



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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Disposition Letter

September 15, 2022

Patrol Officer Anthony VonMayhem #2396
C/o Third District Headquarters
4501 Chester Avenue
Cleveland, Ohio 44103

Re: OPS2021-0110

Patrol Officer VonMayhem #2396:

This letter is to advise you, Patrol Officer Anthony VonMayhem #2396, of the result of the administrative pre-disciplinary hearing, which you attended on May 25, 2022, to address an external 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.

SPECIFICATION

Specification #1: (OPS2021-0110) The Civilian Police Review Board (CPRB) is recommending to the Chief of Police that the allegation of *Unprofessional Conduct* be sustained against you, Patrol Officer Anthony VonMayhem #2396, that on or about May 12, 2021, you violated Manual of Rules 2.03, 2.04, 4.12, 5.01 and 5.08, and General Police Order 7.03.03 when, while on duty in your City-issued uniform, you knowingly posted multiple videos of yourself on your social media page absent the approval from the Chief of Police or the Chief's designee. (*Group II Violation*)

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

RULES, POLICIES AND PROCEDURES

General Police Order 7.03.03: Social Media Policy and Usage (effective: 8/24/20)

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police 2.03, 2.04, 4.12, 5.01 and 5.08

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, Investigator Anitra Merritt and Acting Senior Investigator Eric Richardson of the Office of Professional Standards, 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 the specification 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 the specification.

FINDINGS AND CONCLUSION

Upon carefully reviewing the evidence incorporated in the investigation, I find that you violated General Police Order 7.03.03 and Manual of Rules 2.03, 2.04, 4.12, 5.01 and 5.08 when you posted multiple videos of yourself on a social media page while on-duty, without my approval. As such, I find you "**Guilty**" of Specification #1, and I am issuing you a **ten (10) workday suspension without pay**. Because you have two previous active Group II sustained violations, the discipline automatically progresses to the next higher group. This discipline is within the First Group III violation range of the discipline matrix where mitigating factors (*redacted any indicators that you are a member of the Cleveland Police before posting*) outweigh aggravating factors (*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 General Police Order 7.03.03 and Manual of Rules 2.03, 2.04, 4.12, 5.01 and 5.08, and expect to be reinstructed by a superior officer on that Order and those 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

cc: Dorothy Todd, Deputy Chief, Chief of Staff
Sammy Morris, Acting Deputy Chief, Field Operations
Daniel Fay, Deputy Chief, Administrative Operations
Harold Pretel, Deputy Chief, Homeland Special Operations
Brian Carney, Commander, Bureau of Compliance
Christopher Viland, Superintendent, Internal Affairs
William Mokshesky, 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
George E. Coulter, Assistant Director, Department of Public Safety
Paul Patton, Director, Department of Human Resources
Jakimah R. Dye, Assistant Director, Department of Public Safety
William Menzalora, Chief Assistant Director of Law
Michael Pike, Assistant Director of Law
Amanda Boutton, Assistant Director of Law
Thomas Fisher, Interim Administrator, Office of Professional Standards
Toni Pierson-Shanks, Private Secretary, Office of Professional Standards
Eric Richardson, Acting Senior Investigator, Office of Professional Standards
Michael Hess, Chairperson, Civilian Police Review Board
David Gatian, Vice Chairman, Civilian Police Review Board
Richard Rosenthal, Member, Monitoring Team
Michael Evanovich, Investigator, Department of Justice
Jason Goodrick, Executive Director, Cleveland Community Police Commission
Hassan Aden, Federal Monitoring Team