



City of Cleveland

Justin M. Bibb, Mayor

Department of Public Safety

Dornat (Wayne) A. Drummond, Interim Chief

FBI NA #230

Division of Police

1300 Ontario Street, Suite 929

Cleveland, Ohio 44113

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www.clevelandohio.gov

Pre-Disciplinary Hearing

July 7, 2022

Patrol Officer Denzel Jones #990
C/o First District Headquarters
3895 West 130 Street
Cleveland, Ohio 44111

Re: DBI2022-0057

Patrol Officer Jones #990:

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.

SPECIFICATION

Specification #1: (DBI2022-0057) On or about May 31, 2022, you, Patrol Officer Denzel Jones #990, failed to safeguard and secure your city issued equipment (city issued cellular phone) which was entrusted in your care, in violation of General Police Order 6.04.12 and Manual of Rules 6.05 and 6.07. (*Group I Violation*)

This specification is in violation of the rules and procedures of the Division of Police, Department of Public Safety.

RULES, POLICIES AND PROCEDURES

General Police Order 4.06.12: District Cellular Phones (effective: 10/6/21)

POLICY: It is the policy of the Cleveland Division of Police that district cell phones be used for law enforcement purposes only. The private and/or personal use of district cell phones is strictly prohibited. Members shall be aware that they have NO expectation of privacy in anything created, stored, sent, received or viewed on district cell phones. The City of Cleveland may examine the usage and transmission of all messages and data on Division issued cell phones for violations of this policy.

PROCEDURES:

II. Officer Responsibilities

A. Officers utilizing a district cell phone shall:

5. Be responsible for the proper care and safekeeping of district cell phones issued to them.
6. Return district cell phones to the OIC at the end of the officer's tour of duty.

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

IV. DUTY

4.03 Personnel shall give full attention to the performance of their duties.

VI. VEHICLES AND EQUIPMENT

6.05 Personnel shall be held responsible and accountable for the proper care, maintenance, serviceability, cleanliness and safekeeping of all police vehicles, equipment and property in their care.

6.07 Personnel shall reimburse the city within thirty (30) days for the loss of city property issued to them. If said property is later recovered in good condition they shall be reimbursed the amount paid.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Wednesday, July 20, 2022, at 1000 hours** in the **Cleveland Division of Police Headquarters, Room 924**. 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.

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,



Dornat A. Drummond
Interim Chief of Police

DAD:bpc:cld:kfs

cc: Sammy Morris, Acting Deputy Chief, Field Operations
Brian Carney, Commander, Bureau of Compliance
Michael Butler, Commander, First District
Melissa Dawson, Sergeant, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
Hassan Aden, Federal Monitoring Team