



CLEVELAND DIVISION OF POLICE

DIVISIONAL NOTICE

DATE:	OCTOBER 12, 2022	NUMBER:	22-357
SUBJECT:	DISCIPLINE		
CHIEF:	<i>Dornat A. Drummond, Chief</i>	PAGE(S):	1 of 10

The following is a disposition of a disciplinary hearing held by the Director of Public Safety on January 21, 2022.

Patrol Officer: Failed to generate a Crisis Intervention Report and complete a Crisis Intervention Team (CIT) stat sheet during a call for service where a male was in mental crisis (*General Police Order 5.11.03*). Although the officer spent time on scene attempting to de-escalate the male in crisis and did request that a supervisor come to the scene, ultimately the officer did not complete a report and a CIT stat sheet as required. Found “Guilty” of one Group I violation. Because this is the officer’s fourth sustained Group I violation within a three year period, the discipline automatically progresses to the next higher group, placing this corrective action in the Group II range. Considering the officer’s active discipline history (11/26/2019 - thirty day suspension), the officer received a seven day suspension. This corrective action is within the First Group II violation range of the discipline matrix where aggravating factors (*active discipline history, CIT certified officer at the time of the incident*) outweigh mitigating factors (*requested that a supervisor come to the scene*).

The following is a disposition of a disciplinary hearing held by the Deputy Chief of Administrative Operations on March 30, 2022.

Patrol Officer: Ceased in assisting the complainant in obtaining legal property, ordered the complainant’s vehicle to be towed upon learning that the complainant’s driver’s license was suspended, refused the complainant’s request that a licensed driver be allowed to take possession of the vehicle, and failed to provide minimal protection for the complainant’s safety when the officer ordered the complainant off the scene on foot, leaving her vulnerable to the aggressions of her nearby ex-boyfriend (*General Police Orders 3.4.14 and 8.2.01*). The officer ceased in assisting the complainant to obtain legal property and should have allowed the vehicle to be towed by a licensed driver. Found “Guilty” of one Group I violation. Considering the officer’s active discipline history (none), the officer received a Written Reprimand. 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*).

The following is a disposition of a disciplinary hearing held by the Deputy Chief Executive Officer on May 25, 2022.

Patrol Officer: Failed to activate Wearable Camera System (WCS) (x2) (*General Police Order 4.06.04*) – Directed a patient in a wheelchair toward the emergency room door, and without his consent, tipped the wheelchair forward saying: “Look, it’s a miracle. You can walk,” forcing the patient who had a leg injury to stand up unexpectedly and hop on one leg out of the emergency room lobby and into an unfamiliar area of the city without a ride home (*General Police Order 1.1.03 and Manual of Rules 5.01, 5.08 and 5.09*). The Group II violation was amended to a Group I violation. Found “Guilty” of three Group I violations. Considering the officer’s active discipline history (5/24/2021 - one day suspension), the officer received a three day suspension.

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This corrective action is within the Second Group I violation range of the discipline matrix where aggravating factors (*active discipline, multiple violations*) outweigh mitigating factors (*none*).

The following is a disposition of disciplinary hearing held by the Assistant Director of Administrative Operations, Department of Public Safety on June 3, 2022.

Patrol Officer: Failed to consider the safety of the complainant during the time on scene, to wit: allowed the complainant's agitated ex-boyfriend to approach and yell at the complainant as she was seated in her vehicle a few houses down from the ex-boyfriend's residence and again when the officer ordered the complainant away from the scene after calling for the tow of her personal vehicle and instructing her to walk to the gas station at the end of the street alone (*Manual of Rules 5.01, 5.08, and 5.09*). As members of the Department of Public Safety, we are service providers to the citizens of the City of Cleveland. The complainant called us for help and in turn, she was inconvenienced and made fun of when the officer stated: "You're sitting here talking about lung surgery and you're smoking how many cigarettes? You can walk up the street - it's healthier for you." The officer also made unprofessional comments when speaking to the tow truck driver on scene stating that the officer would, "solve the situation one way or another" as the officer laughed and referenced the complainant's citation and tow. Found "Guilty" of one Group I violation. Considering the officer's active discipline history (*none*), the officer received a Written Reprimand. 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*).

