



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety
Dornat (Wayne) A. Drummond, Interim Chief
FBI NA #230
Division of Police
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Disposition Letter

July 18, 2022

Patrol Officer Victoria Przybylski #66
C/o Fourth District Headquarters
9333 Kinsman Road
Cleveland, Ohio 44104

Re: CPD2021-0052, DBI2021-0113

Patrol Officer Przybylski #66:

This letter is to advise you, Patrol Officer Victoria Przybylski #66, of the result of the administrative pre-disciplinary hearing, which you attended on May 25, 2022, to address internal investigations 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: (CPD2021-0052) On or about June 9, 2021, you, Patrol Officer Victoria Przybylski #66, failed to place your Wearable Camera System (WCS) into event mode prior to responding to a call for service, in violation of General Police Order 4.06.04. (*Group I Violation*)

Specification #2: (CPD2021-0052) On or about June 9, 2021, you, Patrol Officer Victoria Przybylski #66, diminished the esteem of the Cleveland Division of Police by your interactions with a patient at St. Vincent Charity Hospital. You directed him toward the emergency room door, without his consent, tipped his 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, all in violation of General Police Order 1.1.03 and Manual of Rules 5.01, 5.08 and 5.09. (*Group II Violation*)

Specification #3: (DBI2021-0113) On or about July 4, 2021, you, Patrol Officer Victoria Przybylski #66, failed to place your Wearable Camera System (WCS) into event mode prior to responding to a call for service, in violation of General Police Order 4.06.04. (*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 1.1.03: Standards of Conduct and Courtesy (effective: 3/1/02)

General Police Order 4.06.04: Wearable camera System (WCS) (effective: 1/1/20)

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police 5.01, 5.08, and 5.09

PREDISCIPLINARY HEARING

In attendance at the administrative pre-disciplinary hearing, were you, Vice President David Medina, Second Vice President Andrew Gasiewski and Attorney Joseph Delguyd of the Cleveland Police Patrolmen's Association, Vice President Erik Melendez of the Hispanic Police Officers' Association, President Mister Jackson of the Black Shield Police Association, Sergeant Antwuan Wells of the Fourth District, Sergeant Ian Mussell of the Internal Affairs Unit, Lieutenant Charles DePenti of the Case Preparations Unit and Deputy Chief Executive Officer Joellen O'Neill, who presided over the hearing.

During the hearing, you acknowledged receipt of the charging 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 #2 and "No Contest" to Specification #1 and #3 of the administrative charges as set forth in the charging letter. Upon carefully reviewing the evidence presented, the memorialized record, as well as the arguments of you and your representatives, the Hearing Officer recommended that you be found "Guilty" of Specifications #1, #2 and #3.

FINDINGS AND CONCLUSION

I have carefully reviewed the evidence presented by the memorialized record, as well as the arguments of you and your representatives, and I have accepted the recommendation of the Hearing Officer. You violated General Police Order 4.06.04 by failing to place your Wearable Camera System (WCS) into event mode prior to responding to a call for service on two (2) separate dates, June 9, 2021, and July 4, 2021, Specifications #1 and #3.

Further, I find you violated Specification #2, when, you forced a patient who had a leg injury to stand up unexpectedly and hop on one leg out of the emergency room lobby upon which you stated to the complainant, "Look, it's a miracle. You can walk." Because you had testified that you had offered a ride to the complainant, I believe Specification #2 comports more closely with

a Group I violation (conduct that has a negative impact on the operations or professional image of the Division or that negatively impacts relationships with other officers, agencies or the public). As such, I am amending Specification #2 to a Group I violation.

Based on the foregoing, I find you **"Guilty" of Specification #1, #2 and #3, and I am issuing you a three (3) workday suspension without pay.** This discipline is within the Second Group I violation range of the discipline matrix where aggravating factors (*active discipline, multiple violations*) outweigh mitigating factors (*none*).

Additionally, you shall, within five (5) work days of returning from suspension, read General Police Orders 1.1.03 and 4.06.04 and Manual of Rules 5.01, 5.08 and 5.09, and expect to be reinstructed by a superior officer on those Orders and Rules. Upon completion of the reinstruction, you will email a Form-1 (as an attachment) indicating reinstruction, and endorsed by the same superior officer, to:

The Case Preparation Unit (caseprep@clevelandohio.gov)

Lieutenant Charles DePenti (cdepenti@clevelandohio.gov).

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 Cleveland Police Patrolmen's Association, verbal disciplinary warnings and disciplinary written reprimands shall not be used for progressive discipline purposes after one (1) year from the date the discipline was administered, and disciplinary suspensions shall not be used for progressive discipline purposes after three (3) years from the date the discipline was administered.

Respectfully,



Dornat A. Drummond
Interim Chief of Police

DAD:bpc:cld:la

cc: Joellen O'Neill, Deputy Chief Executive Officer
Sammy Morris, Acting Deputy Chief, Field Operations
Brandan Kutz, Commander, Fourth District
Brian Carney, Commander, Bureau of Compliance
Christopher Viland, Superintendent, Internal Affairs
Jarod Schlacht, Lieutenant, Internal Affairs Unit
William Mokshefsky, Acting Lieutenant, Officer-in-Charge, Personnel Unit
Cynthia Oliver, Sergeant, Officer-in-Charge, Timekeeping 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
Paul Patton, Chief Human Resource Officer
George E. Coulter, Assistant Director, Department of Public Safety
Monique Young, Labor Relations Officer, Department of Human Resources
Michael Spreng, Secretary, Civil Service Commission
Hassan Aden, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission