



City of Cleveland

Justin M. Bibb, Mayor

Department of Public Safety

Karrie D. Howard, Director

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Pre-Disciplinary Hearing Letter

October 7, 2022

Patrol Officer John Halkiadakis #2583
C/o Second District Headquarters
3841 Fulton Road
Cleveland, Ohio 44109

Re: DBI2022-0085

Patrol Officer Halkiadakis #2583:

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: (DBI2022-0085) On or about July 4, 2022, you, Patrol Officer John Halkiadakis #2583, while guarding a prisoner during a hospital detail, did knowingly allow the prisoner to be unrestrained and alone which directly led to his escape, all in violation of General Police Order 3.02.02 and Manual of Rules 2.02 and 2.03. (*Group II Violation*)

Specification #2: (DBI2022-0085) On or about July 4, 2022, you, Patrol Officer John Halkiadakis #2583, failed to place your Wearable Camera System (WCS) on your outermost garment which caused you to be unable to place it in event mode while attempting to chase and apprehend an escaped prisoner, all in violation of General Police Order 4.06.04 and Manual Rules 2.02 and 2.03. (*Group I Violation*)

Specification #3: (DBI2022-0085) On or about July 4, 2022, you, Patrol Officer John Halkiadakis #2583, were untruthful in your statements regarding this incident, verbal and written, when you were asked by a superior officer about the events the led to and during the escape, all in violation of Manual of Rules 3.12. (*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 3.02.02: Guarding Arrestees at Hospitals (effective: 2/2/21)

POLICY: It is the policy of the Cleveland Division of Police that its members shall maintain safe and secure conditions when transporting to and guarding arrestees at hospitals while ensuring minimal disruption to hospital operations.

PROCEDURES:

III. Guard Details

B. Officer Responsibilities

1. The officer assigned to the guard detail shall:
 - a. Maintain visual contact with the arrestee at all times as practicable.
 - b. If the arrestee is not totally incapacitated, secure the arrestee's leg or arm to a fixed area of the bed.
2. The guard detail shall not:
 - a. Leave the arrestee's room or the assigned post directly outside the arrestee's room unless relieved by hospital security or a sworn Division member.

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

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.

II. Camera Deployment

- A. Beginning of tour of duty officers shall:
 2. Place the WCS, with the camera in the upright position, in a location, on the upper chest, that will most closely capture the officer's field of view.

- a. The WCS shall not be placed on the belt or lower chest area.
 - b. If the WCS is secured to an outer garment that is removed, the WCS shall be removed from the outer garment and placed as required above.
- B. During tour of duty requirements for recording officers shall:
- 1. Prior to responding to all calls for service and prior to all investigative or enforcement contacts with the public, place their WCS into event mode, including but not limited to:
 - h. Any situation an officer believes captured media may be of use.

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

II. ADMINISTRATIVE COMPLIANCE

- 2.02 Personnel shall not willfully disobey any rules, General Police Orders or directives of the Division of Police, or any lawful orders, written or oral, issued to them by a superior officer of the Division of Police.
- 2.03 Personnel shall perform all duties required by rules, General Police Orders, directives, or orders of the Division of Police.

III. ETHICS

- 3.12 Personnel shall be truthful and unbiased in all written reports, verbal reports, court testimony and conversations affecting the Division of Police, its officers and employees or persons under its jurisdiction.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Friday, October 14, 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.

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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,



Karrie D. Howard, Chief Director
Department of Public Safety

KDH:dad:bpc:clد:kfs

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
Thomas Stacho, Commander, Second District
Brian Carney, Commander, Bureau of Compliance
Robert Simon, Captain, Office of Compliance
Christopher Viland, Superintendent, Internal Affairs Unit
Jarod Schlacht, Lieutenant, Officer-in-Charge, 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
Mark Griffin, Chief Director of Law
William Menzalora, Chief Assistant Director of Law
Michael Pike, Assistant Director of Law
Timothy Puin, Assistant Director of Law
Amanda Boutton, Assistant Director of Law
Delante Thomas, Chief Ethics Officer
Michael Hess, Chairperson, Civilian Police Review Board
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Hassan Aden, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission