

3 of 37 DOCUMENTS

Plain Dealer (Cleveland)

March 10, 2009 Tuesday  
Final Edition; All Editions

## Bratenahl ex-chief is blistered in report

**BYLINE:** Mark Puente, Plain Dealer Reporter

**SECTION:** NATIONAL; Pg. A1

**LENGTH:** 940 words

**DATELINE:** Bratenahl

Bratenahl - Former Police Chief Paul Falzone operated a dysfunctional police department and used his position for political gain, according to a private investigation released Monday.

Former Cuyahoga County Common Pleas Judge Richard Lillie told village officials and residents that Falzone did not properly handle evidence in criminal cases and that he instructed officers to alter their findings to protect him during an investigation.

During a four-month investigation, Lillie found 11 other problems with the department while Falzone served as chief for 14 years.

Some include: Falzone pitting officers against each other; Falzone running parts of his campaign last year for Cuyahoga County sheriff out of his office and instructing on-duty officers to help him; leaving the evidence room occasionally open and not strictly controlling the keys.

The whereabouts or disposition of some missing guns and an evidence log may never be known, Lillie added. But Falzone is responsible for his actions, Lillie told about 150 residents at the Bratenahl Community Center Monday.

"As it relates to gathering and securing evidence, it should be noted that a chief may delegate authority, but he cannot delegate responsibility," Lillie said.

He added that Falzone committed misfeasance in running the department and broke the law. But since Falzone retired two weeks ago, no action to remove him from office is necessary, Lillie said.

The Plain Dealer reported late last year that at least eight guns, thousands of dollars and large amounts of heroin and cocaine seized from suspects went **missing from the evidence** room. An evidence log also disappeared. The state is conducting a criminal investigation, and after the stories appeared, the village hired Lillie in November to conduct another probe. The village placed Falzone on leave weeks after it hired Lillie. Falzone retired two weeks ago, days before the report was originally scheduled to be released.

Lillie concluded his report by saying the department is running efficiently under the acting chief, Sgt. Richard Doblrow. After hearing Lillie summarize the four-page report, Mayor John Licastro told residents he would not answer

Bratenahl ex-chief is blistered in report Plain Dealer (Cleveland) March 10, 2009 Tuesday

questions about the report and asked them to submit inquiries in writing.

"We'll get back to you in a few days," he said. "I know this is not popular."

Residents shouted and booed.

"The buck stops with you," a woman shouted at Licastro.

Another resident accused Licastro of reading the report two weeks ago. Licastro tried responding, but the law director cut him off.

"We don't believe you," another resident screamed at both men.

Licastro then said \$11,000 disappeared and all but \$400 is still missing. He then declined to answer questions because of the ongoing state investigation. But he said the report bothered him.

"A lot of what he [Lillie] heard was disturbing," Licastro said.

The meeting then ended.

Former Councilwoman Helen Moss said Licastro stymied the public's right to know about the Police Department and its problems.

"There's no transparency here," she said. "The crowd was completely shut out. Transparency is what democracy is all about."

Moss said Licastro should be held responsible for Falzone's actions and that they worked side-by-side for eight years. She said the village wasted \$24,500 on Lillie's investigation.

"A first-grader could have done that," she added.

Councilwoman Brenda Brownrigg supported Licastro's decision to not take questions. She said the village has to protect its integrity and Falzone's rights in the state investigation.

"We have to let the process complete itself," she said. "I know that's not popular with the residents."

Licastro said he is not responsible for Falzone's actions as chief.

"It's about one individual and their function," he said. "The chief is responsible for the day-to-day operations of the Police Department. I hire the chief. When I'm made aware of problems, I take action."

Falzone was out of town Monday, his two daughters said. Both women criticized village officials for not taking questions.

Dina Falzone said the report was shocking, but her father dedicated 40 years to law enforcement.

"My father is an honest man who has given his heart and soul to this village," she said. "People didn't do their jobs."

Monica Falzone said her father possibly erred by not hiring better officers.

"He gave jobs to people who nobody else wanted," she said. "My father is a well-loved chief."

To reach this Plain Dealer reporter: mpunte@plaind.com, 216-999-4141

Bratenahl ex-chief is blistered in report Plain Dealer (Cleveland) March 10, 2009 Tuesday

Box

The results

A private investigation conducted by a retired FBI agent into the Bratenahl Police Department and former Police Chief Paul Falzone found 13 problems with the force. Former Cuyahoga County Common Pleas Judge Richard Lillie, who headed the inquiry, presented the findings to residents and village officials Monday evening. The investigation concluded:

The department had no procedures for gathering, securing or processing evidence and the lack of oversight and guidance led to an exacerbated department. The police evidence room was left unattended, not maintained and keys were not strictly controlled.

Falzone failed to address problems in the department and issued contradictory orders to pit officers against each other. He also failed to cooperate with a state investigation and repeatedly told witness to alter their findings to protect himself.

Falzone operated part of his campaign for sheriff from his office and ordered on-duty officers to assist him. He repeatedly made inquiries about department affairs after being placed on leave. After being ordered to stop, Falzone instructed the acting chief to ask the police union for support.

**LOAD-DATE:** March 11, 2009

**LANGUAGE:** ENGLISH

**GRAPHIC:** Falzone

**PUBLICATION-TYPE:** Newspaper

Copyright 2009 Plain Dealer Publishing Co.