



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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Cleveland, Ohio 44113
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Disposition Letter

December 1, 2022

Patrol Officer Paul Benedictis #303
C/o Fourth District Headquarters
9333 Kinsman Road
Cleveland, Ohio 44104

Re: DBI2022-0020, OPS2022-0070

Patrol Officer Benedictis #303:

This letter is to advise you, Patrol Officer Paul Benedictis #303, of the result of the administrative pre-disciplinary hearing you attended on November 14, 2022, to address an internal and external 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: (DBI2022-0020) On or about February 28, 2022, you, Patrol Officer Paul Benedictis #303, failed to properly conduct a prisoner inventory upon taking custody from Solon Police Department, in violation of Manual of Rules 8.02. (*Group I violation*)

Specification #2: (DBI2022-0020) On or about February 28, 2022, you, Patrol Officer Paul Benedictis #303, failed to properly secure prisoner property upon taking custody from Solon Police Department, in violation of Manual of Rules 4.03. (*Group I violation*)

Specification #3: (DBI2022-0020) On or about February 28, 2022, you, Patrol Officer Paul Benedictis #303, failed to properly activate your Wearable Camera System (WCS) during an assignment picking up a prisoner from Solon Police Department, in violation of General Police Order 4.06.04. (*Group I violation*)

Specification #4: (OPS2022-0070) The Civilian Police Review Board is recommending to the Chief of Police that the allegation of *Damaged/Missing Property* be sustained against you, Patrol Officer Paul Benedictis #303, that on or about February 28, 2022, you violated Manual of Rules 4.01 and 4.03 when you failed to secure the complainant's property inside the patrol car during prisoner transport, causing the complainant's property to be lost or damaged. (*Group I violation*)

These specifications violate the rules and procedures of the Division of Police, Department of Public Safety.

RULES, POLICIES AND PROCEDURES

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

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police 4.01, 4.03 and 8.02

HEARING INFORMATION

In attendance at the administrative pre-disciplinary hearing were you, First Vice President David Medina, Second Vice President Andrew Gasiewski and Attorney Joseph Delguyd of the Cleveland Police Patrolmen's Association, First Vice President Luther Roddy of the Black Shield Police Association, Vice President Erik Melendez of the Hispanic Police Officers' Association, Patrol Officer John Kraynik of the Fourth District, Sergeant Scott Navratil of the First District, Arthur Bowker of the Officer of Professional Standards, Lieutenant Charles DePenti of the Case Preparation Unit and Deputy Chief Dorothy Todd of the Chief's Office, who presided over the hearing.

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 and "No Contest" to Specifications #2, #3 and #4 of the administrative charge as set forth in the charge letter. Upon reviewing the evidence presented, the memorialized record, as well as the arguments of you and your representatives, the Hearing Officer recommended that you be issued a Letter of Reinstruction.

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. Further, I find that Specifications #1 and #2 are duplicative of Specification #4, and as such, I **"Dismiss" Specifications #1 and #2.**

I find that you violated General Police Order 4.06.04 when you failed to activate your WCS while transporting a prisoner (Specification #3). You have no previous WCS violations and no evidence was lost as another member had their camera activated for the duration of the incident.

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You accepted responsibility and placed your WCS into event mode as soon as you realized it was not on. You violated Manual of Rules 4.01 and 4.03 when you failed to secure a prisoner's property during transport by accidentally leaving the property on the roof of the patrol car (Specification #4). You and your partner retraced your route and found the prisoner's property bag, but it was damaged. Based on the foregoing, I believe reinstruction is appropriate and I am issuing you this **Non-disciplinary Letter of Reinstruction for Specifications #3 and #4**. Please review General Police Order 4.06.04 and Manual of Rules 4.01 and 4.03, and ensure that you follow them verbatim.

Pursuant to the Manual of Rules, you are responsible for maintaining a current set of General Police Orders either as a paper copy or in electronic format. Furthermore, your Commanding Officer maintains all Divisional directives, which you are also obligated to know under the Manual of Rules. Please inform your Commanding Officer through the chain of command if you cannot access these policies and protocols. If you have questions, please contact your immediate supervisor for specific answers about the Division's policies and protocols and their application.

This letter is not discipline and should not be regarded as such.

Sincerely,



Dornat A. Drummond
Chief of Police

DAD:bpc:clld: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
Harold Pretel, Deputy Chief, Homeland Special Operations
Daniel Fay, Deputy Chief, Administrative Operations
Brian Carney, Commander, Bureau of Compliance
Brandon Kutz, Commander, Fourth District
Robert Simon, Captain, Office of Compliance
Christopher Viland, Superintendent, Internal Affairs Unit
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
William Menzalora, Chief Assistant Director of Law
Delante Thomas, Chief Ethics Officer
Mary L. Bradley, Executive Director, Civil Service Commission
Sylvia Grimes, Secretary, Civilian Police Review Board
Michael Hess, Chairperson, Civilian Police Review Board
Thomas Fisher, Interim Administrator, Office of Professional Standards
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
Dr. Leigh Anderson, Executive Director of the Police Accountability Team