The following is a disposition of disciplinary hearing held by the Director of Public Safety on June 3, 2022.

Patrol Officer: While assigned as the missing persons car, did fail to tour areas of interest for an endangered missing juvenile (*Manual of Rules 2.14 and 4.18*) – While assigned as the missing persons car, did report that the area was toured in contradiction of assigned patrol cars' Automatic Vehicle Locators (AVL) (*Manual of Rules 3.12*) – While assigned as the missing persons car, did spend eight (8) hours, nine (9) hours, five (5) hours, six (6) hours and four (4) hours during different tours of duty at the District Headquarters, as indicated by the assigned patrol cars' Automatic Vehicle Locators (AVL) (*Manual of Rules 4.06*). The officer was assigned as a one-man car and detailed as the missing persons car. The officer carried out the responsibilities and followed the corresponding General Police Orders. The Wearable Camera System videos show that the officer handled the assignments, required follow-ups, assisted on other assignments and provided professional service to all citizens during each contact made. The reports that the officer completed were all reviewed and signed by a superior officer within the District without any corrections. If there was an issue with the language of the reports or the patrol car being stationary in the district parking lot, it should have been immediately addressed by the superior officer responsible for reviewing and approving the reports or the Officer-in-Charge of the shift responsible for monitoring the AVL system. Found "Not Guilty" and the disciplinary action was dismissed.

The following is a disposition of a disciplinary hearing held by the Assistant Director of Operations, Department of Public Safety on June 17, 2022.

Patrol Officer: Conducted a strip search of the complainant in an area that did not provide privacy, outside, in a residential area instead of a holding facility, and failed to take appropriate steps to minimize the complainant's embarrassment and ensure the correct number of personnel were present while searching the complainant's private areas (*General Police Order 2.02.04 and Manual of Rules 2.03, 2.04 and 4.03*). A thorough review of Sections I.A. and III.A. of General Police Order 2.02.04 revealed that the officer adhered to policy. Further, the officer was following orders from an immediate supervisor to conduct the strip search, conducted the search quickly and efficiently, and the search resulted in the recovery of a suspected bag of narcotics without incident. Found "Not Guilty" and the disciplinary action was dismissed.

The following are dispositions of disciplinary hearings held by the Deputy Chief of Administrative Operations on June 23, 2022.

Superior Officer: Failed to activate Wearable Camera System (WCS) (*General Police Order 4.06.04*) – Involved in a second motor vehicle accident that was reviewed by the Traffic Safety Analysis Panel and determined to be preventable (*Manual of Rules 4.03, 6.03 and 6.05, and Civil Service Rules 9.10 (12) and (18)*). The officer took responsibility for the violations (pled "No Contest"). Found "Guilty" of two Group I violations. Considering the officer's active discipline history (none), the officer received a Written Reprimand. This corrective action is within the First Group I violation range of the discipline matrix where mitigating factors (*accepted responsibility, no active discipline, and focused on making notification regarding the accident*) outweigh aggravating factors (*second preventable motor vehicle accident within two years and assigned WCS over one year*).

Superior Officer: Allowed a Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) special agent to bring a suspected live device to the Bomb Squad Unit for training purposes (*Bomb Squad Standard Operating Procedures, Response to Suspect or Suspicious Items, and Manual of Rules 2.02*) – Stored a suspected live device inside a truck that was parked inside the Bomb Squad Unit's garage prior to being transported to a safe location (*Bomb Squad Standard Operating Procedures, Duties and Responsibilities and Manual of Rules 2.02*). Found "Not Guilty" of storing a suspected live device at the Bomb Squad Unit's garage. While the officer did allow a suspected live device to be stored inside a truck that was parked inside the Bomb Squad Unit's garage prior to being transported to a safe location, there were no viable alternatives. The Cleveland Division of Police's Total Containment Vessel was not available, and there was no access to the Ordnance Unit at the time of the incident. The officer did examine the live device and determine it to be a grenade with missing components (i.e. switch, detonator, power source, explosive load or charge) rendering the device inoperable. The officer also placed the grenade into a "Frag Bag" which would have mitigated the blast and contained the fragments. This specification was "Dismissed" and the Division will address the lack of alternatives that were available to the officer. Because the officer immediately addressed the safety concerns by not going forward with the training and had the ATF special agent remove the suspected live device, this Group II violation was amended to a Group I violation. Only training devices are to be utilized during training; in this instance a completely empty, sealed pipe could have been used. Because the officer has no active discipline, the device was brought by the ATF for ATF led training and the officer immediately addressed safety concerns, reinstruction is appropriate regarding this training issue. The officer received a Non-disciplinary Letter of Reinstruction. The letter is not discipline and should not be regarded as such.

