Public Safety on September 9, 2022.

Patrol Officer: Conspired with a sibling to damage tires on vehicles owned by two separate members of the Cleveland Division of Police. The officer admitted to driving a sibling to the home of a member of the Cleveland Division of Police, where the sibling placed screws near the driveway of the home where two vehicles were parked. The screws flattened tires on two vehicles owned by the members of the Division of Police. The officer's complicity in damaging the tires is in violation of ORC 2909.06: Criminal Damaging or Endangering (*Manual of Rules 2.01, 5.01, 5.08, and 5.09*) – During a Garrity interview, the officer admitted that they failed to notify their immediate supervisor that they were the subject of a criminal investigation by the Lakewood Police Department (22-000070) which involved an incident that took place on or about January 6, 2022 (*General Police Order 1.07.05*) – Sick leave abuse in the fourth quarter of 2021 (*General Police Order 1.3.06*). The officer stated that when they were contacted by the Lakewood Police Department concerning the criminal investigation in which they were a suspect, they did notify a supervisor in the Employee Assistance Unit regarding the circumstances and involvement, satisfying the requirements of General Police Order 1.07.05. This specification was "Dismissed." The officer pled "No Contest," and did admit to their role in damaging the tires. Found "Guilty" of one Group I violation and one Group III violation. Considering the officer's active discipline history (7/20/2020 – seven-day suspension, 3/24/2021 – four-day suspension), the officer received a twenty-day suspension and will be transferred from the Second District, in accordance with General Police Order 1.07.06 (I. Table of Discipline, Section F). This corrective action is within the First Group III violation range of the discipline matrix when aggravating factors (*active discipline, multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range*) outweigh mitigating factors (*accepted responsibility, paid restitution to both victims*). In addition, the officer used thirty-five hours of undocumented sick time, fifty-two hours total of sick time, indicating a pattern of sick abuse and was placed on Step-1 of the Sick Leave Abuse Control Program until October 31, 2023.

The following is a disposition of a disciplinary hearing held by the Deputy Chief of Homeland Special Operations on September 19, 2022.

Patrol Officer: Arrested by the North Royalton Police Department for Operating a Vehicle Under the Influence (OVI), in violation of North Royalton Codified Ordinance 434.01a1A (M-1); On May 12, 2022, the officer pled "no contest" in North Royalton Mayor's Court (22TRC00297) to an amended charge of Physical Control, North Royalton Codified Ordinance 434.01(o) (M-1) (*Manual of Rules 2.01, 4.12, 5.01 and 5.08*). The officer pled "no contest" to a

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Misdemeanor of the First Degree. Found “Guilty” of one Group II violation. Considering the officer’s active discipline history (none), the officer received an eight-day suspension. This discipline is within the First Group II violation range of the discipline matrix when aggravating factors (*actions had the potential to cause injury and harm to the public*) outweigh mitigating factors (*no discipline history, accepted responsibility*).

The following is a disposition of a disciplinary hearing held by the Deputy Chief of Administrative Operations on September 21, 2022.

Patrol Officer: Failed to guard a prisoner properly, which allowed the prisoner to escape (*General Police Order 3.02.02*) – Removed their Wearable Camera System (WCS) from their outermost garment (*General Police Order 4.06.04*). The officer failed to maintain visual contact with an arrested male they were guarding at the hospital, resulting in the arrested male escaping. The officer removed their Wearable Camera System (WCS) from their outermost garment and placed it on a table. The officer took responsibility for the violation (pled “No Contest”). Found “Guilty” of one Group I violation and one Group II violation. Considering the officer’s active discipline history (none), the officer received a six-day suspension. This discipline is within the First Group II violation range of the discipline matrix when mitigating factors (*accepted responsibility and no discipline history*) outweigh aggravating factors (*none*).

The following is a disposition of a disciplinary hearing held by the Deputy Chief Executive Officer on October 10, 2022.

