



## City of Cleveland

Justin M. Bibb, Mayor

### Department of Public Safety

Dornat (Wayne) A. Drummond, Interim Chief

FBI NA #230

Division of Police

1300 Ontario Street, Suite 929

Cleveland, Ohio 44113

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## Pre-Disciplinary Hearing

May 9, 2022

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

**Re: OPS2021-0110**

Patrol Officer VonMayhem #2396:

Please be advised, in accordance with Article 28 of the collective bargaining agreement between the City of Cleveland and the Cleveland Police Patrolmen's Association, a pre-disciplinary hearing has been scheduled to determine whether you violated the following provisions of the Manual of Rules, Department of Public Safety and the Rules of the Civil Service Commission of the City of Cleveland.

### 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)

#### **III. Personal Use**

- C. Members are advised that any information, data, photo, video, or similar content that is captured while on-duty, including secondary employment, or as a result of the member's employment position and access, is the sole property of the Division. No person has the authority to post, share, or otherwise disseminate this material outside the scope of assigned duties and powers without the express written consent of the Chief of Police or the Chief's designee.

### **Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police**

#### **II. ADMINISTRATIVE COMPLIANCE**

- 2.03 Personnel shall perform all duties required by rules, General Police Orders, directives, or orders of the Division of Police.
- 2.04 Personnel shall study all rules, General Police Orders and directives pertaining to their duties, and shall be held accountable for any action contrary to these instructions.

#### **IV. DUTY**

- 4.12 Personnel shall be considered to be on duty at all times for purposes of discipline.

#### **V. BEHAVIOR**

- 5.01 Personnel shall not engage in any conduct, speech or acts while on duty or off duty that would reasonably tend to diminish the esteem of the Division of Police or its personnel in the eyes of the public.
- 5.08 Personnel shall conduct themselves in such a manner as to command the respect of the public.

## **HEARING INFORMATION**

The pre-disciplinary hearing is scheduled for **Wednesday, May 25, 2022, at 1000 hours**, in the **Academy Unit**. Should you desire union representation, it is your responsibility to notify your union of this hearing. All officers shall have an opportunity to testify. All testimony provided during the hearing shall be given the same weight as sworn testimony; therefore, your statements can and may be used against you at the hearing or at a later date. **Any documentation that could explain any of the above allegations shall be forwarded to the Case Preparation Unit a minimum of 48 hours prior to the scheduled hearing.**

**Any new or additional evidence brought to the hearing will result in the hearing to be suspended and the matter shall be returned to the Internal Affairs Unit or the Police Review Board for consideration, as appropriate. In addition, it is also your responsibility to bring the documentation to this scheduled hearing.**

**If you are to have witnesses appear on your behalf, a Form-1 listing their names must be provided to the Case Preparation Unit via email (CasePrep@clevelandohio.gov) a minimum of 48 hours prior to the scheduled hearing.** It is your responsibility to notify said witnesses of the date and time of the hearing. In addition, it is your sole responsibility to ensure the attendance of any witnesses appearing on your behalf. Prior permission for any Division member's attendance **MUST** be obtained from the Case Preparation Unit. Any witnesses that will appear are to be in full uniform of the day. No overtime shall accrue as a result of their attendance.

In accordance with General Police Order 1.1.12: Sworn Officers Uniform Regulations, you are to appear in **"CLASS A" UNIFORM** and have your badge, city issued service weapon, and identification card with you. Failure to attend as ordered may subject you to additional disciplinary charges. You shall **PERSONALLY** contact the Case Preparation Unit (216-623-5022) **IMMEDIATELY** if there are any conflicts that would cause your lack of attendance to the scheduled hearing.

**THIS WILL BE YOUR TOUR OF DUTY**

**THESE CHARGES MAY BE AMENDED AT A LATER DATE**

Sincerely,



Dornat A. Drummond  
Interim Chief of Police

DAD:ww:cld:la

cc: Sammy Morris, Acting Deputy Chief, Field Operations  
Westley Woods, Acting Commander, Bureau of Compliance  
Dorothy Todd, Commander, Third District  
Robert Simon, Captain, Internal Affairs Unit  
Melissa Dawson, Sergeant, Employee Assistance Unit  
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association  
Michael Hess, Chairman, Civilian Police Review Board  
Henry Roney, Interim Administrator, Office of Professional Standards  
Anitra Merritt, Investigator, Office of Professional Standards  
LeeAnn Hanlon, Private Secretary, Civilian Police Review Board  
Hassan Aden, Federal Monitoring Team