



City of Cleveland

Justin M. Bibb, Mayor

Department of Public Safety

Karrie D. Howard, Director
601 Lakeside Avenue, Room 230
Cleveland, Ohio 44114-1015
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Pre-Disciplinary Hearing Letter

September 22, 2022

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

Re: OPS2022-0043

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: (OPS2022-0043) On or about February 1, 2022, you, Sergeant Bryan Moore #9104, failed to ask any substantive questions and left important decisions to subordinate officers, causing a delay in the complainant's medical care, in violation of General Police Order 3.02.01 and Manual of Rules 1.06. (*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 3.02.01: Arrestee Medical and Mental Health Needs (effective: 2/2/2021)

POLICY: It is the policy of the Cleveland Division of Police that its members shall respond promptly to the medical and mental health needs of arrestees. Once an arrestee is in the custody of the Cuyahoga County Corrections Center (CCCC), the CCCC will provide for an arrestee's medical and mental health needs.

PROCEDURES:

- I. General Guidelines
 - A. Members shall not convey any arrestee who they know, or should be reasonably aware, is in need of immediate medical attention
- II. Medical Treatment
 - A. Members shall:
 - 1. Transport the arrestee to the nearest hospital for medical treatment.
- II. St. Vincent Charity Hospital Psychiatric Emergency Department
 - A. Members shall:
 - 1. Respond to the psychiatric emergency department, ring the bell for entry and/or request prior notification by the CCS.
 - a. Officers will be met by hospital security at the psychiatric emergency department entrance.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Friday, September 30, 2022, at 1000 hours** in the **Cleveland Public Auditorium (Room LL09)**. 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,

A handwritten signature in black ink, appearing to read "Karrie D. Howard". The signature is stylized with a large, looped "K" and a cursive "D".

Karrie D. Howard, Chief Director
Department of Public Safety

KDH:dad:bpc:cld:la

cc: Dornat Drummond, Chief, Division of Police
George E. Coulter, Assistant Director, Department of Public Safety
Jakimah R. Dye, Assistant Director, Department of Public Safety
Sammy Morris, Acting Deputy Chief, Field Operations
Dorothy Todd, Deputy Chief, Chief of Staff
Brandon Kutz, Commander, Fourth District
Brian Carney, Commander, Bureau of Compliance
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
Paul Patton, Director, Department of Human Resources
William Menzalora, Chief Assistant Director of Law
Michael Pike, Assistant Director of Law
Amanda Boutton, Assistant Director of Law
Michael Hess, Chairperson, Civilian Police Review Board
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Jason Goodrick, Executive Director, Cleveland Community Police Commission
Hassan Aden, Federal Monitoring Team