



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Dornat (Wayne) A. Drummond, Chief
FBI NA #230
Division of Police
1300 Ontario Street, Suite 929
Cleveland, Ohio 44113
216/623-5005 • 216/623-5584 Fax
www.clevelandohio.gov

Disposition Letter

September 14, 2022

Sergeant Stephanie Maye #9272
C/o Fourth District Headquarters
9333 Kinsman Road
Cleveland, Ohio 44104

Re: OPS2020-0098

Sergeant Stephanie Maye #9272:

This letter is to advise you, Sergeant Stephanie Maye #9272, of the result of the administrative pre-disciplinary hearing you attended on March 14, 2022, to address an external investigation wherein you were alleged to have engaged in improper procedure and/or conduct.

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: (OPS2020-0098) The Civilian Police Review Board (CPRB) is recommending to the Chief of Police that the allegation of *Lack of Service* be sustained against you, Sergeant Stephanie Maye #9272, that on or about May 24, 2020, you violated Manual of Rules 1.06, 4.01, 4.18, and 4.19, General Police Order 2.2.02 and Divisional Notices 20-104 and 20-110 when you failed to provide guidance to officers on scene, which included ensuring that an assault report be created for the witnessed punch on scene. (*Group I Violation*)

Specification #2: (OPS2020-0098) The Civilian Police Review Board (CPRB) is recommending to the Chief of Police that the allegation of *Improper Procedure* be sustained against you, Sergeant Stephanie Maye #9272, that on or about May 24, 2020, you violated Divisional Notices 20-124 and 20-125 when you failed to wear Personal Protective Equipment (PPE) and Failed to enforce that PPE be worn by all responding officers on scene. (*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 2.2.02 Warrant Summons in Lieu of Arrest (effective: 3/1/02)

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police: 1.06, 4.01, 4.18 and 4.19

Divisional Notice 20-104: Summons In Lieu of Arrest-Non-Violent Misdemeanors (Date: 3/24/20)

Divisional Notice 20-110: Covid-19 Modified Operations (Date 3/25/20)

Divisional Notice 20-124: Personal Protective Gear Protocols (PPE) – N95 Facemasks (Date 4/9/20)

Divisional Notice 20-125: Personal Protective Gear Protocols (PPE) – General (Date: 4/9/20)

HEARING INFORMATION

In attendance at the administrative pre-disciplinary hearing, were you, President James O'Malley and Attorney Joseph Mando of the Fraternal Order of Police, Lodge #8, First Vice President Luther Roddy of the Black Shield Police Association, Investigator Art Bowker, Investigator Julie Delaney and Investigator Hercules Harris of the Office of Professional Standards, Lieutenant Charles DePenti of the Case Preparation Unit and Acting Deputy Chief Sammy Morris of Field Operations, who presided over the hearing.

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 and "No Contest" to Specification #2 as set forth in the charge letter.

At the hearing you presented LERMS Report #2020-147260 indicating that a police report had been made for the complainant (Specification #1), placing this determination in abeyance while OPS2020-0098 was resubmitted to the Civilian Police Review Board for a final determination. On August 31, 2022, Interim Senior Investigator Eric Richardson emailed the Case Preparation Unit regarding that CPRB decision, "The case was presented to the CPRB during the August hearings. The Board voted to sustain the lack of service allegation, in a manner consistent with their initial findings made during the earlier hearing."

Upon reviewing the evidence presented, the memorialized record, as well as the arguments of you and your representatives, the Hearing Officer recommended that you be issued a Written Reprimand for Specification #1 and a Letter of Reinstruction for Specification #2.

FINDINGS AND CONCLUSION

I have carefully reviewed the evidence incorporated into the record by reference, the memorialized record, including statements made at your hearing, Wearable Camera System video, and the applicable Rules, Policies and Procedures. I accept and adopt the recommendation of the Hearing Officer and the Civilian Police Review Board. I did find that a police report was generated (2020-147260) for the complainant; however, even though the scene was chaotic, a police report should have been made on scene rather than sending the victim to a district headquarters for a report to be completed later (*Specification #1*). As a supervisor, you had a duty to ensure compliance with the N-95 mandates as specifically noted in Divisional Notice 20-124 (*Specification #2*).

As a superior officer, you set the example for those under your command, and as such, you had a duty to ensure a police report was completed on scene, and as such I am issuing you a “**Written Reprimand**” for **Specification #1**. This corrective action is within the First Group I violation range of the discipline matrix where mitigating factors (*circumstances under which the rule was violated (chaotic scene)*) outweigh aggravating factors (*supervisory officer and active discipline*). I believe reinstruction is appropriate regarding your failure to ensure compliance with Division Policy regarding N-95 procedures. Therefore, I am issuing you this “**Non-disciplinary Letter of Reinstruction**” for **Specification #2**.

Additionally, you shall, within five (5) work days of receiving this Written Reprimand, read General Police Order 2.2.02 and Manual of Rules 1.06, 4.01, 4.18 and 4.19, and expect to be reinstructed by a superior officer on that Order and those Rules. Upon completion of the reinstruction, you will email (as an attachment) a Form-1 indicating reinstruction, endorsed by the same superior officer, to both:

- **The Case Preparation Unit (caseprep@clevelandohio.gov)**
- **Lieutenant Charles DePenti (cdepenti@clevelandohio.gov).**

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.

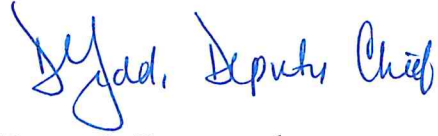
It is the Division’s earnest desire that this letter will serve as a deterrent against future acts of this nature. Any prospective acts of same or similar conduct may lead to progressive discipline. Pursuant to the terms and conditions of the collective bargaining agreement between the City of Cleveland and the Fraternal Order of Police, Lodge #8, disciplinary actions shall not be used for progressive discipline purposes after three (3) years from the date the discipline was administered.

Sergeant Stephanie Maye #9272

September 14, 2022

Page 4 of 4

Sincerely,



Dornat A. Drummond
Chief of Police

DAD:bpc:cld

cc: Sammy Morris, Acting Deputy Chief, Field Operations
Brandon Kutz, Commander, Fourth District
Brian Carney, Commander, Bureau of Compliance
Dorothy Todd, Deputy Chief of Staff
Christopher Viland, Superintendent, Internal Affairs Unit
William Mokshefsky, Sergeant, Personnel Unit
James O'Malley, President, Fraternal Order of Police, Lodge #8
Thomas Fisher, Interim Administrator, Office of Professional Standards
Michael Hess, Chairman, Civilian Police Review Board
David Gatian, Vice Chairman, Civilian Police Review Board
Hassan Aden, Federal Monitoring Team
Richard Rosenthal, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission