



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Karrie D. Howard, Director
601 Lakeside Avenue, Room 230
Cleveland, Ohio 44114-1015
216/664-2560 • Fax: 216/664-3734
www.cleveland-oh.gov

Pre-Disciplinary Hearing

October 7, 2022

Patrol Officer Rashawn Rahim #238
C/o Bureau of Community Relations
1300 Ontario Street
Cleveland, Ohio 44113

Re: CPD2022-0018

Patrol Officer Rahim #238:

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: (CPD2022-0018) Between approximately April 5, 2021, and December 26, 2021, you, Patrol Officer Rashawn Rahim #238, did knowingly acquire financial reimbursement in the amount of \$937.50 from the City of Cleveland, via the Cleveland Division of Police Tuition Reimbursement Program, while also receiving financial reimbursement from the United States Air Force's tuition assistance program in the amount of \$1,500. This appropriation of funds from the City is beyond the scope of expressed or implied consent of the Division's Tuition Reimbursement Program. This conduct would constitute the crime of Petty Theft under City of Cleveland Codified Ordinance 625.05, a Misdemeanor of the First Degree, in violation of General Police Order 1.3.21 and Manual of Rules 2.01 and 5.01. (*Group III Violation*)

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

RULES, POLICIES AND PROCEDURES

Cleveland Codified Ordinance § 625.05 Petty Theft (Passed 9-23-13, eff. 9-27-13)

- (a) No person, with purpose to deprive the owner of property or services, shall knowingly obtain or exert control over either the property or services in any of the following ways:
 - (1) Without the consent of the owner or person authorized to give consent;
 - (2) Beyond the scope of the express or implied consent of the owner or person authorized to give consent;
 - (3) By deception;
 - (4) By threat;
 - (5) By intimidation.
- (b) This section shall not apply if the value of the property involved is one thousand dollars (\$1,000.00) or more, or is any of the property listed in Section 625.04.
- (c) This section shall not apply if the victim of the offense is an elderly person or disabled adult.
- (d) Whoever violates this section is guilty of petty theft, a misdemeanor of the first degree.

General Police Order 1.3.21: Tuition Reimbursement Program (effective date: 2/28/2005)

POLICY: All sworn members, with the exception of members on extended illness status or any leave of absence or disciplinary suspension, are eligible. Tuition reimbursement shall be administered through the Bureau of Support Services.

Reimbursement of expenses is permitted only for those law enforcement classes directly applicable to the performance of an officer's current official duties. These classes are not required by the Division and are taken by the officer as wholly voluntarily.

Tuition reimbursement for classes not directly related to an officer's official law enforcement duties, including non-law enforcement related courses needed to fulfill the requirements of a law enforcement related degree is not permitted (e.g. an art appreciation course needed to meet the Fine Arts component of a Baccalaureate degree in Criminal Justice).

Procedures:

I. Eligibility for Reimbursement

B. Allowable Costs

- 2. Reimbursement shall be reduced by any and all aid received in the form of grants, gifts, scholarships, benefits or other financial assistance that the student has no liability to repay.

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.

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.

HEARING INFORMATION

The pre-disciplinary hearing is scheduled for **Friday, October 14, 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.**

In accordance with General Police Order 1.1.12: Sworn Officers Uniform 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

October 7, 2022

Page 4 of 4

Sincerely,

A handwritten signature in black ink, appearing to read "Karrie D. Howard". The signature is fluid and cursive, with the first name "Karrie" being more prominent.

Karrie D. Howard, Chief Director
Department of Public Safety

KDH:dad:ww:cld:la

cc: Dornat A. Drummond, Chief, Division of Police
George Coulter, Assistant Director, Department of Public Safety
Jakimah R. Dye, Assistant Director, Department of Public Safety
Dorothy Todd, Deputy Chief, Chief of Staff
Arneil Rose, Acting Commander, Bureau of Community Relations
Sammy Morris, Acting Deputy Chief, Field Operations
Brian Carney, Commander, Bureau of Compliance
Robert Simon, Captain, Office of Compliance
Christopher Viland, Superintendent, Internal Affairs Unit
Jarod Schlacht, Lieutenant, Officer-in-Charge, 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
Mark Griffin, Chief Director of Law
William Menzalora, Chief Assistant Director of Law
Michael Pike, Assistant Director of Law
Timothy Puin, Assistant Director of Law
Amanda Boutton, Assistant Director of Law
Delante Thomas, Chief Ethics Officer
Michael Hess, Chairperson, Civilian Police Review Board
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Hassan Aden, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission