



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

August 11, 2022

Patrol Officer Julio DeJesus #1350
C/o Third District Headquarters
4501 Chester Avenue
Cleveland, Ohio 44103

Re: CPD2021-0097

Patrol Officer DeJesus #1350:

This letter is to advise you, Patrol Officer Julio DeJesus #1350, of the result of the administrative pre-disciplinary hearing, which you attended on July 20, 2022, to address an internal 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: (CPD2021-0097) On or about October 1, 2021, you, Patrol Officer Julio DeJesus #1350, failed to activate your Wearable Camera System (WCS) after being flagged down by a civilian for a fight in the street. When flagged down a second time, after the fight resumed in a parking lot, you still failed to activate your WCS, all in violation of GPO 4.06.04. (*Group I Violation*)

Specification #2: (CPD2021-0097) On or about October 1, 2021, you, Patrol Officer Julio DeJesus #1350, failed to arrest an assault suspect, after witnessing the suspect strike a victim in front of you twice. You did not arrest the suspect until he struck the victim a third time, all in violation of Manual of Rules 4.01 and 4.11. (*Group II Violation*)

Specification #3: (CPD2021-0097) On or about October 2, 2021, you, Patrol Officer Julio DeJesus #1350, failed to collect witness information or witness statements from civilian witnesses who came forward and offered to make statements following an assault, all in violation of General Police Order 2.01.05 and Manual of Rules 4.06. (*Group II 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 2.01.05: Use of Force – Reporting (effective: 7/1/19)

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 4.01, 4.06 and 4.11.

HEARING INFORMATION

In attendance at the administrative pre-disciplinary hearing, were you, Attorney Joseph Delguyd of the Cleveland Police Patrolmen's Association, Vice President Luther Roddy of the Black Shield Police Association, Sergeant Damir Savor of the First District, Lieutenant Charles DePenti of the Case Preparations Unit and Acting Deputy Chief Sammy Morris of Field Operations, 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 #1, Specification #2 and Specification #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, Specification #2 and Specification #3.

FINDINGS AND CONCLUSION

I have carefully reviewed the evidence incorporated into the record by reference, the memorialized record, including statements made at your hearing and the applicable Rules, Policies and Procedures, and I accept and adopt the recommendation of the Hearing Officer. You violated General Police Order 4.06.04 when you failed to activate your Wearable Camera System (WCS) after being flagged down by a civilian for a fight in the street. In addition, you failed to activate your WCS a second time, when you were again flagged down when the fight resumed. You violated Manual of Rules 4.01 and 4.11 when you failed to arrest an assault suspect after witnessing the suspect strike a victim in front of you twice. Further, I find that you violated General Police Order 2.01.05 and Manual of Rules 4.06 when you failed to collect witness information or witness statements from civilian witnesses, who came forward and offered to make statements following an assault.

As such, I find you **“Guilty”** of Specification #1, Specification #2 and Specification #3. Based on the foregoing, I am issuing you a **six (6) workday suspension without pay**. This discipline 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 escalates the disciplinary action to the maximum group range*).

Additionally, you shall, within five (5) work days of returning from suspension, read General Police Orders 2.01.05 and 4.06.04 and Manual of Rules 4.01, 4.06 and 4.11, 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
Chief of Police

DAD:bpc:cld:kfs

cc: Sammy Morris, Acting Deputy Chief, Field Operations
Brian Carney, Commander, Bureau of Compliance
Dorothy Todd, Commander, Third District
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