



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

December 1, 2022

Detective Johnny Harris #692
C/o Fourth District Headquarters
9333 Kinsman Road
Cleveland, Ohio 44104

Re: CPD2022-0080

Patrol Officer Harris #692:

This letter is to advise you, Detective Johnny Harris #692, of the result of the administrative pre-disciplinary hearing, which you attended on November 14, 2022, to address an internal investigation 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: (CPD2022-0080) On or about July 8, 2022, you, Detective Johnny Harris #692, engaged in secondary employment that was not approved, in violation of General Police Order 1.02.13. (*Group I Violation*)

Specification #2: (CPD2022-0080) On or about July 8, 2022, you, Detective Johnny Harris #692, were not wearing the required Class-B uniform shirt, did not have the badge numeral affixed, and did not have the official Cleveland Police badge as required for secondary employment, all in violation of General Police 1.1.12. (*Group I Violation*)

Specification #3: (CPD2022-0080) On or about July 8, 2022, you, Detective Johnny Harris #692, did not have your Taser and second intermediate weapon on your duty belt while engaged in secondary employment, all in violation of General Police 2.01.04. (*Group I Violation*)

Specification #4: (CPD2022-0080) On or about July 26, 2022, you, Detective Johnny Harris #692, were not wearing the required Class-B uniform shirt, did not have the badge numerals affixed, and did not have the official Cleveland Police badge as required for secondary employment, all in violation of General Police 1.1.12. (*Group I Violation*)

Specification #5: (CPD2022-0080) On or about July 26, 2022, you, Detective Johnny Harris #692, did not have your Taser and second intermediate weapon on your duty belt while engaged in secondary employment, all in violation of General Police 2.01.04. (*Group I Violation*)

Specification #6: (CPD2022-0080) On or about July 26, 2022, you, Detective Johnny Harris #692, did not wear your Division issued body armor while engaged in secondary employment, all in violation of General Police 4.06.01. (*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 1.1.12: Uniform and Clothing Regulations (effective: 3/1/02)

General Police Order 1.02.13: Secondary Employment (effective: 12/30/20)

General Police Order 2.01.04: Use of Force – Intermediate Weapons (effective: 7/1/19)

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police 2.02, 2.03, and 2.04

PREDISCIPLINARY HEARING

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, Vice President Erik Melendez of the Hispanic Police Officers' Association, Second Vice President Luther Roddy of the Black Shield Police Association, Superintendent Christopher Viland and Sergeant Michael Matson of the Internal Affairs Unit, 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 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 Specifications #1, #2, #3, #4, #5, and #6 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 the Specifications.

FINDINGS AND CONCLUSION

I have carefully reviewed the evidence incorporated into the record, including statements made at your hearing, surveillance video and the applicable Rules, Policies and Procedures. I accept and adopt the recommendation of the Hearing Officer. You violated General Police Orders 1.02.13, 2.01.04, 1.1.12 and 4.06.01 and Manual of Rules 2.02, 2.03 and 2.04 when you engaged in secondary employment that was not approved and while doing so, failed to: wear the required Class-B uniform shirt, have your badge numeral affixed, wear the Cleveland Police badge, have your intermediate weapons on your duty belt, and wear your Division issued body armor. Additionally, your hair extended below the lower edge of your uniform shirt collar.

Based on the foregoing, I find you **“Guilty”** of the six specifications, and I am issuing you a **three (3) workday suspension without pay**. This discipline is within the Second Group I violation range of the discipline matrix when aggravating factors (*multiple violations, active discipline*) outweigh mitigating factors (*accepted responsibility*).

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 1.02.13, 1.1.12, 2.01.04, 4.06.01, Manual of Rules 2.02, 2.03, and 2.04 and expect to be reinstructed by a superior officer on that Order and those 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 the 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

Detective Johnny Harris #692

December 1, 2022

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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
Harold Pretel, Deputy Chief, Homeland Special Services
Brandon Kutz, Commander, Fourth District
Brian Carney, Commander, Bureau of Compliance
Robert Simon, Captain, Office of Compliance
Christopher Viland, Superintendent, Internal Affairs
Jarod Schlacht, Lieutenant, Officer-in-Charge, Internal Affairs Unit
Kenneth Ryan, Lieutenant, Personnel Section
William Mokshefsky, Sergeant, 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
William Menzalora, Chief Assistant Director of Law
Mary L. Bradley, Executive Director, Civil Service Commission
Delante Thomas, Chief Ethics Officer
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