



City of Cleveland  
Frank G. Jackson, Mayor

**Department of Public Safety**

Karrie D. Howard, Director  
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December 21, 2020

**Patrol Officer John Petkac #1821**  
**C/o Internal Affairs Unit**  
**1300 Ontario Avenue**  
**Cleveland, Ohio 44113**

**Re: CPD2019-0079, CPD2019-0067, UOF2019-0585, OPS2019-0175**

Patrol Officer Petkac #1821:

This letter is to advise you, Patrol Officer John Petkac #1821, of the result of the administrative pre-disciplinary hearing that you attended on October 15, 2020, in the office of the Director of Public Safety. The hearing was held to address the results of an internal and an external investigation wherein you were alleged to have engaged in improper procedures and/or misconduct. You were charged with a series of rule violations, which follow:

**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.

**ALLEGED SPECIFICATIONS**

**Specification #1:** (CPD2019-0079) On September 4, 2018, you, Patrol Officer John Petkac #1821, failed to employ proper tactics, and failed to wait for back-up, and, to the extent you believed that the subject may be armed, continued to escalate the matter placing both yourself and others in danger, all in violation of General Police Order 2.01.02, De-Escalation (Group I violation).

**Specification #2:** (CPD2019-0079) On September 4, 2018, you, Patrol Officer John Petkac #1821, repeatedly used excessive, unnecessary and objectively unreasonable level 3 uses of force on a subject to include, twice stepping on the throat/neck of the subject, and/or grabbing the throat/neck of the subject, and/or slamming the handcuffed subject into the trunk of a zone car. The slamming of the subject into the trunk was also retaliatory, all in violation of General Police Order 2.01.3 Use of Force (Group III violation).

**Specification #3:** (CPD2019-0079) On September 4, 2018, you, Patrol Officer John Petkac #1821, were inaccurate, untruthful and omitted material facts in both your written and verbal reports to your superior officers regarding your arrest and use of force on London Wilson, all in violation of Manual of Rules 3.12. (Group III violation).

**Specification #4:** (CPD2019-0067) On July 24, 2019, you, Patrol Officer John Petkac #1821, failed to employ proper de-escalation tactics and techniques when dealing with a subject, all in violation of General Police Order 2.01.02, De-Escalation (Group I violation).

**Specification #5:** (CPD2019-0067) On July 24, 2019, you, Patrol Officer John Petkac #1821, used force that was determined unnecessary, not proportional and/or objectively unreasonable. You failed to announce your intent to detain and/or arrest a subject before using force and failed to issue a verbal warning to submit to your authority prior to using force, all in violation of General Police Order 2.01.03 Use of Force (Group III violation).

**Specification #6:** (CPD2019-0067) On July 24, 2019, you, Patrol Officer John Petkac #1821, failed to properly deploy your conducted electrical weapon (CEW) as outlined in the General Police Order and training, all in violation of General Police Order 2.01.04 Use of Force - Intermediate Weapons (Group II violation).

**Specification #7:** (CPD2019-0067) On July 24, 2019, you, Patrol Officer John Petkac #1821, failed to properly and accurately report a use of force on a subject, in violation of General Police Order 2.01.05 Use of Force-Reporting (Group I violation).

**Specification #8:** (UOF2019-0585) On October 5, 2019, you, Patrol Officer John Petkac #1821 deployed your conducted electrical weapon (CEW) against a male, who at the time was passively resisting officers' commands, in violation of Manual of Rules 2.02, 2.03, 2.04, 4.05, General Police Order 2.01.03 Use of Force-De-escalation and General Police Order 2.01.04 Use of Force- Intermediate Weapons (Group II violation).

**Specification #9:** (OPS2019-0175) The Civilian Police Review Board (CPRB) is recommending to the Chief of Police that the complainant's allegation of *Unprofessional Conduct* be sustained against you, Patrol Officer John Petkac #1821, in that you violated Manual of Rules section 5.01, 5.08 and 5.09 when you waived your hand in front of the complainant's face to indicate that a described action was not a crime (Group I violation).

