



City of Cleveland
Frank G. Jackson, Mayor

Department of Public Safety
Division of Police
Michael McGrath, Chief
1300 Ontario Street
Cleveland, Ohio 44113-1648
216/623-5005 • Fax: 216/623-5584

September 6, 2013

Dispatcher [REDACTED]
[REDACTED]
Cleveland, Ohio [REDACTED]

Dispatcher [REDACTED]

This letter is to advise you (Dispatcher [REDACTED]) of my findings relative to an administrative pre-disciplinary hearing that was scheduled to determine whether you violated the following rules of the Manual of Rules, Department of Public Safety, and the rules of the Civil Service Commission of the City of Cleveland:

General Police Order 1.1.02: City of Cleveland Mission Statement and Ethics Policy

General Police Order 1.1.02: Values Mission Statement

General Police Order 1.1.03: Standards of Conduct and Courtesy

Communication Control Section Policy & Procedures: Call Taking Procedures No. 2012-05

Manual of Rules: 1.09, 2.02, 2.03, 2.04, 2.10, 2.14(a)(b)(c) and (f), 4.03, 4.12, 5.01, 5.08, 5.09 and 7.07

Civil Service Commission Rule 9.10: (1)(3)(5)(10) and (18)

Specification #1: On Monday, May 6, 2013, at 1752 hours, you (Dispatcher [REDACTED]) improperly handled a 911 call from a kidnap victim and failed to remain on the line with the victim until responding officers arrived on the scene.

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

In a meeting held with you, your representatives and me in the Communications Control Section (CCS) prior to your scheduled pre-disciplinary conference on Wednesday, August 28, 2013, you waived a formal hearing. In that meeting I identified the rule violation for which you were facing potential discipline and what I felt was an appropriate administrative response based on the facts uncovered in the internal investigation into your actions. You and your attorney offered mitigating information including your four years of dedicated service to the Division of Police and the efficiency you demonstrated in causing a police response to this report of a kidnapping victim's escape from her captor. I agreed to take this information into consideration prior to reaching a decision.

In that meeting, I also expressed to you my belief that you could have demonstrated more empathy and could have been more compassionate in your dealing with Ms. Berry. Without question, you should have kept her on the line as I believe that that simple, required act would have enhanced her sense of safety. In these respects, I find that your actions did not measure up to the level of professionalism that we strive for in our Communications Control Section.

Following the aforementioned meeting a mutual agreement was reached between you, your representatives, the Case Preparation Office and myself that you would plea "No Contest" to the allegations set forth in the charge letter with the understanding that you would be found guilty. You agreed to accept whatever discipline I chose to impose.

After considering all of the facts and the mitigating factors offered by you I find that there is just cause to impose discipline. As such, I find you "Guilty" of the aforementioned administrative charges and I am issuing you a "Written Reprimand."

In reaching my decision I took into consideration comparative discipline meted out for similar administrative violations as well as your work ethic and your very minor disciplinary history. After speaking with you I believe that you understand how your actions violated CCS policy and I am confident that you will learn from your mistake.

Please review the above listed Directives and its appendices to ensure that in the future you follow all proper protocol. 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.

Dispatcher [REDACTED]
September 6, 2013
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Pursuant to the terms and conditions of the collective bargaining agreement between the City of Cleveland and the Cleveland Police Patrolmen's Association, (Civilian Personnel) a record of the disciplinary sentence will remain in your personnel file for a period of three (3) years.

Sincerely,



Thomas A. Stacho, Commander
Bureau of Communications
and Property Control

TAS:tpc

cc: President Jeffrey Follmer, Cleveland Police Patrolmen's Association
Keith Wolgast, Attorney, Cleveland Police Patrolmen's Association

Reason for Redaction:

The employee's house number and street name have been redacted under State ex rel. Dispatch Printing Co. v. Johnson (2005), 106 Ohio St.3d 160.