



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

September 1, 2022

Patrol Officer Thomas Hicks #2410
Third District Headquarters
4501 Chester Avenue
Cleveland, Ohio 44103

Re: CPD2022-0089

Patrol Officer Hicks #2410:

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: (CPD2022-0089) On or about March 4, 2022, you, Patrol Officer Thomas Hicks #2410, failed to notify your immediate supervisor that you were respondent of a restraining order after becoming aware through the Superior Court of Justice in Ontario Canada, all in violation of General Police Order 1.07.05. (*Group III Violation*)

Specification #2: (CPD2022-0089) On or about July 26, 2022, you, Patrol Officer Thomas Hicks #2410, failed to notify your immediate supervisor that you were the subject of a criminal investigation being conducted by the Ontario Provincial Police regarding the violation of a court-ordered restraining order, all in violation of General Police Order 1.07.05. (*Group III 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 1.07.05: Internal Complaints of Misconduct (effective date: February 21, 2020)

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.

IV. Reporting Certain Events

- A. Officers detained as the subject of a criminal investigation, or who become the subject of a criminal investigation, shall immediately notify their immediate supervisor or the next available on duty supervisor in their chain of command, via the Communication Control Section.
 - 1. As soon as practical, and before leaving their district/unit at the start of their work shift, the officer shall submit a Form-1 describing the incident to their immediate supervisor.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Friday, September 9, 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: Sworn Officers Uniform 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 fluid and cursive, with the first name "Karrie" being more prominent.

Karrie D. Howard, Chief Director
Department of Public Safety

KDH:dad:bpc:cld:la

cc: Dornat A. Drummond, Chief, Division of Police
George Coulter, Assistant Director of Operations, Department of Public Safety
Jakimah R. Dye, Assistant Director, Department of Public Safety
Sammy Morris, Acting Deputy Chief, Field Operations
Brian Carney, Commander, Bureau of Compliance
Dorothy Todd, Commander, Chief's Office
Christopher Viland, Superintendent, Internal Affairs Unit
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
Paul Patton, Chief Human Resources Officer
William Menzalora, Chief Assistant Director of Law
Amanda Boutton, Assistant Director of Law
Michael Pike, Assistant Director of Law
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Hassan Aden, Federal Monitoring Team