



## CLEVELAND DIVISION OF POLICE

### DIVISIONAL NOTICE

DATE: JULY 13, 2022	NUMBER: 22-223
SUBJECT: DISCIPLINE	
CHIEF: <i>Dornat A. Drummond, Chief</i>	PAGE(S): 1 of 7

**The following is a disposition of a disciplinary hearing held by the Director of Public Safety on February 11, 2022.**

**Patrol Officer Samuel Feldman #2311:** Improper Conduct: untruthful (Ohio Peace Officer Instructor-Unit Application). The disciplinary action was dismissed.

**The following is a disposition of a disciplinary hearing held by the Director of Public Safety on February 25, 2022.**

**Patrol Officer Peter Sains #497:** Improper Conduct: unprofessional comments – refused to give name and badge. Improper Procedure: failed to de-escalate. Patrol Officer Peter Sains received a thirty (30) workday suspension without pay (Group I violation. Group II violation. Group III violation. Second Group III violation range. Aggravating Factors: active discipline and multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range – Mitigating Factor: accepted responsibility).

**The following is a disposition of a disciplinary hearing held by the Director of Public Safety on March 11, 2022.**

**Patrol Officer Anthony Shumpert #1773:** Improper Conduct: absent without leave (AWOL). Improper Procedure: failed to complete report (Danger Assessment-Law Enforcement risk factor questionnaire) – failed to document victim's injuries – failed to supply a domestic violence victim with required paperwork – Mobile Computer Aided Dispatch (MCAD) violation (failed to enter information) – sick leave violation (failed to notify Safety Medical Unit) (failed to notify supervisor). The AWOL charge was dismissed. Patrol Officer Anthony Shumpert received a twenty-two (22) workday suspension without pay (Group I violation (×4). Group II violation (×2). Fifteen (15) previously sustained Group I violations and six (6) previously sustained Group II violations, with an active Group III violation. Three or more sustained violations occurring in the same group within a three year period automatically progresses the discipline into the next higher group. Second Group III violation range. Aggravating Factors: active discipline and multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range – Mitigating Factors: none).

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**The following is a disposition of a disciplinary hearing held by the Assistant Director of Public Safety on March 25, 2022.**

**Detective William Cunningham #1724:** Improper Conduct: unprofessional conduct (caused improper arrest of the wrong person). Improper Procedure: lack of service (submitted an arrest warrant for the wrong person) – full time and attention (lack of attention and careless review of existing reports and LERMS that caused a warrant and improper arrest of the wrong person). Detective William Cunningham received a twenty (20) workday suspension without pay (Group I violation. Group II violation. Group III violation. First Group III violation range. Aggravating Factors: multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range and existence of a demonstrable legal risk to the Division or City – Mitigating Factor: no active discipline).

**The following are dispositions of disciplinary hearings held by the Assistant Director of Public Safety on April 14, 2022.**

**Sergeant Lisa Ciritovic #9107:** Improper Procedure: improper salvage of unclaimed motor vehicle. The disciplinary action was dismissed.

**Patrol Officer Victor Claudio #1563:** Improper Procedure: lack of service (failed to arrest). The disciplinary action was dismissed.

**Patrol Officer Kevin Nussbaum #325:** Improper Procedure: failed to investigate – Wearable Camera System (WCS) violation (failed to place in event mode) – failed to provide medical attention. The failing to investigate charge was dismissed. Patrol Officer Kevin Nussbaum received a seven (7) workday suspension without pay for failing to provide medical attention (First Group II violation. Aggravating Factors: active discipline and multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range – Mitigating Factors: none). In addition, Patrol Officer Kevin Nussbaum received a Non-disciplinary Letter of Reinstruction for the remaining charge.

**Patrol Officer Michael Woods #1784:** Improper Procedure: failed to enforce Domestic Violence statutes – failed to investigate – failed to provide medical attention. The failing to investigate charge was dismissed. Patrol Officer Michael Woods received a seven (7) workday suspension without pay for the remaining charges (First Group II violation. Aggravating Factor: multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range – Mitigating Factor: no active discipline).

**The following are dispositions of disciplinary hearings held by the Deputy Chief of Homeland Special Operations on April 20, 2022.**

**Patrol Officer Troy White #1914:** Improper Procedure: involved in a motor vehicle accident (MVA) that was reviewed by the Traffic Safety Analysis Panel (TSAP) and determined to be preventable (×2). Patrol Officer Troy White received a two (2) workday suspension without pay (Second Group I violation. Mitigating Factors: accepted responsibility and responding to assist other officers – Aggravating Factors: active discipline and second preventable motor vehicle accident within two (2) years).

