



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Dornat (Wayne) A. Drummond, Chief
FBI NA #230
Division of Police
1300 Ontario Street, Suite 929
Cleveland, Ohio 44113
216/623-5005 • 216/623-5584 Fax
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Pre-Disciplinary Hearing

September 7, 2022

Patrol Officer Victoria Shucofsky Popa #555
C/o Third District Headquarters
4501 Chester Avenue
Cleveland, Ohio 44103

Re: VC2022-0093

Patrol Officer Shucofsky Popa #555:

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.

SPECIFICATION

Specification #1: (VC2022-0093) On or about May 26, 2022, you, Patrol Officer Victoria Shucofsky Popa #555, failed to place your Wearable Camera System (WCS) in event mode until a supervisor arrived on scene and ordered you to do so, in violation of General Police Order 4.06.04. (*Group I Violation*)

This specification is in violation of 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)

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.

PROCEDURES:

II. Camera Deployment

B. During tour of duty requirements for recording 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.

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

I. SWORN POLICE RANKS

1.07 Patrol Officer

Patrol Officers shall be held responsible for the good order of their assignment and shall be prepared at all times to inform their superior officers of the conditions of their post, beat, or zone.

They shall be under the immediate supervision of the head of the administrative unit to which assigned. They shall perform such duties and work such hours as designated by their superior officer. They shall cooperate with all other personnel in the performance of police duties.

They shall acquire a thorough knowledge of the criminal laws and the rules of evidence so that they may carry out their duties in an efficient manner.

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.

2.04 Personnel shall study all rules, General Police Orders and directives pertaining to their duties, and shall be held accountable for any action contrary to these instructions.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Wednesday, September 21, 2022, at 1000 hours** in the **Cleveland Division of Police Headquarters, Room 924**. 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: 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,



Dornat A. Drummond
Chief of Police

DAD:bpc:cld:la

cc: Sammy Morris, Acting Deputy Chief, Field Operations
Dorothy Todd, Commander, Chief's Office
Brian Carney, Commander, Bureau of Compliance
Michael Butler, Commander, Third District
Christopher Viland, Superintendent, Internal Affairs Unit
Melissa Dawson, Sergeant, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
Hassan Aden, Federal Monitoring Team