**These specifications are in violation of the rules and procedures of the Division of Police, Department of Public Safety.**



PRE-DISCIPLINARY HEARING SUMMARY

Present at the October 15, 2020, pre-disciplinary conference, were you, President Jeffrey Follmer and Attorney Henry Hilow of the Cleveland Police Patrolman's Association, Sergeant Mitchell Sheehan, Lieutenant Charles Neidbalson, and Superintendent Ronald Bakeman of the Internal Affairs Unit, Attorney Michael Pike of the Law Department, Lieutenant Charles DePenti of the Case Preparation Unit, Captain Thomas Mandzak of the Third District, Commander Brian Carney of the Bureau of Compliance, Investigator Julie Delaney of the Office of Professional Standards, Coordinator of Operations Jakimah Dye and Assistant Director Timothy Hennessy of the Department of Public Safety, who presided.

During the administrative 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 specifications #1, #2, #3, #4, #5, #6, #7, #8 and #9 of the administrative charges as set forth in the charging letter.

DECISION

Upon carefully reviewing the evidence presented by the Division, the memorialized record as well as the arguments of you and your representatives I find that you: 1. Failed to employ proper tactics (September 4, 2018); 2. Used excessive, unnecessary and objectively unreasonable force (September 4, 2018); 3. Were untruthful in your reports (September 4, 2018); 4. Failed to employ de-escalation tactics (July 24, 2019); 5. Failed to issue a verbal warning to submit to your authority prior to using force (July 24, 2019); 6. Failed to utilize an intermediate weapon (July 24, 2019); 7. Failed to accurately report the use of force (July 24, 2019); and 8. Deployed your conducted electrical weapon (CEW) against a male, who at the time was passively resisting (October 5, 2019). The review also found that: 9. While your act of "waiving your hand in front of the complainant's face to indicate that a described action was not a crime," would be *discourteous* and *rude*, however a thorough investigation was not completed by the Office of Professional Standards, as you were not interviewed by the Office of Professional Standards regarding this allegation of *Unprofessional Conduct* (September 26, 2019).

As such, I find you **"Guilty"** of the administrative charges in specifications #1, #2, #3, #4, #5, #6, #7 and #8 and **"Not Guilty"** to specification #9, and I find there is just cause to impose discipline. **You are hereby terminated from employment with the City of Cleveland, Department of Public Safety, Division of Police, effective Monday, December 21, 2020** (Multiple Group III violations occurring from the same incident). This discipline is within the Group III violation range of the discipline matrix where aggravating factors outweigh mitigating factors (Aggravating Factors: repeatedly used excessive, unnecessary and objectively unreasonable level 3 uses of force; retaliatory force; untruthful in verbal and written reports – which invokes *Brady-Giglio* concerns and carries a presumption of termination; and diminishing the esteem of the Division – Mitigating Factors: no active discipline).

Sincerely,



Karrie D. Howard, Director  
Department of Public Safety

**Patrol Officer John Petkac #1821**  
**December 21, 2020**  
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KDH:cdw:bpc:cl:kas

cc: Calvin D. Williams, Chief, Division of Police  
Joellen O'Neill, Deputy Chief, Executive Officer  
Dornat Drummond, Deputy Chief, Field Operations  
Deon McCaulley, Deputy Chief, Administrative Operations  
Harold Pretel, Deputy Chief, Homeland Special Operations  
Brian Carney, Commander, Bureau of Compliance  
Dorothy Todd, Commander, Third District  
Deirdre Jones, Commander, Bureau of Support Services  
William Mokshefsky, Sergeant, Officer-in-Charge, Personnel Unit  
Cynthia Oliver, Sergeant, Officer-in-Charge, Timekeeping Unit  
Melissa Dawson, Sergeant, Officer-in-Charge, Employee Assistance Unit  
Charles Neidbalson, Lieutenant, Officer-in-Charge, Internal Affairs Unit  
Jeffrey Follmer, President, Cleveland Police Patrolmen's Association  
William Menzalora, Chief Assistant Director of Law  
Christopher Viland, Police Inspector General  
Ronald Bakeman, Superintendent, Internal Affairs Unit  
Nycole West, Director, Department of Human Resources  
Kandie Ezell, Administrative Manager, Department of Public Safety  
Michael Spreng, Secretary, Civil Service Commission  
Hassan Aden, Federal Monitoring Team