Patrol Officer: Operated a Police vehicle that was involved in a motor vehicle crash that was reviewed by the Traffic Safety Analysis Panel and determined to be preventable (*General Police Order 4.01.01 and Manual of Rules 4.03, 6.03 and 6.05 and Civil Service Rules 9.10 (12) and (18)*). While using the police vehicle’s PA system in the inner perimeter of a SWAT standoff, the officer was ordered to move the vehicle and, while doing so, caused minor damage to the vehicle. The officer took responsibility for the violation (pled “No Contest”). Reinstruction is appropriate in this instance. The officer received a Non-disciplinary Letter of Reinstruction.

The following is a disposition of disciplinary action taken for a pre-disciplinary hearing that was waived by a member and their respective collective bargaining unit during the month of September.

Patrol Officer: Involved in a motor vehicle accident (MVA) that was reviewed by the Traffic Safety Analysis Panel (TSAP) and determined to be preventable (*Manual of Rules 4.03, 6.03 and 6.05, and Civil Service Rules 9.10 (12) and (18)*). This was the officer’s second preventable motor vehicle accident within two years. The officer took responsibility for the violations. Found “Guilty” of one Group I violation. Considering the officer’s active discipline history (none), the officer received a Written Reprimand. This corrective action is within the First Group I violation range of the discipline matrix when mitigating factors (*accepted responsibility and no active discipline*) outweigh aggravating factors (*none*).

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With a pre-disciplinary hearing pending, the following members separated from the Division of Police.

Patrol Officer: Violation of Ohio Revised Code 2903.21 (aggravated menacing): The officer brandished their City of Cleveland issued firearm while threatening multiple people, to wit: “flashing a handgun and threatening to shoot everyone in the bar,” “pulled a gun on all of us,” “stated how he would harm everyone in the establishment with his firearm,” “showed his gun and threatened to shoot up the whole bar” (*Manual of Rules 2.01, 2.14 and 5.01*) – Violation of Ohio Revised Code 2923.121 (possession of firearm in beer liquor permit premises): The officer entered a plea of “guilty” and the Court accepted the plea and found the officer “guilty” of Ohio Revised Code 2923.121(A)(E), a Felony of the Third Degree (*Manual of Rules 2.01, 2.14 and 5.01*) – Violation of Ohio Revised Code 4511.19 (operating vehicle under the influence of alcohol or drugs – OVI): On June 29, 2022, the officer entered a plea of “guilty” and the Court accepted the plea and found the officer “guilty” of Ohio Revised Code 4511.19(A)(1)(A)(G)(1)(A), a Misdemeanor of the First Degree (*Manual of Rules 2.01, 2.14 and 5.01*). On September 1, 2022, the officer submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against the officer are dismissed without prejudice. In addition, by submitting the resignation while administrative charges were pending, the officer is barred from withdrawing the resignation under the provisions set forth in Civil Service Rule 8.43, which states, "Wherever an employee or officer in the classified service has resigned while charges of misconduct were pending, such resignation may not be withdrawn."

Patrol Officer: Diminished the Esteem of the Division when the officer shared a photo of a crime victim, captured while on duty, to a social media platform (*General Police Order 7.03.03 and Manual of Rules 5.01*) – Failed to report misconduct committed by another member of the Division who sent the officer a photo of a crime victim (*General Police Order 1.07.05*). On September 13, 2022, the officer submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against the officer are dismissed without prejudice. In addition, by submitting the resignation while administrative charges were pending, the officer is barred from withdrawing the resignation under the provisions set forth in Civil Service Rule 8.43, which states, "Wherever an employee or officer in the classified service has resigned while charges of misconduct were pending, such resignation may not be withdrawn."

Patrol Officer: Failed to review video evidence of an alleged assault and failed to complete a Domestic Violence report (*General Police Order 3.4.16*). On September 13, 2022, the officer submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against the officer are dismissed without prejudice. In addition, by submitting the resignation while administrative charges were pending, the officer is barred from withdrawing the resignation under the provisions set forth in Civil Service Rule 8.43, which states, "Wherever an employee or officer in the classified service has resigned while charges of misconduct were pending, such resignation may not be withdrawn."

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Office of the Chief