



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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Cleveland, Ohio 44113
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Disposition Letter

August 11, 2022

**Detective Samuel Pelsnik #1885
C/o Third District Headquarters
4501 Chester Avenue
Cleveland, Ohio 44103**

Re: CPD2021-0105

Detective Pelsnik #1885:

This letter is to advise you, Detective Samuel Pelsnik #1885, of the result of the administrative pre-disciplinary hearing 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.

SPECIFICATION

Specification #1: (CPD2021-0105) On or about October 27, 2021, you, Detective Samuel Pelsnik #1885, conducted an inventory of a vehicle's contents and failed to remove valuable items (i.e. wallet and wireless hotspot) from the vehicle and tag and enter them in the district or unit property book, in violation of General Police Order 8.2.01. (*Group I 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 8.2.01: Vehicle Tow or Release (revised: 5/30/03)

Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police: 2.03, 2.14, 4.01 and 4.03.

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 Damir Savor of the First District, Lieutenant Charles DePenti of the Case Preparation 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 of the administrative charge 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

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 8.2.01 and Manual of Rules 2.03, 2.14, 4.01 and 4.03 when you conducted an inventory of a vehicle's contents and failed to remove and secure valuable items from the vehicle. As such, I find you "**Guilty**" of Specification #1. Based on the foregoing, I am issuing you a **Written Reprimand**. This corrective action is within the first Group I violation range of the discipline matrix where mitigating factors (*no active discipline and the action was without malice or intent*) outweigh aggravating factors (*none*).

Additionally, you shall, within five (5) work days of receiving the Written Reprimand, read General Police Order 8.2.01 and Manual of Rules 2.03, 2.14, 4.01 and 4.03, 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).**

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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.

Sincerely,



Dornat A. Drummond
Chief of Police

DAD:bpc:cld:kfs

cc: Sammy Morris, Acting Deputy Chief, Field Operations
Dorothy Todd, Commander, Third District
William Mokshefsky, Acting Lieutenant, Officer-in-Charge, Personnel Unit
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit
Jeffrey Follmer, President, Cleveland Police Patrolmen's Associations
Paul Patton, Chief Human Resource Officer
George E. Coulter, Assistant Director, Department of Public Safety
Michael Spreng, Secretary, Civil Service Commission
Hassan Aden, Federal Monitoring Team
Jason Goodrick, Executive Director, Cleveland Community Police Commission