



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Karrie D. Howard, Director
601 Lakeside Avenue, Room 230
Cleveland, Ohio 44114-1015
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Pre-Disciplinary Hearing

May 27, 2022

Patrol Officer Allan Zenz #138
C/o Fourth District Headquarters
9300 Kinsman Road
Cleveland, Ohio 44104

Re: DBI2022-0032

Patrol Officer Zenz #138:

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.

SPECIFICATIONS

Specification #1: On or about 1/19/2022, 1/26/2022, 1/28/2022, 1/29/2022, 2/7/2022 and 2/11/2022, you, Patrol Officer Allan Zenz #138, while assigned as the missing persons car, did fail to tour areas of interest for an endangered missing juvenile (LERMS #2022-014827), as indicated by your patrol cars' Automatic Vehicle Locators (AVL), in violation of Manual of Rules 2.14 and 4.18. (*Group III Violation*)

Specification #2: On or about 1/19/2022, 1/26/2022, 1/28/2022, 1/29/2022, 2/7/2022 and 2/11/2022, you, Patrol Officer Allan Zenz #138, while assigned as the missing persons car, did report (LERMS #2022-014827) that you toured the area of Garden Valley in contradiction of your patrol cars' Automatic Vehicle Locators (AVL), in violation of Manual of Rules 3.12. (*Group III Violation*)

Specification #3: On or about 1/26/2022, 1/28/2022, 1/29/2022, 2/7/2022 and 2/11/2022, you Patrol Officer Allan Zenz #138, while assigned as the missing persons car, did spend eight (8) hours, nine (9) hours, five (5) hours, six (6) hours and four (4) hours respectively at the Fourth District Headquarters, as indicated by your patrol cars' Automatic Vehicle Locators (AVL), in violation of Manual of Rules 4.06. (*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

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

II. Administrative Compliance

2.14: The following are additional grounds for disciplining personnel, including removal, in addition to the grounds stated in Civil Service Commission rule 9.10:

- b. Gross neglect of duty
- e. Failure to obey orders given by proper authority.
- f. Any other reasonable and just cause.

III. Ethics

3.12: Personnel shall be truthful and unbiased in all written reports, verbal reports, court testimony and conversations affecting the Division of Police, its officers and employees or persons under its jurisdiction.

IV. Duty

4.06: Personnel shall patrol the territory, handle the investigative tasks, or handle the administrative tasks as required by their post or assignment.

4.18 Officers shall investigate all reports of suspected criminal activity and non-criminal incidents requiring police action that come to their attention whether by observation, assignment or information.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Friday, June 3, 2022, at 1000 hours** in the **Cleveland Public Auditorium (Room LL09)**. 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.**

May 27, 2022

Page 3 of 3

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,

A handwritten signature in black ink, appearing to read 'Karrie D. Howard', with a stylized, cursive script.

Karrie D. Howard, Chief Director
Department of Public Safety

KDH:dad:ww:cld:la

cc: Dornat A. Drummond, Interim Chief, Division of Police
Timothy Hennessy, Assistant Director, Department of Public Safety
George Coulter, Assistant Director of Operations, Department of Public Safety
Sammy Morris, Acting Deputy Chief, Field Operations
Brian Carney, Commander, Bureau of Compliance
Brandon Kutz, Commander, Fourth District
Robert Simon, Captain, Internal Affairs Unit
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
Paul Patton, Chief Human Resources Officer
Jakimah R. Dye, Coordinator of Operations, Department of Public Safety
William Menzalora, Chief Assistant Director of Law
Hassan Aden, Federal Monitoring Team