Patrol Officer: Failed to investigate damage to a fire hydrant (*Manual of Rules 4.18*). Received an assignment for damage to a fire hydrant and arrived on-scene to find a vehicle stuck in a snowbank. Failed to thoroughly investigate the damage to the fire hydrant, as the officer spoke to the vehicle owner for less than one minute and failed to exit the patrol car to further investigate. Found “Guilty” of one Group I violation. Considering the officer’s active discipline history (8/11/2020 – two day suspension), the officer received a two day suspension. This corrective action is within the Second Group I violation range of the discipline matrix, where mitigating factors (*fire hydrant was not visible and no injuries*) outweigh any aggravating factors (*active discipline*).

Patrol Officer: Involved in a motor vehicle accident (MVA) that was reviewed by the Traffic Safety Analysis Panel (TSAP) and determined to be preventable (*Manual of Rules 4.03, 6.03 and 6.05, and Civil Service Rules 9.10 (12) and (18)*). This was the officer’s second preventable motor vehicle accident within two years. The officer took responsibility for the violations (pled “No Contest”). Found “Guilty” of one Group I violation. Considering the officer’s active discipline history (none), the officer received a Written Reprimand. This corrective action is within the First Group I violation range of the discipline matrix where mitigating factors (*accepted responsibility, no active discipline*) outweigh aggravating factors (*none*).

The following are dispositions of disciplinary hearings held by the Deputy Chief of Homeland Special Operations on June 27, 2022.

Patrol Officer: Sick leave abuse in the fourth quarter of 2021 (*General Police Order 1.3.06*). The officer used sixty hours of undocumented sick time and displayed a pattern of sick use that preceded or followed scheduled vacation days or compensatory time. Reinstruction is appropriate regarding this instance of sick abuse. The officer received a Non-disciplinary Letter of Reinstruction placing the officer on Step-1 of the Sick Leave Abuse Control Program until July 18, 2023. The letter is not discipline and should not be regarded as such.

Patrol Officer: Engaged in unauthorized secondary employment (*General Police Order 1.02.13*). The officer was found to be working unauthorized secondary employment at Rocket Mortgage Field House. The officer took responsibility for the violation (pled “No Contest”). Found “Guilty” of one Group I violation. Considering the officer’s active discipline history (none), the officer received a one day suspension. This corrective action is within the First Group I violation range of the discipline matrix where aggravating factors (*liability to the City and was aware of General Police Order 1.02.13 via Divisional Notice 2021-0264 issued November 11, 2021*) outweigh mitigating factors (*accepted responsibility, no discipline and had previously approved secondary employment requests*).

Patrol Officer: Failed to activate Wearable Camera System (WCS) (×2) (*General Police Order 4.06.04*) – Failed to process tow a vehicle as required (*General Police Order 6.2.13*) – Failed to complete LERMS report (*General Police Order 6.2.13*). The officer took responsibility for the violations (pled “No Contest”). Found “Guilty” of four Group I violations. Because the officer had two previously sustained Group I violations within a three year period, the discipline automatically progresses into the next higher group, placing this corrective action in the Group II range. Considering the officer’s active discipline history (9/21/2020 – one day suspension, 5/25/2021 – three day suspension), the officer received a six day suspension. This corrective action is within the First Group II violation range of the discipline matrix where mitigating factors (*accepted responsibility, not usually assigned patrol responsibilities*) outweigh aggravating factors (*active discipline, multiple violations*).

Patrol Officer: Failed to activate Wearable Camera System (WCS) (*General Police Order 4.06.04*). A review of all Wearable Camera System videos regarding this incident reveals that the officer activated the WCS at the same time as the other responding officers. This indicates that the officer spotted the suspect contemporaneous with the radio assignment. Because the officer is not normally assigned to the Patrol Section, reinstruction is appropriate regarding the failure to activate the camera while simultaneously exiting the patrol vehicle to investigate a suspect. The officer received a Non-disciplinary Letter of Reinstruction. The letter is not discipline and should not be regarded as such.