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**Patrol Officer Frederick Young #2446:** Improper Procedure: failed to safeguard and secure assigned divisional equipment (taser, cartridges and holster) entrusted to his care. Patrol Officer Frederick Young received a Written Reprimand (First Group I violation. Mitigating Factors: no active discipline and loss was without malice or intent – Aggravating Factors: none). In addition, Patrol Officer Frederick Young is required to reimburse the City of Cleveland.

**Detective Kevin Warnock #1719:** Improper Procedure: involved in a motor vehicle accident (MVA) that was reviewed by the Traffic Safety Analysis Panel (TSAP) and determined to be preventable (×2). Detective Kevin Warnock received a Written Reprimand (First Group I violation. Mitigating Factors: no active discipline and accepted responsibility – Aggravating Factors: none).

**Patrol Officer Jessica Wolski #2355:** Improper Procedure: involved in a motor vehicle accident (MVA) that was reviewed by the Traffic Safety Analysis Panel (TSAP) and determined to be preventable (×2). Patrol Officer Jessica Wolski received a Written Reprimand (First Group I violation. Mitigating Factors: no active discipline and accepted responsibility – Aggravating Factors: none).

**The following are dispositions of disciplinary hearings held by the Acting Deputy Chief of Field Operations on May 23, 2022.**

**Detective Kevin Smith #1622:** Improper Procedure: lack of service (failed to investigate). Detective Kevin Smith received a six (6) workday suspension without pay (First Group II violation. Mitigating Factor: no active discipline – Aggravating Factors: none).

**Detective James Donnellan #633:** Improper Procedure: improper detainment (failed to articulate reason). Detective James Donnellan received a Written Reprimand (Group I violation. Mitigating Factor: accepted responsibility – Aggravating Factors: active discipline).

**The following are dispositions of disciplinary hearings held by the Deputy Chief Executive Officer on May 25, 2022.**

**Patrol Officer David Price #2339:** Improper Procedure: sick abuse (fourth quarter of 2021). Documentation was provided and the disciplinary action was dismissed.

**Patrol Officer Matthew Bryan #492:** Improper Procedure: Wearable Camera System (WCS) violation (failed to place in event mode). Patrol Officer Matthew Bryan received a Non-disciplinary Letter of Reinstruction (First Group I violation. Mitigating Factors: no prior WCS violations and assigned WCS less than one (1) year – Aggravating Factors: none).

**Patrol Officer Brett Lloyd #2098:** Improper Conduct: unprofessional conduct (comments). Patrol Officer Brett Lloyd received a Non-disciplinary Letter of Reinstruction (First Group I violation. Mitigating Factors: no active discipline and no prior violations for similar conduct – Aggravating Factors: none).

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**Patrol Officer Patrick Gallagher #422:** Improper Procedure: tardy (×4) – absent without leave (AWOL). Patrol Officer Patrick Gallagher received a seven (7) workday suspension without pay (First Group II violation. Aggravating Factors: active discipline and multiple violations arising from a single event or incident may escalate the disciplinary action to the maximum group range – Mitigating Factors: none).

**Patrol Officer Jonathon Selleny #1873:** Improper Conduct: unprofessional conduct (comments). Patrol Officer Jonathon Selleny received a Non-disciplinary Letter of Reinstruction (First Group I violation. Mitigating Factors: accepted responsibility and a tense and stressful incident with an actively resisting felony suspect – Aggravating Factor: active discipline).

**Patrol Officer Cody Lusk #2518:** Improper Procedure: failed to investigate. The Group II violation was amended to a Group I violation. Patrol Officer Cody Lusk received a one (1) workday suspension without pay (First Group I violation. Mitigating Factor: no discipline history – Aggravating Factors: none). In addition, Patrol Officer Cody Lusk shall attend the Operating Vehicle while Intoxicated (OVI) Policy and Paperwork class at the Cleveland Police Academy.

**Patrol Officer Derek Smith #2363:** Improper Procedure: failed to investigate. The Group II violation was amended to a Group I violation. Patrol Officer Derek Smith received a one (1) workday suspension without pay (First Group I violation. Mitigating Factor: no discipline history – Aggravating Factors: none). In addition, Patrol Officer Derek Smith shall attend the Operating Vehicle while Intoxicated (OVI) Policy and Paperwork class at the Cleveland Police Academy.

**The following are dispositions of disciplinary hearings held by the Director of Public Safety on May 27, 2022.**

**Patrol Officer Stanley Grabowski #1019:** Improper Procedure: secondary employment violation (×3) (worked secondary employment while also being paid by the City of Cleveland). Patrol Officer Stanley Grabowski received a Written Reprimand (First Group I violation. Mitigating Factors: no active discipline and no premeditated intention to defraud the City – Aggravating Factor: failed to report known overlap time to a superior officer).

