



**City of Cleveland**  
Justin M. Bibb, Mayor

**Department of Public Safety**

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**Pre-Disciplinary Hearing**

July 15, 2022

**Patrol Officer Hassan Ali #607**  
**C/o Second District Headquarters**  
**3841 Fulton Road**  
**Cleveland, Ohio 44109**

**Re: CPD2021-0099**

Patrol Officer Ali #607:

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 January 16, 2019, you, Patrol Officer Hassan Ali #607, were untruthful when you answered "no" on your City of Cleveland Patrol Officer Personal History Statement to the question: "Have you ever committed or been an accomplice to an undetected/ unprosecuted crime?" (Painesville Police Report #2018-1091), all in violation of Manual of Rules 3.12 and General Police Order 1.07.06. (*Group III Violation*)

**Specification #2:** On or about January 16, 2019, you, Patrol Officer Hassan Ali #607, were untruthful when you intentionally answered "no" on your Cleveland Patrol Officer Personal History Statement to the question: "Do you have any civil court actions pending or past civil cases against you?" (Roy Thompson vs. Jack Ohio LLC CV20-932845), all in violation of the Manual of Rules 3.12 and General Police Order 1.07.06. (*Group III Violation*)

**Specification #3:** On or about April 30, 2020, you, Patrol Officer Hassan Ali #607, texted an ex-girlfriend an image, taken without her permission and sent without her permission, of her in a state of nudity while threatening her that you will send a video of her engaging in a sexual act to her employer with the intent to harm her image and reputation with her employer, all in violation of Ohio Revised Code 2917.211 and Manual of Rules 2.01. (*Group III Violation*)

**Specification #4:** On or about April 30, 2020, you, Patrol Officer Hassan Ali #607, sent an ex-girlfriend an image followed by several text messages, taken without her permission and sent without her permission, of her in a state of nudity while threatening her that you will send a video of her engaging in a sexual act to her employer with the intent to subject her to contempt, ridicule or damage her business repute if she didn't "unfuck everything" by having an abortion, all in violation of Ohio Revised Code 2905.12 and Manual of Rules 2.01. (*Group III Violation*)

**Specification #5:** On or about May 30, 2020, you, Patrol Officer Hassan Ali #607, were contacted by a detective with the Cleveland Heights Police Department and informed that you were accused of committing a crime by an ex-girlfriend and you did not inform your supervisors of the Cleveland Division of Police, all in violation of the Cleveland Police Academy Rules & Regulations for Police Recruits 1.07. (*Group III Violation*)

**Specification #6:** On or about April 21, 2022, you, Patrol Officer Hassan Ali #607, were untruthful to Internal Affairs investigators during your Garrity interview when you answered "No I did not" after you were asked if you texted an ex-girlfriend a photograph of her in a state of nudity. You were also untruthful when you answered "No" approximately seven more times after you were asked if you sent a female acquaintance (ex-girlfriend) the text messages using the *textPlus* application on April 30<sup>th</sup> and May 1<sup>st</sup>, 2020, all in violation of Manual of Rules 3.12 and General Police Order 1.07.06. (*Group III Violation*)

**Specification #7:** On or about April 21, 2022, you, Patrol Officer Hassan Ali #607, were untruthful to Internal Affairs investigators during your Garrity interview when you answered "No" when you were asked if you downloaded/used the *textPlus* application on the FBI issued devices, all in violation of Manual of Rules 3.12 and General Police Order 1.07.06. (*Group III Violation*)

**Specification #8:** On or about April 21, 2022, you, Patrol Officer Hassan Ali #607, were untruthful to Internal Affairs investigators during your Garrity interview when you answered "No" after you were asked if you downloaded/used photo editing software on the FBI issued devices, all in violation of Manual of Rules 3.12 and General Police Order 1.07.06. (*Group III Violation*)

**Specification #9:** On or about April 21, 2022, you, Patrol Officer Hassan Ali #607, were untruthful to Internal Affairs investigators during your Garrity interview when you answered "I don't have a reason to do it. So no, I didn't do it, no." when you were asked if you Google searched Jack Casino's Human Resources team on the FBI issued devices, all in violation of Manual of Rules 3.12 and General Police Order 1.07.06. (*Group III Violation*)

**Specification #10:** On or about April 21, 2022, you, Patrol Officer Hassan Ali #607, were untruthful to internal affairs investigators during your Garrity interview when you stated that you told Sergeant Kenneth Ryan #9236 "everything" and completed a Form-1 in connection with your ex-girlfriend and your pending small claims court case, all in violation of Manual of Rules 3.12 and General Police Order 1.07.06. (*Group III 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 POLICE ACADEMY RULES & REGULATIONS FOR CLEVELAND POLICE RECRUITS**

**1.07 CONTACT WITH LAW ENFORCEMENT OFFICIALS**

- A. Recruits are required to submit a detailed written form-1 report of any contact had with a law enforcement officer outside of their duties as a Recruit. Examples of such contact include, but are not limited to:
  - 1) Traffic Citations
  - 2) Accidents
  - 3) Arrests
  - 4) Police Responding to your Home
  - 5) Police Questioning
  - 6) Any interaction with Police or other Law Enforcement

- B. Recruits who do not comply with this, shall be subject to discipline.

**2.05 FAILURE**

- C. Disciplinary action for the violation of these rules will be taken in accordance with standard procedures and may take the form of a verbal warning, suspension, or termination depending upon the severity of the violation.

**5.01 DIVISIONAL DIRECTIVES**

Recruits of the Division of Police shall be governed by the Recruit Rules and Regulations; Rules of the Civil Service Commission, the policies set forth in the City of Cleveland, Division of Police Manual of Rules and specified procedures in General Police Orders and Divisional Notices of the Division of Police.

**5.09 IMPROPER/INAPPROPRIATE LANGUAGE OR CONDUCT**

- A. Racist, sexist, lewd or lascivious conduct will not be tolerated at any time. The use of improper/inappropriate language is forbidden by Section 5.01 of the Manual of Rules and Regulations, which states: "Personnel shall not engage in any conduct, speech or acts while on duty or off duty that would reasonably tend to diminish the esteem of the division of Police or its personnel in the eyes of the public".

**Ohio Revised Code 2917.211: Dissemination of image of another person**

(A) As used in this section:

(1) "Disseminate" means to post, distribute, or publish on a computer device, computer network, web site, or other electronic device or medium of communication.

(2) "Image" means a photograph, film, videotape, digital recording, or other depiction or portrayal of a person.

(3) "Interactive computer service" has the meaning defined in the "Telecommunications Act of 1996," 47 U.S.C. 230, as amended.

(4) "Internet provider" means a provider of internet service, including all of the following:

- (a) Broadband service, however defined or classified by the federal communications commission;
- (b) Information service or telecommunications service, both as defined in the "Telecommunications Act of 1996," 47 U.S.C. 153, as amended;
- (c) Internet protocol-enabled services, as defined in section 4927.01 of the Revised Code.

(5) "Mobile service" and "telecommunications carrier" have the meanings defined in 47 U.S.C. 153, as amended.

(6) "Cable service provider" has the same meaning as in section 1332.01 of the Revised Code.

(7) "Direct-to-home satellite service" has the meaning defined in 47 U.S.C. 303, as amended.

(8) "Video service provider" has the same meaning as in section 1332.21 of the Revised Code.

(9) "Sexual act" means any of the following:

- (a) Sexual activity;
- (b) Masturbation;
- (c) An act involving a bodily substance that is performed for the purpose of sexual arousal or gratification;
- (d) Sado-masochistic abuse.

(B) No person shall knowingly disseminate an image of another person if all of the following apply:

(1) The person in the image is eighteen years of age or older.

(2) The person in the image can be identified from the image itself or from information displayed in connection with the image and the offender supplied the identifying information.

(3) The person in the image is in a state of nudity or is engaged in a sexual act.

(4) The image is disseminated without consent from the person in the image.

(5) The image is disseminated with intent to harm the person in the image.

(C) This section does not prohibit the dissemination of an image if any of the following apply:

(1) The image is disseminated for the purpose of a criminal investigation that is otherwise lawful.

(2) The image is disseminated for the purpose of, or in connection with, the reporting of unlawful conduct.

(3) The image is part of a news report or commentary or an artistic or expressive work, such as a performance, work of art, literary work, theatrical work, musical work, motion picture, film, or audiovisual work.

(4) The image is disseminated by a law enforcement officer, or a corrections officer or guard in a detention facility, acting within the scope of the person's official duties.

(5) The image is disseminated for another lawful public purpose.

(6) The person in the image is knowingly and willingly in a state of nudity or engaged in a sexual act and is knowingly and willingly in a location in which the person does not have a reasonable expectation of privacy.

(7) The image is disseminated for the purpose of medical treatment or examination.

(D) The following entities are not liable for a violation of this section solely as a result of an image or other information provided by another person:

(1) A provider of interactive computer service;

(2) A mobile service;

(3) A telecommunications carrier;

(4) An internet provider;

(5) A cable service provider;

(6) A direct-to-home satellite service;

(7) A video service provider.

(E) Any conduct that is a violation of this section and any other section of the Revised Code may be prosecuted under this section, the other section, or both sections.

(F)(1)(a) Except as otherwise provided in division (F)(1) (b), (c), or (d) of this section, whoever violates this section is guilty of nonconsensual dissemination of private sexual images, a misdemeanor of the third degree.

(b) If the offender previously has been convicted of or pleaded guilty to a violation of this section, nonconsensual dissemination of private sexual images is a misdemeanor of the second degree.

(c) If the offender previously has been convicted of or pleaded guilty to two or more violations of this section, nonconsensual dissemination of private sexual images is a misdemeanor of the first degree.

**Ohio Revised Code 2917.211: Dissemination of image of another person**

(A) No person, with purpose to coerce another into taking or refraining from action concerning which the other person has a legal freedom of choice, shall do any of the following:

(1) Threaten to commit any offense;

(2) Utter or threaten any calumny against any person;

(3) Expose or threaten to expose any matter tending to subject any person to hatred, contempt, or ridicule, to damage any person's personal or business repute, or to impair any person's credit;

(4) Institute or threaten criminal proceedings against any person;

(5) Take, withhold, or threaten to take or withhold official action, or cause or threaten to cause official action to be taken or withheld.

(B) Divisions (A)(4) and (5) of this section shall not be construed to prohibit a prosecutor or court from doing any of the following in good faith and in the interests of justice:

(1) Offering or agreeing to grant, or granting immunity from prosecution pursuant to section 2945.44 of the Revised Code;

(2) In return for a plea of guilty to one or more offenses charged or to one or more other or lesser offenses, or in return for the testimony of the accused in a case to which the accused is not a party, offering or agreeing to dismiss, or dismissing one or more charges pending against an accused, or offering or agreeing to impose, or imposing a certain sentence or modification of sentence;

(3) Imposing a community control sanction on certain conditions, including without limitation requiring the offender to make restitution or redress to the victim of the offense.

(C) It is an affirmative defense to a charge under division (A)(3), (4), or (5) of this section that the actor's conduct was a reasonable response to the circumstances that occasioned it, and that the actor's purpose was limited to any of the following:

(1) Compelling another to refrain from misconduct or to desist from further misconduct;

(2) Preventing or redressing a wrong or injustice;

(3) Preventing another from taking action for which the actor reasonably believed the other person to be disqualified;

(4) Compelling another to take action that the actor reasonably believed the other person to be under a duty to take.

(D) Whoever violates this section is guilty of coercion, a misdemeanor of the second degree.

(E) As used in this section:

(1) "Threat" includes a direct threat and a threat by innuendo.

**General Police Order 1.07.06: Disciplinary Guidance (effective: 11/12/19)**

**POLICY:** To ensure compliance to all laws of the United States, the State of Ohio, the Charter provisions and ordinances of the City of Cleveland, and the written directives of the Division of Police and the City of Cleveland. Additionally, members of the Division shall be responsible for adherence to all criminal laws in the jurisdictions in which they may be traveling.

The integrity of the Cleveland Division of Police is measured by the highest standards of personal conduct. The discipline system reflects the values of the Division while protecting the rights of both officers and citizens. The disciplinary guidance matrix is intended to create a culture of transparency, fairness, and consistency while maintaining the highest standards of professionalism and integrity in policing.

All disciplinary or non-disciplinary outcomes shall be decided without consideration of the member's race, religion, gender, sex, national origin, age, ethnicity, familial relationships or sexual orientation.

All disciplinary or non-disciplinary outcomes shall be decided without consideration of the high or low profile nature of the incident.

Supervisors shall follow the contractual procedures of the respective bargaining units. The discipline matrix applies to both sworn and non-sworn members of the Division unless there are contractual exceptions.

