



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Dornat (Wayne) A. Drummond, Chief
FBI NA #230
Division of Police
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Disposition Letter

October 24, 2022

Patrol Officer Colin Gill #170
C/o Second District Headquarters
3841 Fulton Road
Cleveland, Ohio 44109

Re: DBI2022-0084

Patrol Officer Gill #170:

This letter is to advise you, Patrol Officer Colin Gill #170, of the result of the administrative pre-disciplinary hearing, which you attended on September 21, 2022, to address internal investigations wherein you were alleged to have engaged in improper procedure and/or conduct.

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: (DBI2022-0084) On or about June 16, 2022, you, Patrol Officer Colin Gill #170, failed to guard a prisoner properly which allowed the prisoner to escape, in violation of General Police Order 3.02.02. (*Group II Violation*)

Specification #2: (DBI2022-0084) On or about June 16, 2022, you, Patrol Officer Colin Gill #170, removed your Wearable Camera System (WCS) from your outermost garment, in violation of General Police Order 4.06.04. (*Group I 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)

General Police Order 4.06.04: Wearable Camera System (effective: 1/1/20)

PREDISCIPLINARY HEARING

In attendance at the administrative pre-disciplinary hearing, were you, Vice President David Medina and Attorney Joseph Delguyd of the Cleveland Police Patrolmen's Association, President Mister Jackson of the Black Shield Police Association, Vice President Erik Melendez of the Hispanic Police Officer's Association, Sergeant Michelle Gricar of the Second District, Lieutenant Charles DePenti of the Case Preparation Unit and Deputy Chief Daniel Fay of Administrative Operations, who presided over the hearing.

During the hearing, you acknowledged receipt of the charging letter; you and your representatives waived the reading of your charge letter and were then afforded the opportunity to be heard. You entered a plea of "No Contest" to Specification #1 and Specification #2 of the administrative charges as set forth in the charging letter. Upon carefully reviewing the evidence presented, the memorialized record, as well as the arguments of you and your representatives, the Hearing Officer recommended that you be found "Guilty" of Specification #1 and Specification #2.

FINDINGS AND CONCLUSION

I have carefully reviewed the evidence incorporated into the record by reference, the memorialized record, including statements made at your hearing and the applicable Rules, Policies and Procedures, and I accept and adopt the recommendation of the Hearing Officer. You violated General Police Order 3.02.02 when you failed to maintain visual contact with an arrested male you were guarding at the hospital, resulting in the arrested male escaping. Further, I find you violated General Police Order 4.06.04 when you removed your Wearable Camera System (WCS) from your outer most garment and placed it on a table.

Based on the foregoing, I find you "**Guilty**" of Specification #1 and Specification #2, and I am issuing you a **six (6) workday suspension without pay**. This discipline is within the First Group II violation range of the discipline matrix where mitigating factors (*accepted responsibility and no discipline history*) outweigh aggravating factors (*none*).

The above imposed suspension shall commence, and be effective the next working day after you are served with this notice. You shall surrender your badge, police identification card, unloaded departmentally issued firearm and three (3) loaded magazines plus one (1) live round to your Commanding Officer or designee, at the end of your shift. Upon completion of the suspension days, you shall retrieve the aforementioned property from your Commanding Officer or designee upon reporting for duty.


Additionally, you shall, within five (5) work days of returning from suspension, read General Police Orders 3.02.02 and 4.06.04, and expect to be reinstructed by a superior officer on those Orders and Rules. Upon completion of the reinstruction, you will email a Form-1 (as an attachment) indicating reinstruction, and endorsed by the same superior officer, to:

The Case Preparation Unit (caseprep@clevelandohio.gov)

Lieutenant Charles DePenti (cdepenti@clevelandohio.gov)

It is the Division's earnest desire that this letter will serve as a deterrent against future acts of this nature. Any prospective acts of same or similar conduct may lead to progressive discipline. Pursuant to the terms and conditions of the collective bargaining agreement between the City of Cleveland and the Cleveland Police Patrolmen's Association, verbal disciplinary warnings and disciplinary written reprimands shall not be used for progressive discipline purposes after one (1) year from the date the discipline was administered, and disciplinary suspensions shall not be used for progressive discipline purposes after three (3) years from the date the discipline was administered.

Respectfully,



Dornat A. Drummond
Chief of Police

DAD:bpc:cld: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
Brian Carney, Commander, Bureau of Compliance
Thomas Stacho, Commander, Second District
Christopher Viland, Superintendent, Internal Affairs
Robert Simon, Captain, Office of Compliance
Kenneth Ryan, Lieutenant, Personnel Unit
Cynthia Oliver, Sergeant, Officer-in-Charge, Timekeeping Unit
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
Paul Patton, Chief Human Resource Officer
George E. Coulter, Assistant Director, Department of Public Safety
Monique Tabb-Young, Labor Relations Officer, Human Relations
Mark Griffin, Chief Director of Law
William Menzalora, Chief Assistant Director of Law
Timothy Puin, Assistant Director of Law
Delante Thomas, Chief Ethics Officer
Michael Spreng, Secretary, Civil Service Commission
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Hassan Aden, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission