



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 10, 2022

Lieutenant Kevin Coleman #8507
C/o First District Headquarters
3895 West 130th Street
Cleveland, Ohio 44111

Re: VP2022-0001

Lieutenant Coleman #8507:

This letter is to advise you, Lieutenant Kevin Coleman #8507, of the result of the administrative pre-disciplinary hearing you attended on August 22, 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: (VP2022-0001) On or about August 20, 2021, you, Lieutenant Kevin Coleman #8507, were directly involved in a vehicle pursuit of a mini bike. You failed to notify a superior officer to respond to the scene to conduct the follow up investigation, in violation of General Police Order 3.2.02. (*Group I Violation*)

Specification #2: (VP2022-0001) On or about August 20, 2021, you, Lieutenant Kevin Coleman #8507, were directly involved in a vehicle pursuit of a mini bike. You entered your own investigation of the pursuit into BlueTeam, in violation of the BlueTeam Quick Start Guide for Entering a Vehicle Pursuit and Manual of Rules 2.02. (*Group I Violation*)

Specification #3: (VP2022-0001) On or about August 20, 2021, you, Lieutenant Kevin Coleman #8507, entered a vehicle pursuit into BlueTeam and failed to forward through your chain of command until January 28, 2022, in violation of General Police Order 3.2.02. (*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

Cleveland Division of Police Quick Start Guide: Entering a Vehicle Pursuit in BlueTeam Next Gen (dated: 1/25/21)

General Police Order 3.2.02: Vehicle Pursuits (revised: 5/1/02)

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police: 2.02

HEARING INFORMATION

In attendance at the administrative pre-disciplinary hearing, were you, President James O'Malley, Vice President Daniel Bernath and Attorney Robert Barrett of the Fraternal Order of Police, Lodge #8, Sergeant Diane Salamon of the Inspections Unit, Lieutenant Charles DePenti of the Case Preparation Unit, Chief of Staff - Deputy Chief Dorothy Todd, and Deputy Chief Daniel Fay of Administrative Operations, 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 Specification #2, and "No Contest" to Specification #3 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 Specification #1 and Specification #2 be "Dismissed" and a "Letter of Reinstruction" be issued for Specification #3.

FINDINGS AND CONCLUSION

I have carefully reviewed the evidence incorporated into the record by reference, the memorialized record, General Police Order 3.2.02, and statements made at your hearing.

General Police Order 3.2.02: Vehicle Pursuits, states in pertinent part:

XV. Investigation and Administrative Review of Pursuits

- A. All pursuits require the completion of the Vehicle Pursuit Form and all forms shall be faxed to the Inspection Unit.
- B. Pursuits that do not result in property damage or injury require only the completion of the Vehicle Pursuit Form. This form shall be faxed to the Inspection Unit and forwarded to the respective Deputy Chief in that chain of command. Upon review by the Deputy Chief, the form shall be forwarded to the Inspection Unit.

- C. All pursuits that result in accidents where property damage, injury, or death occurs shall be the subject of an investigation. The investigation shall be conducted by the superior officer of the controlling supervisor who monitored the pursuit. If that supervisor was also involved in the pursuit, it shall be investigated by the superior officer next in that chain of command.
2. Each supervisor in the chain of command shall, within seven days of receipt of the package, review and assess the actions taken by the members involved and determine if those actions were appropriate and in compliance with Division rules and procedures. Supervisors deviating from the seven day requirement shall submit a Form-1 explaining the reason for the delay and request an extension.

The BlueTeam Manual contains Divisional Notice 17-077 in a drop-down. Divisional Notice 17-077 states in pertinent part: "Changes in procedures resulting from the implementation of BlueTeam have eliminated the need for the following forms:

- Vehicle Pursuit Report (3.2.02A)
- Awards Recognition Nomination (1.1.14A)
- Secondary Employment Request Form (1.1.25A)
- Secondary Employment Sick Use Review (1.1.25B)
- Use of Less Lethal Force Report (ULLF) (2.1.01A & B)

Effective immediately members shall remove all copies of these forms from their General Police Order (GPO) book (or digital files). Digital versions of these forms shall be removed from the CPD SharePoint. Members with questions about BlueTeam entries shall refer to the BlueTeam User Manual that is available on SharePoint." This is in conflict with General Police Order 3.2.02, which states, "All pursuits that result in accidents where property damage, injury, or death occurs shall be the subject of an investigation." As there was no *property damage, injury, or death* I find you "Not Guilty" of Specification #1 as per the General Police Order no follow-up investigation was required. General Police Order 3.2.02 further states, "Pursuits that do not result in property damage or injury require only the completion of the Vehicle Pursuit Form." Because the General Police Order states "require only the completion of the Vehicle Pursuit Form," I find you "Not Guilty" of Specification #2 for not entering a BlueTeam. As such I accept and adopt the recommendation of the Hearing Officer, and I **"Dismiss" Specification #1 and Specification #2.**

Once you became aware a BlueTeam entry was required, you completed the entry, but failed to forward the entry until January 28, 2022, well beyond the seven days requirement. BlueTeam entries must be reviewed and forwarded in a timely manner to support the efficiencies of the Division. Because of the conflicts between General Police Order 3.2.02 and the BlueTeam Manual, I believe reinstruction is appropriate. As such I accept and adopt the recommendation of the Hearing Officer, and I am issuing you a **"Letter of Reinstruction" for Specification #3.** This corrective action is within the First Group I violation range of the discipline matrix where mitigating factors (*circumstances under which the rule was violated (conflict between the GPO and BlueTeam Manual), accepted responsibility, no active discipline*) outweigh aggravating factors (*supervisory officer*). Please review General Police Order 3.2.02 and Divisional Notice 17-077 and ensure that you follow them verbatim.

Lieutenant Kevin Coleman #8507

October 10, 2022

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Pursuant to the Manual of Rules, you are personally 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 obligated to also know pursuant to 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 any questions, please contact your immediate supervisor for specific answers about any of 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:cld:la

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
Kevin Schwarz, Acting Commander, First District
Brian Carney, Commander, Bureau of Compliance
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
Mark Griffin, Chief Director of Law
William Menzalora, Chief Assistant Director of Law
Timothy Puin, Assistant Director of Law
Delante Thomas, Chief Ethics Officer
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Hassan Aden, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission