



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Karrie D. Howard, Director
601 Lakeside Avenue, Room 230
Cleveland, Ohio 44114-1015
216/664-2560 • Fax: 216/664-3734
www.cleveland-oh.gov

November 18, 2022

P.O. Anthony Shumpert #1773
C/o Fourth District Headquarters
9333 Kinsman Road
Cleveland, Ohio 44104

Re: SR2022-0340, DBI2022-0052, OPS2022-0043

Patrol Officer Shumpert #1773:

This letter is to advise you, Patrol Officer Anthony Shumpert #1773, of the result of the administrative pre-disciplinary hearing you attended on Friday, October 14, 2022. The hearing was held to address the results of internal and external investigations wherein you were alleged to have engaged in improper procedures and/or misconduct. You were charged with a series of rule violations, which follow:

FACTUAL SUMMARY

On or about March 30, 2021, you, Patrol Officer Anthony Shumpert #1773, notified the Fourth District that you overslept after feeling ill and were told by Fourth District personnel that you were considered AWOL and could not report to work. You reported to the Medical Unit with proper documentation after seeking medical care, were cleared to return to work and a sick slip was completed justifying your absence from work.

On or about February 1, 2022, you, Patrol Officer Anthony Shumpert #1773, responded to a call for service for Domestic Violence. After conferring with your sector-supervisor, you conveyed an arrested male to the Cuyahoga County Jail.

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: (SR2022-0340) On or about November 24, 2021, you, Patrol Officer Anthony Shumpert #1773, used undocumented sick leave and failed to provide documentation to the Medical Director while on Step-1 of the Sick Leave Abuse Control Program, in violation of General Police Order 1.3.06 and Manual of Rules 10.01 and 10.02. (*Group I Violation*)

Specification #2: (DBI2022-0052) On or about March 30, 2022, you, Patrol Officer Anthony Shumpert #1773, failed to report for duty at your assigned time without notifying a supervisor. You did not call until approximately two and one-half (2½) hours after your assigned start time, in violation of General Police Order 1.3.24 and Manual of Rules 10.01. (*Group II Violation*)

Specification #3: (OPS2022-0043) On or about February 1, 2022, you, Patrol Officer Anthony Shumpert #1773, knew or should reasonably have been aware of the complainant's need for immediate medical attention, and transported the complainant to jail instead of the hospital, in violation of General Police Order 3.02.01. (*Group I Violation*)

Specification #4: (OPS2022-0043) On or about February 1, 2022, you, Patrol Officer Anthony Shumpert #1773, failed to provide the complainant with your name and badge number after he repeatedly asked for it during his transport to jail, in violation of Manual of Rules 4.13. (*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 1.3.06: Sick Leave Review (effective: 3/1/02)

General Police Order 1.3.24: Sick Leave (effective: 1/1/06)

General Police Order 3.02.01: Arrestee Medical and Mental Health Needs (effective: 2/2/2021)

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police, Tules 2.02, 2.03, 2.14, 4.13, 10.01 and 10.02.

PREDISCIPLINARY HEARING

In attendance at the administrative pre-disciplinary hearing that Assistant Director of Public Safety Jakimah R. Dye presided over, were you, First Vice President David Medina, Second Vice President Andrew Gasiewski and Attorney Joseph Delguyd of the Cleveland Police Patrolmen's Association, Investigator Art Bowker of the Office of Professional Standards, Assistant Director Amanda Boutton of the Department of Law, Sergeant Diane Salamon of the Inspection Unit, Lieutenant Jarod Schlacht of the Internal Affairs Unit, Sergeant Kelly Smith, Assistant Director George Coulter of the Department of Public Safety.

During the hearing, you acknowledged receipt of the charge 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 "Not Guilty" to Specification #1, Specification #2, Specification #3 and Specification #4 as set forth in the charge letter.

HISTORY, FINDINGS AND CONCLUSIONS

Discipline History

10/4/2021—Failed to Complete Duty Report, WCS Violations, Failed to Creat MCAD Assignments, Improper Procedure, False Statements, Unauthorized Secondary Employment x5, Failed to Check City Email—Suspended 13 Days

5/26/2022—Failed to Investigate, COVID Protocol Violations—Suspended 22 Days

Findings and Conclusions

- ***Mitigating and Aggravating Factors***

Aggravating: Active Discipline.

Mitigating: See disciplinary conclusion.

- ***Anomalies***

Specification #1 was previously addressed in a disposition letter dated 5/25/22; in violation of Civil Service Rule 9.23.

Disciplinary Conclusion

A thorough review was conducted by the Department of Public Safety. I have carefully reviewed the investigation completed by the Office of Professional Standards, evidence incorporated into the record by reference, statements made at the hearing, Wearable Camera System (WCS) videos and pertinent laws, rules, policies and procedures. Specification #1 was previously addressed in a pre-disciplinary hearing held on Friday, March 11, 2022 where you were found “not guilty” in a disposition letter dated May 26, 2022. You testified that you called the Fourth District after feeling ill and oversleeping and were told by the Patrol Officer working in the lobby that the supervisor already had you documented as being AWOL (absent without leave) and that you could not report to work. Documentation was provided to the Medical Unit after you sought Medical Care, you were returned to work in accordance with policy and a sick slip was generated to document your absence from work on the date in question (*Specification #2*). You responded to a call for service for a male that was having a domestic dispute with his father in which you were the cover officer and your partner interviewed the parties on scene. Based on the statements provided to your partner, a decision to arrest the male was made by your partner and assisting officers which was ultimately supported by the supervisor who arrived on scene. The male was arrested lawfully with all departmental policies being followed and without incident by you, your partner or assisting officers. The arrested male made complaints of “heart palpitations” when he arrived at the Cuyahoga County Jail. The jail’s medical staff recommended that he be conveyed to St. Vincent Charity Hospital for further evaluation and you and your partner complied immediately. Within one hour of being treated and released at the hospital, the male was conveyed back to the county jail where he was booked and housed. There was no indication that this male needed medical attention until he made the statement that he was having “heart palpitations” when he arrived at the Cuyahoga County Jail (*Specification #3*). During this call for service, your Wearable Camera System (WCS) shows that you provided your name and badge number to the arrested male multiple times (*Specification #4*).

Based on the foregoing, I find you “**Not Guilty**,” of the administrative charges as set forth in Specification #1, Specification #2, Specification #3 and Specification #4. Therefore, this disciplinary action is dismissed.

Sincerely,



Karrie D. Howard, Chief Director
Department of Public Safety

Patrol Officer Anthony Shumpert #1773

November 18, 2022

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cc: Dornat A. Drummond, Chief, Cleveland Division of Police
Jakimah R. Dye, Assistant Director, Department of Public Safety
George E. Coulter, Assistant Director, Department of Public Safety
Dorothy Todd, Deputy Chief, Chief of Staff
Daniel Fay, Deputy Chief, Administrative Operations
Harold Pretel, Deputy Chief, Homeland Special Operations
Sammy Morris, Acting Deputy Chief, Field Operations
Brandon Kutz, Commander, Fourth District
Brian Carney, Commander, Bureau of Compliance
Christopher Viland, Superintendent, Internal Affairs Unit
Kenneth Ryan, Lieutenant, Officer-in-Charge, Personnel Section
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
Michael Pike, Assistant Director of Law
Amanda Boutton, Assistant Director of Law
Mary L. Bradley, Executive Director, Civil Service Commission
Thomas Fisher, Interim Administrator, Office of Professional Standards
Michael Hess, Chairman, Civilian Police Review Board
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Ayesha Bell Hardaway, Interim Monitor, Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission