



City of Cleveland  
Justin M. Bibb, Mayor

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Department of Public Safety  
Karrie D. Howard, Director  
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October 31, 2022

**Patrol Officer Ryan Sowders #1103**  
**C/o Second District Headquarters**  
**3481 Fulton Road**  
**Cleveland, Ohio 44109**

**Re: UOF2022-0157, UOF2022-0174**

**Patrol Officer Sowders #1103:**

This letter is to advise you, Patrol Officer Ryan Sowders #1103, of the result of the administrative pre-disciplinary hearing you attended on Friday, August 12, 2022 and then reconvened on Friday August 18, 2022. The hearing was held to address the results of internal 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 May 8, 2022, you, Patrol Officer Ryan Sowders #1103, failed to de-escalate when you took unnecessary actions leading to the need to use force when you were loud, confrontational and aggressive to multiple subjects while responding to a call for service. You failed to report your uses of force to a supervisor, as required by policy and handcuffed a subject without properly asking for compliance or giving appropriate verbal commands. You failed to properly identify yourself by name and badge number when asked to do so and used force that was not necessary or proportional on a subject that was that was only verbally confrontational and standing in a place they were legally able to be.

#### **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.

#### **RULES, POLICIES AND PROCEDURES**

**General Police Order 2.01.02: De-escalation** (effective date: 1/1/2018)

**General Police Order 2.01.03: Use of Force** (effective date: 4/27/2020)

**General Police Order 2.01.05: Use of Force- Reporting** (effective date: 7/1/2019)

**General Police Order 2.01.01: Investigatory Stops** (effective date: 1/1/2020)

**Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police, Rules 4.13 and 5.09.**

**SPECIFICATIONS**

**Specification #1:** (UOF2022-0156/UOF2022-0174) On or about May 8, 2022, you, Patrol Officer Ryan Sowders #1103, failed to de-escalate by taking unnecessary actions leading to the escalation for the need to use force. You escalated the situation by being loud, confrontational and aggressive to a possible suspect, all in violation of General Police Order 2.01.02. *(Group I Violation)*

**Specification #2:** (UOF2022-0156/UOF2022-0174) On or about May 8, 2022, you, Patrol Officer Ryan Sowders #1103, failed to report a use of force to the supervisor on scene after pushing a person to the ground that was filming the incident, all in violation of General Police Order 2.01.05. *(Group II Violation)*

**Specification #3:** (UOF2022-0156/UOF2022-0174) On or about May 8, 2022, you, Patrol Officer Ryan Sowders #1103, placed a suspect into handcuffs without asking for the suspect's identifying documents or information when there were no indicators that the suspect would flee or become a safety risk. You did not ask for compliance or give verbal commands for the suspect to turn around for handcuffing, all in violation of General Police Order 2.02.01. *(Group II Violation)*

**Specification #4:** (UOF2022-0156/UOF2022-0174) On or about May 8, 2022, you, Patrol Officer Ryan Sowders #1103, failed to provide your name, rank or badge number after being requested twice by a citizen, all in violation of Manual of Rules 4.13. *(Group I Violation)*

**Specification #5:** (UOF2022-0156/UOF2022-0174) On or about May 8, 2022, you, Patrol Officer Ryan Sowders #1103, arrested and used force on someone that was standing in a place they were legally able to be. You failed to give instructions as to where the subject could stand when the subject was only verbally confrontational and exercising their First Amendment rights. You then stated, "If the other one comes back, he goes too", referencing the person involved in the unreported use of force, all in violation of General Police Order 2.01.03. *(Group III Violation)*

**Specification #6:** (UOF2022-0174) On or about May 8, 2022, you, Patrol Officer Ryan Sowders #1103, used force on an individual who was standing in a place they had a legal right to be. The force used was not necessary or proportional to the threat or resistance the individual displayed, in violation of General Police Order 2.01.03. *(Group III Violation)*

These specifications are in violation of the rules and procedures of the Division of Police, Department of Public Safety.

**PREDISCIPLINARY HEARING**

In attendance at the administrative pre-disciplinary hearing that I presided over were you, President Jeffrey Follmer, Second Vice President Andrew Gasiewski, Attorney Joseph Delguyd of the Cleveland Police Patrolmen's Association, Sergeant Brian Davis of the Second District, Assistant Director Amanda Boutton and Clerk Caroline Lettrich of the Department of Law, Lieutenant Charles DePenti of the Case Preparation Unit, Sergeant Kelly Smith, Assistant Director George Coulter and Assistant Director Jakimah R. Dye 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, specification #4 and specification #5 in the charge letter dated for August 4, 2022 for UOF 2022-0156 and "Not Guilty" to specification #1, specification #2, specification #3, specification #4, specification #5 and specification #6 in the charge letter dated for August 5, 2022 for UOF 2022-0174 as set forth in the charge letter.

### **HISTORY, FINDINGS AND CONCLUSIONS**

#### ***Discipline History***

12/10/2020: Unprofessional Conduct - Written Reprimand  
9/10/2021: WCS Violation – Suspended seven (7) Days (*Third Group I Violation*)  
12/9/2021: Unprofessional Conduct – Suspended eight (8) Days  
3/18/2022: Insubordination – Suspended twenty (20) days

#### ***Findings and Conclusions***

- ***Mitigating and Aggravating Factors***

Mitigating: None.

Aggravating: Multiple violations, active discipline and a demonstrable legal or financial risk to the Division or City.

- ***Anomalies***

None.

#### ***Disciplinary Conclusion***

As explained during your pre-disciplinary hearing, Case Numbers UOF2022-0157 and UOF2022-0174 although separate, arise from the same incident. Specifications 1 through 5 from each incident are duplicative of one another and have been combined and Specification #6 relates specifically to Case Number UOF2022-017, totaling six (6) specifications for both cases. A thorough review was conducted by the Department of Public Safety. Upon carefully reviewing the evidence incorporated into the record by reference, statements made at the hearing, and pertinent rules, policies and procedures, I have determined that you, Patrol Officer Ryan Sowders #1103 violated General Police Order 2.01.02 when you failed to properly de-escalate during a call for service. You were loud, aggressive and confrontational in your initial contact with a subject and created a situation where you needed to use force without first using de-escalation tactics such as time, distance, cover, requesting a supervisor and EMS (*Specification #1*). You violated General Police Order 2.1.05 when you failed to report a use of force to a supervisor when you used force that was more than *de minimus* and pushed a subject to the ground (*Specification #2*). You violated General Police Order 2.02.01 when you placed a suspect into handcuffs without asking for the suspect's identifying documents or any information when there were no indicators that the suspect would flee or become a safety risk. You did not ask for compliance or give verbal commands for the suspect to turn around for handcuffing (*Specification #3*). You violated Manual of Rules 4.13 when you failed to provide your name, rank or badge number after being requested twice by a citizen (*Specification #4*). You violated General Police Order 2.01.03 when you arrested and used force on someone that was standing in a place they were legally able to be. You failed to give instructions as to where the subject could stand when the subject was only verbally confrontational and exercising their First Amendment rights (*Specification #5*) and violated General Police Order 2.01.03 again when the force that you used was unnecessary and not proportional to the subject's level of resistance (*Specification #6*).

The Wearable Camera System (WCS) videos from this incident were concerning at best. Instead of utilizing the training you have received in Use of Force, Search & Seizure and De-Escalation, you let your emotions take over and the citizens of Cleveland deserve better. As a member of the Cleveland Division of Police, Department of Public Safety, you are obligated to abide by the Division's Manual of Rules, General Police Orders, and Code of Ethics; as well as the City's Human Resources Policies and the Civil Service Rules. These rules, codes and policies require members to acknowledge that the course of our duties place us in situations that require and demand public trust. Members are expected to carry out duties in a manner that promotes a culture of integrity and set high standards of professionalism. Your actions were inappropriate, distasteful, insensitive and a violation of public trust. The Division of Police cannot operate and professionally meet its objectives while tolerating noncompliance with professional expectations or being subject to utter disregard for policy. The conduct noted above has no place in any Department or Division within the City of Cleveland.

Based on the foregoing, I find you **"Guilty"** of the administrative charges in Specification #1, Specification #2, Specification #3, Specification #4, Specification #5 and Specification #6 and find there is just cause to impose discipline. As such, **I am issuing you a thirty (30) workday suspension without pay for two (2) Group I Violations, two (2) Group II Violations and two (2) Group III violations. After the conclusion of your suspension, you shall be transferred from District 2 to District 3, in accordance with General Police Order 1.07.06 (I. Table of Discipline, Section F).** This corrective action is within the Second Group III violation range of the discipline matrix where aggravating factors (multiple violations, active discipline and a demonstrable legal or financial risk to the Division or City) outweigh mitigating factors (none).

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 Order 2.01.01, General Police Order 2.01.02, General Police Order 2.01.03, General Police Order 2.01.05 and Manual of Rules 4.13 and 5.09, and be reinstructed by a superior officer on that Order and those Rules. You are also required to also attend retraining via the Training Section in De-Escalation, Investigatory Stops, Use of Force (General) and Use of Force (Reporting) within 90 days upon receipt of this letter. 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) and The Department of Public Safety (publicsafetyadmin@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 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.

Sincerely,



Karrie D. Howard, Chief Director  
Department of Public Safety

KDH:DAD:kas

cc: Dornat Drummond, Chief, Division of Police  
George Coulter, Assistant Director of Operations, Department of Public Safety  
Jakimah R. Dye, Assistant Director, Department of Public Safety  
Dorothy Todd, Deputy Chief, Chief of Staff  
Sammy Morris, Acting Deputy Chief, Field Operations  
Brian Carney, Commander, Bureau of Compliance  
Thomas Stacho, Commander, Second District  
Michael Butler, Interim Commander, Third District  
William Menzalora, Chief Assistant Director of Law  
Michael Pike, Assistant Director of Law  
Amanda Boutton, Assistant Director of Law  
Christopher Viland, Superintendent, Internal Affairs Unit  
Kenneth Ryan, Lieutenant, Officer-in-Charge, Personnel Unit  
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association  
Cynthia Oliver, Sergeant, Officer-in-Charge, Timekeeping Unit  
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit  
Paul Patton, Director, Department of Human Resources  
Michael Spreng, Secretary, Civil Service Commission  
Michael Evanovich, Investigator, Department of Justice  
Richard Rosenthal, Member, Monitoring Team  
Jason Goodrick, Executive Director, Cleveland Community Police Commission  
Hassan Aden, Federal Monitoring Team