This Disciplinary Guidance is designed to accomplish the following goals:

1. Establish standards of corrective action to encourage compliance with all applicable laws, ordinances, rules, and directives.
2. Delineate categories of conduct for Group I, II or III policy violations.
3. Outline the presumptive discipline ranges within those categories and for specific policy violations based upon the severity of the violation.
4. Give notice to officers and the community of the likely sanction for a particular violation.
5. Define and identify aggravating and mitigating factors to consider when determining the imposition of corrective action.
6. Provide the framework for consistent and fair corrective action.

**Group III Violation** - is conduct that involves a serious abuse or misuse of authority, unethical behavior, or an act that results in an actual or serious and adverse impact on officer or public safety or to the professionalism of the Division. Any violation of law, rule, policy or training which foreseeably results in death or serious physical harm to another person; or constitutes a willful and wanton disregard of Division values; or involves any act which demonstrates a lack of the integrity, ethics or character related to an officer's fitness to hold the position of police officer; or involves egregious misconduct substantially contrary to the standards of conduct reasonably expected of one whose sworn duty is to uphold the law; or involves any conduct which constitutes the failure to adhere to any contractual condition of employment or requirement of certification mandated by law.

## **I. Table of Discipline**

- I. The following are examples of violations within each disciplinary category. The violations listed are not intended to be all-inclusive.

**3. Group III Violations**

- Failure to notify supervisor of a Group III Violation
- Failure of a random alcohol test [See I. A. 2 and 3]
- Failure of random drug test
- False report; false statement; untruthfulness; dishonesty

**J. Ranges of Non-Disciplinary and Disciplinary Actions**

3. Group III Violations. Corrective action shall range from a ten-day suspension to demotion or termination.
- j. False report, false statement, untruthfulness, or dishonesty (each of which creates a presumption of termination).

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

**II. ADMINISTRATIVE COMPLIANCE**

- 2.01 Personnel shall not violate any law of the United States, the State of Ohio, Charter provision or ordinance of the City of Cleveland, or neglect to perform any duty required by law, nor shall they engage in any conduct that would constitute a crime under the laws of the United States, the State of Ohio, or the Charter provisions or ordinances of the City of Cleveland.
- 2.02 Personnel shall not willfully disobey any rules, General Police Orders or directives of the Division of Police, or any lawful orders, written or oral, issued to them by a superior officer of the Division of Police.
- 2.03 Personnel shall perform all duties required by rules, General Police Orders, directives, or orders of the Division of Police.
- 2.04 Personnel shall study all rules, General Police Orders and directives pertaining to their duties, and shall be held accountable for any action contrary to these instructions.
- 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:
- a. Incompetence
  - b. Gross neglect of duty
  - c. Gross immorality
  - e. Failure to obey orders given by proper authority
  - f. Any other reasonable and just cause

**III. ETHICS**

- 3.10 Personnel who become subject to arrest or are called before any court for any criminal or traffic proceeding arising from incidents outside the scope of their employment shall promptly notify their immediate supervisor in writing. This includes personnel who are returning from any unpaid status (e.g. a leave of absence, suspension, or layoff).

- 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.

**V. BEHAVIOR**

- 5.01 Personnel shall not engage in any conduct, speech or acts while on duty or off duty that would reasonably tend to diminish the esteem of the Division of Police or its personnel in the eyes of the public.
- 5.08 Personnel shall conduct themselves in such a manner as to command the respect of the public.
- 5.09 Personnel shall be courteous and respectful in their speech, conduct, and contact with others.

**HEARING INFORMATION**

The pre-disciplinary hearing is scheduled for **Friday, July 22, 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](mailto: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**

**July 15, 2022**

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Sincerely,



**Karrie D. Howard, Chief Director  
Department of Public Safety**

KDH:dad:bpc:cld:kfs

cc:      Dornat Drummond, Interim Chief, Division of Police  
George E. Coulter, Assistant Director, Department of Public Safety  
Jakimah R. Dye, Assistant Director, Department of Public Safety  
Sammy Morris, Acting Deputy Chief, Field Operations  
Daniel Fay, Deputy Chief, Administrative Operations  
Brian Carney, Commander, Bureau 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  
William Menzalora, Chief Assistant Director of Law  
Amanda Bouton, Assistant Director of Law  
Paul Patton, Director, Department of Human Resources  
Richard Rosenthal, Member, Monitoring Team  
Michael Evanovich, Investigator, Department of Justice  
Hassan Aden, Federal Monitoring Team