Patrol Officer: Failed to activate Wearable Camera System (WCS) (*General Police Order 4.06.04*). A review of all Wearable Camera System videos regarding this incident revealed that the officer activated the WCS four minutes after the other responding officers activated their WCS. However, the officer spotted the suspect contemporaneous with the radio assignment, parked the patrol car, exited the patrol car and engaged the suspect in a foot pursuit. Because the officer is not normally assigned to the Patrol Section, reinstruction is appropriate regarding the officer's failure to activate the camera. The officer received a Non-disciplinary Letter of Reinstruction. The letter is not discipline and should not be regarded as such.

The following are dispositions of disciplinary hearings held by the Director of Public Safety on July 1, 2022.

Patrol Officer: Engaged in a physical fight with other members of the Cleveland Division of Police which resulted in the officer being charged under Cleveland Codified Ordinance 621.03 (Assault) (*Manual of Rules 2.01*) – Failed to report officer misconduct after observing or becoming aware that multiple members of the Cleveland Division of Police were engaged in a physical fight (*General Police Order 1.07.05*) – Diminished the esteem of the Division of Police by engaging in a physical fight with other members of the Cleveland Division of Police (*General Police Order 1.1.03 and Manual 5.01, 5.08 and 5.09*). The assault charge was dismissed by Rule 29 by the court. From the facts, as best ascertained from credible officers, this incident began from an insulting exchange of banter between two officers that went too far. This back and forth resulted in an unfortunate physical altercation between officers. The officer took no significant steps to de-escalate the situation, and ultimately used deadly force with a kick to the head of a fellow officer. This was a completely avoidable altercation, had reasonable minds prevailed. During the hearing the officer exercised a total lack of remorse for what happened and failed to take responsibility for the actions. The facts as the officer described them were significantly inconsistent from all other members that were involved. The officer proudly stated that if the officer had to do it all again, the officer would. The lack of remorse and candor, is extremely concerning. It should also be noted that because of the above-listed misconduct including the use of deadly force by Division policy (kicking another in the head) and failing to report such force, termination was on the table. These events were not simply a mistake in judgment, they were a choice. Found “Guilty” of one Group II violation and two Group III violations. Considering the officer’s active discipline history (10/9/2019 – one day suspension), the officer received a thirty day suspension. This corrective action is within the First Group III violation range of the discipline matrix where aggravating factors (*active discipline, multiple violations*) outweigh mitigating factors (*none*).

Patrol Officer: Engaged in workplace violence by becoming involved in a physical fight with other members of the Cleveland Division of Police (*General Police Order 1.1.08*) – Engaged in taunting or challenging behavior which provoked a violent response which resulted in the officer strangling another member of the Division while threatening him during the fight (*Manual of Rules 2.01*) – Failed to report officer misconduct after observing and becoming aware that multiple members of the Cleveland Division of Police were engaged in a physical fight (*General Police Order 1.07.05 and Manual of Rules 4.12*) – Engaged in acts that tend to reasonably diminish the esteem of the Division of Police when involved in a physical fight with other members of the Division of Police (*General Police Order 1.1.03 and Manual of Rules 5.01, 5.08 and 5.09*). None of the facts at issue stemmed from having occurred or arose from the officer's place of work to be considered workplace violence. Found "Not Guilty" of workplace violence. The banter between the members was consistently described as a mutual back and forth. Found "Not Guilty" of taunting or challenging behavior. With all of what could only be described as orchestrated confusion and misinformation, there are several facts which are undisputable. The back and forth resulted in an unfortunate physical altercation between officers, with little or no attempt of de-escalation. Multiple members of the Cleveland Division of Police were engaged in a physical fight. Found "Guilty" of failing to report officer misconduct, Group III violation. It is unreasonable to conclude that a three-on-one fight could be perceived as mutual combat. Found "Not Guilty" of diminishing the esteem. Considering the officer's active discipline history (none), the officer received a ten day suspension. This corrective action is within the First Group III violation range of the discipline matrix where mitigating factors (*no active discipline history, willingness to accept responsibility and wrongdoing*) outweigh aggravating factors (*multiple violations*).

