



City of Cincinnati

FOR IMMEDIATE RELEASE

Contact: Meg Olberding, 513-352-5358

Date: April 13, 2009

City Prevails in Police Officer Spellen's Dismissal

Arbitrator finds City's firing was "for just cause"

On Friday, April 10, the City of Cincinnati received notice of the arbitrator's decision in the FOP's grievance of Police Officer Victor Spellen's dismissal. The arbitrator upheld the city's dismissal of Officer Spellen and denied the grievance.

The City terminated Spellen for failure of good behavior and dishonesty in the investigation surrounding the an incident on November 7, 2000, which began with an investigatory stop of Roger Owensby, Jr., and resulted in his accidental death. Spellen, while not part of Owensby's arrest, was present at the scene is charged with dishonestly representing events that occurred that night.

In his ruling, arbitrator Jonathan Klein wrote, "The severity of the grievant's actions in this case, the lack of mitigating factor's [SIC] and the absence of comparable cases in which less severe discipline was imposed, compel the conclusion that the grievant's discharge was for just cause. For each of the foregoing reasons, the grievance is denied."

The case was remanded to the arbitrator from the First Court of Appeals, after the Ohio Supreme Court denied jurisdiction on the matter.

"While this case has had a long history, we are pleased that the arbitrator has upheld the Court of Appeals' interpretation and found for the city," said City Solicitor John Curp.

###