

City of Cleveland Justin M. Bibb, Mayor

Department of Public Safety

Karrie D. Howard, Director 601 Lakeside Avenue, Room 230 Cleveland, Ohio 44114-1015 216/664-2560 • Fax: 216/664-3734 www.cleveland-oh.gov

October 31, 2022

Patrol Officer Jalisse Jones #1847 C/o Fourth District Headquarters 9333 Kinsman Road Cleveland, Ohio 44104

Re: CPD2020-0027

Patrol Officer Jones #1847:

This letter is to advise you, Patrol Officer Jalisse Jones #1847, of the result of the administrative predisciplinary hearing you attended on Friday, August 12, 2022. The hearing was held to address the results of an internal investigation wherein you were alleged to have engaged in improper procedures and/or misconduct. You were charged with a series of rule violations, which follow:

FACTUAL SUMMARY

On or about April 3, 2020, you, Patrol Officer Jalisse Jones #1847, while off duty at 2201 West 93rd Street, engaged in acts that would tend to reasonably diminish the esteem of the Division of Police when you knowingly caused another to believe that you were going to cause him serious physical harm by showing up at his residence with a firearm and chasing him around the front of his apartment complex in the presence of multiple city residents. Additionally, you sent a multitude of threatening audio messages, voicemails, text messages, emails and social media messages that were lewd and indecent from your cell phone to the victim prior to showing up at his residence uninvited, all of which made the victim feel threatened and/or harassed. These actions resulted in you being criminally charged for City of Cleveland Codified Ordinance 621.06.

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.

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SPECIFICATIONS

Specification #1: (CPD2020-0027) On or about April 3, 2020, you, Patrol Officer Jalisse Jones #1847, while off duty at 2201 West 93rd Street, did knowingly cause another to believe that you were going to cause serious physical harm by showing up to the victim's residence with a firearm and then chasing him. Additionally, you sent a multitude of threatening audio messages, voicemails, text messages, emails and social media messages that were lewd and indecent from your cellphone to the victim prior to showing up at his residence uninvited, all of which made him feel threatened and/or harassed. These actions resulted in you being criminally charged for City of Cleveland Codified Ordinance 621.06, Aggravated Menacing. This charge was dismissed on Rule 29 by the court; the preponderance of the evidence supports the conduct that you did engage in behavior and acts that constitute CCO 621.06, Aggravated Menacing and CCO 621.11, Threatening or Harassing Telecommunications, in violation of Manual of Rules 2.01. (*Group III Violation*)

Specification #2: (CPD2020-0027) On or about April 3, 2020, you, Patrol Officer Jalisse Jones #1847, while off duty, did engage in acts that tend to reasonably diminish the esteem of the Division of Police when you sent a multitude of audio messages, voicemails, text messages, emails, and social media messages that were lewd, and indecent, which caused for the receiver of said messages to feel threatened and/or harassed. Additionally, you responded to 2201 West 93rd Street with a firearm to confront the victim before chasing him around the front of his apartment complex in the presence of multiple city residents, in violation of Manual of Rules 4.12, 5.01, 5.08, and 5.09. (*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

City of Cleveland, Codified Ordinance 621.06: Aggravated Menacing

City of Cleveland, Codified Ordinance 621.11: Threatening or Harassing Telecommunications

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police, Rules 2.01, 4.12, 5.01, 5.08 and 5.09.

PREDISCIPLINARY HEARING

In attendance at the administrative pre-disciplinary hearing that I presided over were you, President Jeffrey Follmer, First Vice President David Medina, Second Vice President Andrew Gasiewski, Attorney Joseph Delguyd and Attorney Henry Hilow of the Cleveland Police Patrolmen's Association, Superintendent Christopher Viland, Lieutenant Jarod Schlacht and Sergeant Justin Cajka of the Internal Affairs Unit, Assistant Director Amanda Boutton and Intern Caroline Lettrich of the Department of Law, Lieutenant Charles DePenti of the Case Preparation Unit, Sergeant Kelly Smith, Assistant Director George Coulter and Assistant Director Jakimah R. Dye of the Department of Public Safety.

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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 Specification #2, as set forth in the charge letter.

HISTORY, FINDINGS, AND CONCLUSIONS

Discipline HistoryNo active discipline

Findings and Conclusions

• Mitigating and Aggravating Factors

<u>Aggravating</u>: Criminal violation of Cleveland Codified Ordinance, the potential of injury or harm to the public, multiple violations from a single event or incident and severity of your actions

Mitigating: No active discipline.

Anomalies

None.

Disciplinary Conclusion

A thorough review was conducted by the Department of Public Safety. Upon carefully reviewing the evidence incorporated into the record by reference, statements made at the hearing, and pertinent rules, policies and procedures, I have determined that you, Patrol Officer Jalisse Jones #1847 violated Manual of Rules 2.01 when you knowingly caused another to believe that you were going to cause him serious physical harm by showing up at his residence with a firearm and chasing him around the front of his apartment complex in the presence of multiple city residents. Additionally, you sent a multitude of threatening audio messages, voicemails, text messages, emails and social media messages that were lewd and indecent from your cell phone to the victim prior to showing up at his residence uninvited, all of which made the victim feel threatened and/or harassed. You stated in one of your text messages that, "[You were] glad she wasn't there yesterday cause [you] woulda did some shit s%\$t [you] woulda regretted. Hoes play crazy, but [he] know[s] that [you] that s%\$t. And that's exactly why [he] ran." At the hearing, you further stated that you did admit to carrying your city issued weapon. While you were clear that you did not admit to brandishing or pointing, your messages and your carrying of your firearm reasonably leads to the conclusion that he ran because you intended to do him harm. Your statements and actions all give support that the complainant believed you were capable and willing to harm him had he not fled as you gave chase. The string of text messages evidence that you were emotionally hurt and not thinking clearly. They also show that while you may have intended to create a belief in the complainant that you would hurt him, you later stated, "I could never bring myself to kill you..." While sobering, this statement raises significant concerns. Your actions resulted in you being criminally charged for City of Cleveland Codified Ordinance 621.06 (Specification #1). You violated Manual of Rules 4.12, 5.01, 5.08 and 5.09 when you sent a multitude of multitude of audio messages, voicemails, text messages, emails and social media messages that were lewd and indecent, which caused for the receiver of said messages to feel threatened and/or harassed. Additionally, you responded to 2201 West 93rd Street with a firearm to confront the victim before chasing him around his apartment complex in the presence of multiple city residents, all of which is conduct that would tend to reasonably diminish the esteem of the Division of Police (Specification #2).

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As a member of the Cleveland Division of Police, Department of Public Safety, you are obligated to abide by the Division's Manual of Rules, General Police Orders, and Code of Ethics; as well as the City's Human Resources Policies and the Civil Service Rules. These rules, codes and policies require members to acknowledge that the course of our duties place us in situations that require and demand public trust. Members are expected carry themselves on and off duty in a manner that promotes a culture of integrity, set high standards of professionalism and conduct themselves in a manner that commands the respect of the public. Your actions were inappropriate, distasteful, insensitive and a violation of public trust.

The Division of Police cannot operate and professionally meet its objectives while tolerating a failure to comply with professional expectations or being subject to utter disregard for policy. Not only does the aforementioned conduct reasonably tend to diminish the esteem of the Division of Police in the eyes of the public, it has no place in any Department or Division within the City of Cleveland.

Based on the foregoing, I find you "Guilty" of Specifications #1 and #2. Because the preponderance of the evidences supports that the conduct you engaged in is contrary to the values of the Division, or that interferes with its mission, operations or professional image, or that involves a demonstrable serious risk to officer or public safety and is more in line with a Group II violation, I am amending Specification #1 from a Group III violation to a Group II violation. Consistent with City of Cleveland policies and procedures, I am issuing you a ten (10) workday suspension without pay for two (2) First Group II Violations. This corrective action is within the Group II violation range of the discipline matrix where aggravating factors (criminal violation of Cleveland Codified Ordinance, the potential of injury or harm to the public, multiple violations from a single event or incident and severity of your actions) outweigh mitigating factors (no active discipline).

The above imposed suspension shall commence, and be effective the next working day after you are served with this notice. You shall surrender your badge, police identification card, unloaded departmentally issued firearm and three (3) loaded magazines plus one (1) live round to your Commanding Officer or designee, at the end of your shift. Upon completion of the suspension days, you shall retrieve the aforementioned property from your Commanding Officer or designee upon reporting for duty. Additionally, you shall, within five (5) work days of returning from suspension, read Manual of Rules 2.01, 4.12, 5.01, 5.08 and 5.09 and expect to be reinstructed by a superior officer on those Rules. You are also required to complete reinstruction in firearms safety during your Return to Duty training at the Ordnance Unit. 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) and The Department of Public Safety (publicsafetyadmin@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.

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Sincerely,

Karrie D. Howard, Chief Director Department of Public Safety

KDH:DAD:kas

cc:

Dornat Drummond, Chief, Division of Police

George Coulter, Assistant Director of Operations, Department of Public Safety

Jakimah R. Dye, Assistant Director, Department of Public Safety

Dorothy Todd, Deputy Chief, Chief of Staff

Sammy Morris, Acting Deputy Chief, Field Operations Brian Carney, Commander, Bureau of Compliance

Brandon Kutz, Commander, Fourth District

William Menzalora, Chief Assistant Director of Law

Michael Pike, Assistant Director of Law Amanda Boutton, Assistant Director of Law

Christopher Viland, Superintendent, Internal Affairs Unit

Kenneth Ryan, Lieutenant, Officer-in-Charge, Personnel Unit

Jeffrey Follmer, President, Cleveland Police Patrolmen's Association

Cynthia Oliver, Sergeant, Officer-in-Charge, Timekeeping Unit

Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit

Paul Patton, Director, Department of Human Resources

Michael Spreng, Secretary, Civil Service Commission

Michael Hess, Chairman, Civilian Police Review Board

Michael Evanovich, Investigator, Department of Justice

Richard Rosenthal, Member, Monitoring Team

Jason Goodrick, Executive Director, Cleveland Community Police Commission

Hassan Aden, Federal Monitoring Team