Patrol Officer: Engaged in a physical fight with other members of the Cleveland Division of Police which resulted in the officer being charged under Cleveland Codified Ordinance 621.03 (Assault) (*Manual of Rules 2.01*) – Failed to report officer misconduct after observing or becoming aware that multiple members of the Cleveland Division of Police were engaged in a physical fight (*General Police Order 1.07.05*) – Diminished the esteem of the Division of Police by engaging in a physical fight with other members of the Cleveland Division of Police (*General Police Order 1.1.03 and Manual 5.01, 5.08 and 5.09*). The assault charge was dismissed by Rule 29 by the court. From the facts, as best ascertained from credible officers, this incident began from an insulting exchange of banter between two officers that went too far. This back and forth resulted in an unfortunate physical altercation between officers. The officer took no significant steps to de-escalate the situation, ultimately getting into a physical altercation with another officer. Additionally, the use of martial arts training created a very dangerous situation that could have had a more serious conclusion to this incident. The officer also failed to report this incident to a supervisor. All of the foregoing is conduct that diminished the esteem of the Cleveland Division of Police, as Cleveland Police Officers are in a position of reverence to the community. Given the nature of the misconduct and number of Group III violations, a twenty day suspension would be justified; however, the officer did provide significant insight into what happened that evening, and the officer's integrity is noted. Found "Guilty" of one Group II violation and two Group III violations. Considering the officer's active discipline history (none), the officer received a twelve day suspension. This corrective action is within the First Group III violation range of the discipline matrix where mitigating factors (*no discipline history, willingness to accept responsibility and acknowledge wrongdoing*) outweigh aggravating factors (*multiple violations*).

Patrol Officer: Engaged in workplace violence by becoming involved in a physical fight with other members of the Cleveland Division of Police (*General Police Order 1.1.08*) – Engaged in a physical fight with other members of the Cleveland Division of Police which resulted in the officer being charged under Cleveland Codified Ordinance 621.03 (Assault) (*Manual of Rules 2.01*) – Failed to report officer misconduct after observing or becoming aware that multiple members of the Cleveland Division of Police were engaged in a physical fight (*General Police Order 1.07.05*) – Diminished the esteem of the Division of Police by engaging in a physical fight with other members of the Cleveland Division of Police (*General Police Order 1.1.03 and Manual 5.01, 5.08 and 5.09*). The assault charge was dismissed by Rule 29 by the court. General Police Order 1.1.08 defines Workplace Violence as behavior or conduct consisting of, but not limited to, oral and written threats, harassment, intimidation, physical attack or property damage, *either occurring at, or arising from, the employee's place of work* with the city, and occurring outside the normal course of law enforcement activities (*emphasis added*). None of the facts at issue stemmed from having occurred or arose from the member's place of work. Found "Not Guilty" of workplace violence. From the facts, as best ascertained from credible officers, this incident began from an insulting exchange of banter between two officers that went too far. This back and forth resulted in an unfortunate physical altercation between officers, with little or no attempt of de-escalation. With all of what could only be described as orchestrated confusion and misinformation, there are several facts which support the aforementioned finding of guilt to the remaining three specifications that are undisputable. The officer's actions were largely responsible for this incident culminating to a physical altercation. The strongest and most consistent testimony of all related parties was that the officer wanted to fight another officer. This was a completely avoidable altercation, had reasonable minds prevailed. Instead of recognizing that the other officer was leaving with a minor child and seeing this as an opportunity to de-escalate and let it go, the officer choose to escalate the situation with more hostility and violent conduct. The officer also failed to report this incident to a supervisor. All of the foregoing is conduct that diminished the esteem of the Cleveland Division of Police, as Cleveland Police Officers are in a position of reverence to the community. These events were not simply a mistake in judgement, they were a choice. Found "Guilty" of one Group II violation and two Group III violations. Considering the officer's active discipline history (1/4/2021 – two day suspension), the officer received a twenty day suspension. This corrective action is within the First Group III violation range of the discipline matrix where aggravating factors (*active discipline, multiple violations*) outweigh mitigating factors (*none*).

