



City of Cleveland  
Justin M. Bibb, Mayor

Department of Public Safety  
Karrie D. Howard, Director  
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December 6, 2022

**Lieutenant Christopher Mobley #8571**  
**C/o Homeland Special Operations**  
**1300 Ontario Street**  
**Cleveland, Ohio 44113**

**Re: OPS2020-0256**

Lieutenant Mobley #8571:

This letter is to advise you, Lieutenant Christopher Mobley #8571, of the result of the administrative pre-disciplinary Civilian Police Review Board (CPRB) Appeal hearing you attended on Thursday, November 10, 2022. The hearing was held to address the results of an external investigation 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 September 19, 2022, a pre-disciplinary hearing was conducted in the Office of the Chief of Police before Deputy Chief Harold Pretel. The Civilian Police Review Board (CPRB) recommended discipline for three (3) Group I Violations regarding the specifications contained in this letter. Based upon the recommendation of the Hearing Officer, the Chief departed from the CPRB recommendation and found you, "Not Guilty" of Specification #1 and Specification #2 and recommended a *Letter of Reinstruction* for Specification #3. On November 8, 2022, as permitted by the City's Charter, the CPRB voted to appeal the Chief's decision to the Chief Director of Public Safety.

#### **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:** (OPS2020-0256) The Civilian Police Review Board (CPRB) has appealed to the Director of Public Safety that the allegation of *Improper Arrest* be sustained against you, (then) Sergeant Christopher Mobley #9228, that on or about December 2, 2020, you violated Cleveland Division of Police (CDP) policy and procedure when you effected the arrest of the complainant before confirming that the complainant's warrant was still valid. (*Group I Violation*)

**Specification #2:** (OPS2020-0256) The Civilian Police Review Board (CPRB) has appealed to the Director of Public Safety that the allegation of *Improper Search* be sustained against you, (then) Sergeant Christopher Mobley #9228, that on or about December 2, 2020, you violated Manual of Rules 4.17 and 4.19, and General Police Order 2.02.02, when you searched the complainant after placing him under arrest on a warrant that was no longer valid. (*Group I Violation*)

**Specification #3:** (OPS2020-0256) The Civilian Police Review Board (CPRB) has appealed to the Director of Public Safety that the allegation of *Improper Cell Phone Seizure* be sustained against you, (then) Sergeant Christopher Mobley #9228, that on or about December 2, 2020, you violated Manual of Rules 4.17 and 8.06, and General Police Order 2.02.02 and 2.2.04 when you seized the complainant's cell phone without the required warrant and failed to provide a receipt for the property. (*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**

**General Police Order 2.02.02: Search and Seizure** (effective: 1/1/20)

**General Police Order 2.2.04: Warrant Service** (revised: 10/20/15)

**Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police, Rules 4.17, 4.19 and 8.06.**

### **PREDISCIPLINARY HEARING**

In attendance at the administrative pre-disciplinary hearing that Assistant Director of the Department of Public Safety George Coulter presided over, were you, President James O'Malley, Vice President Dan Bernath and Attorney Joseph Mando of the Fraternal Order of Police Lodge #8, Investigator Eric Richardson and Investigator Art Bowker of the Office of Professional Standards, Assistant Director Amanda Boutton of the Department of Law, Lieutenant Charles DePenti of the Case Preparation Unit and Sergeant Kelly Smith 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 and Specification #3 as set forth in the charge letter.

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

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

No active discipline

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

- ***Mitigating and Aggravating Factors***

Aggravating: None

Mitigating: No active discipline

- ***Anomalies***

None.



***Disciplinary Conclusion***


A thorough review was conducted by the Department of Public Safety. After carefully reviewing the investigation completed by the Office of Professional Standards, evidence incorporated into the record by reference, statements made at the Chief's level hearing and CPRB appeal hearing, and pertinent laws, rules, policies and procedures, I concur with the recommendation of the Chief of Police as outlined in the Chief's Departure Memorandum, dated November 4, 2021. You operated within policy by only detaining the complainant for a reasonable amount of time (*Specification #1*) and during your initial pre-disciplinary hearing, Cuyahoga County Assistant Prosecutor Brad Meyer stated that your search did not violate any of the complainant's rights (*Specification #2*). However, you violated General Police Order 2.2.04 and Manual of Rules 8.06 when you failed to provide the complainant with a receipt for their property after it was seized (*Specification #3*).

Based on the foregoing, I find you "**Not Guilty**," of the administrative charges as set forth in Specification #1 and Specification #2 and "**Guilty**" of the administrative charges as set forth in Specification #3 and find that re-instruction is appropriate. As such, I am issuing you a **Non-Disciplinary Letter of Reinstruction**. This corrective action is within the First Group I violation range of the discipline matrix where mitigating factors (*no active discipline*) outweigh aggravating factors (*none*). Please review General Police Order 2.02.04 and Manual of Rules 8.06 and ensure that in the future, you follow them verbatim.

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,



Karrie D. Howard, Chief Director  
Department of Public Safety

KDH:DAD:kas

cc: Dornat A. Drummond, Chief, Cleveland Division of Police  
Jakimah R. Dye, Assistant Director, Department of Public Safety  
George E. Coulter, Assistant Director, Department of Public Safety  
Nicole Carlton, Assistant Director, Department of Public Safety  
Dorothy Todd, Deputy Chief, Chief of Staff  
Daniel Fay, Deputy Chief, Administrative Operations  
Harold Pretel, Deputy Chief, Homeland Special Operations  
Sammy Morris, Acting Deputy Chief, Field Operations  
Brian Carney, Commander, Bureau of Compliance  
Christopher Viland, Superintendent, Internal Affairs Unit  
Kenneth Ryan, Lieutenant, Officer-in-Charge, Personnel Section  
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit

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James O'Malley, President, Fraternal Order of Police, Lodge #8  
Paul Patton, Chief Human Resources Officer  
William Menzalora, Chief Assistant Director of Law  
Michael Pike, Assistant Director of Law  
Amanda Boutton, Assistant Director of Law  
Michael Hess, Chairman, Civilian Police Review Board  
Jon Cudnik, Interim Administrator, Office of Professional Standards  
Monique Young, Labor Relations Manager, Department of Public Safety  
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