**Patrol Officer Kenneth Dunbrook #295:** Improper Procedure: secondary employment violation (worked secondary employment while also being paid by the City of Cleveland). The disciplinary action was dismissed.

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

**Detective Thomas Kloock #1033:** Improper Procedure: improper search. Detective Thomas Kloock received a Written Reprimand (First Group I violation. Mitigating Factor: no active discipline – Aggravating Factors: none).

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**The following is a disposition of disciplinary action taken for a pre-disciplinary hearing that was waived by a member and their respective collective bargaining unit during the month of April.**

**Patrol Officer Anthony Tomaro #624:** Improper Procedure: Wearable Camera System (WCS) violation (beginning of tour inspection). Patrol Officer Anthony Tomaro received a two (2) workday suspension without pay (Second Group I violation. Mitigating Factors: accepted responsibility and no previous WCS violations – Aggravating Factors: assigned WCS for over one (1) year and active discipline).

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

**Patrol Officer Hayley McNatt #1551:** Improper Conduct: insubordination (left assignment without permission) – AWOL (absent without leave). On April 14, 2022, Patrol Officer Hayley McNatt submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against her are dismissed without prejudice. In addition, by submitting her resignation while administrative charges were pending, Patrol Officer Hayley McNatt 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 Lorenzo Brazzell #2024:** Improper Conduct: theft in office ×2 (indicted). On May 2, 2022, Patrol Officer Lorenzo Brazzell submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against him are dismissed without prejudice. In addition, by submitting his resignation while administrative charges were pending, Patrol Officer Lorenzo Brazzell 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 Victoria Piecuch #2240:** Improper Conduct: insubordination (failed to provide medical documentation) – AWOL ×2 (absent without leave). Improper Procedure: sick abuse (undocumented sick leave). On May 5, 2022, Patrol Officer Victoria Piecuch submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against her are dismissed without prejudice. In addition, by submitting her resignation while administrative charges were pending, Patrol Officer Victoria Piecuch 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.”

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**Detective Dennis Meehan #2439:** Improper Procedure: Wearable Camera System (WCS) violation (not on person). On May 19, 2022, Detective Dennis Meehan submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against him are dismissed without prejudice. In addition, by submitting his resignation while administrative charges were pending, Detective Dennis Meehan 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 Christopher Ereg #767:** Improper Conduct – Arrest (Cuyahoga Falls, Ohio) – disorderly conduct (intoxication) – using weapons while intoxicated – carrying a concealed weapon – illegal possession of firearm in liquor permit premises. On June 3, 2022, Patrol Officer Christopher Ereg submitted a formal resignation to the Division of Police. The Division accepted the resignation. As such, the administrative disciplinary charges against him are dismissed without prejudice. In addition, by submitting his resignation while administrative charges were pending, Patrol Officer Christopher Ereg 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 member resigned from employment with the City of Cleveland during the month of July.**

**Patrol Officer Kevin Jones #2485:** Improper Procedure: absent without leave (AWOL) – secondary employment violation (while on sick leave ×2). Improper Conduct: insubordination (failed to provide medical documentation as ordered). Patrol Officer Kevin Jones failed to provide the Director of Public Safety with satisfactory documentation justifying his continued absence from work without leave. He was deemed to be AWOL-Resigned under Civil Service Rule 8.45 which states, “Absence from duty without leave for ten (10) or more consecutive scheduled work days shall be deemed a resignation from the service of the City by the absent employee.” Patrol Officer Kevin Jones was deemed to be an AWOL-Resignation under Civil Service Rule 8.45, from employment with the City of Cleveland, Department of Public Safety, Division of Police, effective: July 1, 2022.

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

**Sergeant Arnaldo Torres #9282:** Improper Procedure: LERMS violation ×2 (accessed for personnel reasons). Improper Conduct: untruthful ×2 (during Garrity interview). Sergeant Arnaldo Torres showed a complete disregard for ethical behavior relating to truthfulness and his conduct significantly compromises the reputation of the Division. Sergeant Arnaldo Torres was “Terminated” from employment with the City of Cleveland, Department of Public Safety, Division of Police, effective: May 25, 2022.

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**Detective Raul Atanacio #1652:** Improper Conduct: charged with domestic violence (Parma, Ohio) – submitting false report (overtime card) – multiple incidents of misconduct that would constitute a felony or serious misdemeanor offenses. Improper Procedure: LERMS violation (accessed for personnel reasons). Detective Raul Atanacio showed a complete disregard for ethical behavior and his conduct significantly compromises the reputation of the Division. The domestic violence charge was dismissed. Detective Raul Atanacio was “Terminated” from employment with the City of Cleveland, Department of Public Safety, Division of Police, effective: May 25, 2022.