The following is a disposition of a disciplinary hearing held by the Director of Public Safety on July 15, 2022.

Superior Officer: Authorized a strip search of the complainant outside the confines of a secure holding facility (*General Police Order 2.02.04 and Manual of Rules 2.03, 2.04 and 4.03*). A thorough review of Sections I.A. and III.A. of General Police Order 2.02.04 revealed that the officer adhered to policy. Prior to authorizing the strip search, a scale with suspected narcotics residue, plastic baggies and disposable gloves were observed in plain view inside of the vehicle. While conducting a Terry pat down the officer felt what he determined through his training and experience to be a bag of suspected narcotics in the complainants "crotch area." The complainant was provided multiple opportunities to voluntarily hand over the suspected narcotics to which he refused and attempted to flee. Additionally, exposure to trace amounts of fentanyl can cause an overdose or death, giving clear exigent circumstances to authorize the strip search on-scene for the safety of the complainant. The search was conducted quickly and efficiently, and the search

resulted in the recovery of a suspected bag of narcotics without incident. Found “Not Guilty” and the disciplinary action was dismissed.

The following are dispositions of disciplinary hearings held by the Assistant Deputy Chief of Field Operations on July 20, 2022.

Patrol Officer: Failed to activate Wearable Camera System (*General Police Order 4.06.04*) – Failed to arrest an assault suspect, after witnessing the suspect strike a victim twice, did not arrest the suspect until he struck the victim a third time (*Manual of Rules 4.01 and 4.11*) – Failed to collect witness information or witness statements from civilian witnesses who came forward and offered to make statements following an assault (*General Police Order 2.01.05 and Manual of Rules 4.06*). The officer failed to activate his Wearable Camera System (WCS) after being flagged down by a civilian for a fight in the street, and a second time when the officer was again flagged down when the fight resumed. The officer also failed to arrest an assault suspect after witnessing the suspect strike a victim in front of him twice. Further, the officer failed to collect witness information or witness statements from civilian witnesses, who came forward and offered to make statements following an assault. Found “Guilty” of one Group I violation and two Group II violations. Considering the officer’s active discipline history (none), the officer received a six day suspension. This corrective action is within the First Group II violation range of the discipline matrix where mitigating factors (*no active discipline, the action was without malice or intent and rapidly evolving event*) outweigh aggravating factors (*multiple violations arising from a single event may escalate the disciplinary action to the maximum group range*).

Patrol Officer: Conducted an inventory of a vehicle’s contents and failed to remove valuable items (*General Police Order 8.2.01*). The officer failed to remove and secure valuable items from the vehicle. Found “Guilty” of one Group I violation. Considering the officer’s active discipline history (none), the officer received a Written Reprimand. This corrective action is within the first Group I violation range of the discipline matrix where mitigating factors (*no active discipline and the action was without malice or intent*) outweigh aggravating factors (none).

Patrol Officer: Failed to keep the Wearable Camera System (WCS) in event mode until the completion of the assignment and without the approval from an immediate supervisor (*General Police Order 4.06.04*) – Failed to immediately report damage to the patrol car to a superior officer (*Manual of Rules 6.06*) – Failed to contact Communications Control Section (CCS) when the officer’s Division of Police vehicle was involved in a Motor Vehicle Crash (MVC) and damaged (*General Police Order 8.1.01*). The investigation revealed that the officer failed to keep the WCS activated as required, and failed to make proper notifications regarding damage to the patrol car following a MVC. Found “Guilty” of three Group I violations. Multiple violations arising from a single event may escalate the disciplinary action to the maximum group range. Considering the officer’s active discipline history (none), the officer received a three day suspension. This corrective action is within the Second Group I violation range of the discipline matrix where aggravating factors (*multiple violations, failure to make proper notifications led to extensive damage to the police vehicle*) outweigh mitigating factors (*no active discipline*).

Patrol Officer: Failed to keep the Wearable Camera System (WCS) in event mode until the completion of the assignment and without the approval from an immediate supervisor (*General Police Order 4.06.04*) – Failed to immediately report damage to the zone car to a superior officer (*Manual of Rules 6.06*) – Failed to contact Communications Control Section (CCS) when the

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officer's Division of Police vehicle was involved in a Motor Vehicle Crash (MVC) and damaged (*General Police Order 8.1.01*). The investigation revealed that the officer failed keep the WCS activated as required, and failed to make proper notifications regarding damage to the patrol car following a MVC. Found "Guilty" of three Group I violations. Multiple violations arising from a single event may escalate the disciplinary action to the maximum group range. Considering the officer's active discipline history (none), the officer received a three day suspension. This corrective action is within the Second Group I violation range of the discipline matrix where aggravating factors (*multiple violations, failure to make proper notifications led to extensive damage to the police vehicle*) outweigh mitigating factors (*no active discipline*).

Patrol Officer: Failed to safeguard and secure city issued equipment (city issued cellular phone). The officer took responsibility for the violations (pled "No Contest"). Considering the officer's active discipline history (none), the officer received a Written Reprimand. This corrective action is within the First Group I violation range of the discipline matrix where mitigating factors (*the loss was without malice or intent, no active discipline*) outweigh aggravating factors (*none*). Because the cost of replacement for this City issued equipment is below the threshold for reimbursement, reimbursement is waived.

With a pre-disciplinary hearing pending, the following members separated from the Division of Police.

Patrol Officer: Violation of Ohio Revised Code (ORC) 2917.211 (disseminating nude images of another) (*Manual of Rules 2.01*) – Violation of Ohio Revised Code (ORC) 2905.12 (coercion) (*Manual of Rules 2.01*) – Failed to notify the Cleveland Division of Police of a criminal investigation (*Cleveland Police Academy Rules & Regulations for Police Recruits 1.07*) – Untruthful (x5) to Internal Affairs investigator's (*General Police Order 1.07.06 and Manual of Rules 3.12*) – Untruthful (x2) on the officer's City of Cleveland Personal History Statement (*General Police Order 1.07.06 and Manual of Rules 3.12*). On July 21, 2022, the officer submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against the officer are dismissed without prejudice. In addition, by submitting the resignation while administrative charges were pending, the officer is barred from withdrawing the resignation under the provisions set forth in Civil Service Rule 8.43 which states, "Wherever an employee or officer in the classified service has resigned while charges of misconduct were pending, such resignation may not be withdrawn."

Patrol Officer: Failed to notify the Communication Control Section after becoming aware of an incident that had just taken place in regards to a victim who was just chased by a female with a gun (*Manual of Rules 4.10, 4.11, and 7.04*) – Failed to properly investigate an incident that came to the officer's attention after being advised by the victim, who just prior to contact, was chased by a female with a gun (*Manual of Rules 4.18 and 9.07*) – Failed to activate the Wearable Camera System (WCS) (x2) (*General Police Order 4.06.04*) – Completed a typed order questionnaire during the course of an internal investigation and intentionally omitted and/or concealed information (*General Police Order 1.07.06 and Manual of Rules 3.12*) – Deceptive and/or untruthful in an administrative Garrity interview (*Manual of Rules 3.12*) – Involved in a vehicle pursuit and failed to notify the Communications Control Section (CCS) about the pursuit (*General Police Order 3.2.02*) – Deactivated emergency lights and left the area after witnessing a suspected stolen vehicle crash and two occupants flee from the vehicle (*Manual of Rules 2.14 and 4.18*) – Untruthful to a superior officer (*Manual of Rules 3.12*) – Untruthful during the Garrity interview (*Manual of Rules 3.12*). On August 12, 2022, the officer submitted a formal

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resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against the officer are dismissed without prejudice. In addition, by submitting the resignation while administrative charges were pending, the officer is barred from withdrawing the resignation under the provisions set forth in Civil Service Rule 8.43 which states, “Wherever an employee or officer in the classified service has resigned while charges of misconduct were pending, such resignation may not be withdrawn.”

The following members were terminated from employment with the City of Cleveland during the month of August.

Patrol Officer: Not able to perform the required functions of a Patrol Officer. Was deemed to be not fit for duty under Civil Service Rule 9.10(14) which states, “Incapacity or inability to perform the duties of the officer or employee’s classification.” The officer was “Terminated” from employment with the City of Cleveland, Department of Public Safety, Division of Police, effective: August 5, 2022.

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Office of the Chief