



City of Cleveland
Justin M. Bibb, Mayor

Department of Public Safety

Dornat (Wayne) A. Drummond, Chief
FBI NA #230
Division of Police
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Cleveland, Ohio 44113
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Disposition Letter

October 24, 2022

Patrol Officer Kevin Nussbaum #325
C/o Fourth District Headquarters
9333 Kinsman Avenue
Cleveland, Ohio 44104

Re: VC2022-0108

Patrol Officer Nussbaum #325:

This letter is to advise you, Patrol Officer Kevin Nussbaum #325, of the result of the administrative pre-disciplinary hearing you attended on October 10, 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.

RULES, POLICIES AND PROCEDURES

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police 4.03, 6.03, and 6.05

SPECIFICATION

Specification #1: (VC2022-0108) On or about July 4, 2022, you, Patrol Officer Kevin Nussbaum #325, operated a Police vehicle that was involved a motor vehicle crash that was reviewed by the Traffic Safety Analysis Panel and determined to be preventable, in violation of General Police Order 4.01.01 and Manual of Rules 4.03, 6.03 and 6.05 and Civil Service Rules 9.10 (12) and (18). (*Group I Violation*)

This specification is in violation of the rules and procedures of the Division of Police, Department of Public Safety.

HEARING INFORMATION

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 Luther Roddy of the Black Shield Police Association, Sergeant Albert Oliver of the Fourth District, Sergeant David Grasha and Diane Salamon of the Inspection Unit, Lieutenant Charles DePenti of the Case Preparation Unit and Deputy Chief Dorothy Todd of the Chief's Office, 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 "No Contest" to the specification as set forth in the charging letter. Upon reviewing the evidence presented, the memorialized record, as well as the arguments of you and your representatives, the Hearing Officer recommended that you be issued a Letter of Reinstruction.

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. While using your police vehicles PA system in the inner perimeter of a SWAT standoff, you were ordered to move the vehicle and while doing so, you caused minor damage to the vehicle. I accept and adopt the recommendation of the Hearing Officer and believe reinstruction is appropriate. Therefore, am issuing you this **Non-disciplinary Letter of Reinstruction**. Please review General Police Order 4.01.01, Manual of Rules 4.03, 6.03 and 6.05 and Civil Service Rules 9.10 (12) and (18), and ensure that you follow them verbatim. This discipline is within the First Group I violation range of the discipline matrix where mitigating factors (*incident occurred during a very tense situation and accepted responsibility*) outweigh aggravating factors (*active discipline and second preventable motor vehicle accident within two (2) years*).

Pursuant to the Manual of Rules, you are personally responsible for maintaining a current set of General Police Orders either as a paper copy or in electronic format. Furthermore, your Commanding Officer maintains all Divisional directives, which you are obligated to also know pursuant to the Manual of Rules. Please inform your Commanding Officer, through the chain of command, if you cannot access these policies and protocols. If you have any questions, please contact your immediate supervisor for specific answers about any of the Division's policies and protocols and their application.

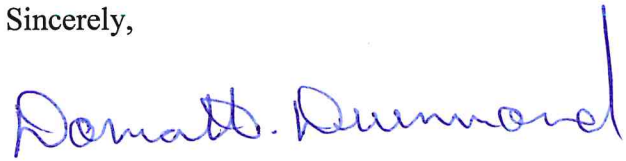
This letter is not discipline and should not be regarded as such.

Patrol Officer Kevin Nussbaum #325

October 24, 2022

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Sincerely,



Dornat A. Drummond
Chief of Police

DAD:bpc:cld:kfs

cc: Karrie D. Howard, Chief Director, Department of Public Safety
Dorothy Todd, Deputy Chief, Chief of Staff
Sammy Morris, Acting Deputy Chief, Field Operations
Brandon Kutz, Commander, Fourth District
Brian Carney, Commander, Bureau of Compliance
Robert Simon, Captain, Office of Compliance
Christopher Viland, Superintendent, Internal Affairs Unit
Kenneth Ryan, Lieutenant, Personnel Unit
Shawn Smith, Lieutenant, Training Section
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association
Mark Griffin, Chief Director of Law
William Menzalora, Chief Assistant Director of Law
Timothy Puin, Assistant Director of Law
Delante Thomas, Chief Ethics Officer
Michael Spreng, Secretary, Civil Service Commission
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Hassan Aden, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission