



Todd Schmaderer  
Chief of Police

## Omaha Police Department

*City Of Omaha, Nebraska*

### NEWS RELEASE

April 23, 2020



Jean Stothert  
Mayor

### Public Information Office

### JOINT PRESS RELEASE

The City of Omaha Police Department and the Omaha Police Officers' Association want to provide this update on the results of the arbitration hearing on the four officers that were terminated as a result of the incident with Zachary Bearheels on June 5, 2017. The four officers were Scotty Payne, Ryan McClarty, Jennifer Strudl, and Makayla Mead. Each of the officers exercised their right to appeal their termination to arbitration as outlined in the Collective Bargaining Agreement to which they are subject. The arbitration process was delayed as a result of the criminal process which culminated after Scotty Payne was found not guilty and the criminal charges against Ryan McClarty were dismissed.

The City of Omaha Police Department has adhered to the nationally recognized practice of negotiating terms and conditions of employment with its first responders through representative organizations rather than negotiating with each individual officer. In this instance, the Omaha Police Officers Association and the Omaha Police Department agreed to the terms of a Collective Bargaining Agreement in an effort to establish fair working conditions for sworn officers within the Omaha police force. That agreement included the use of an arbitration process where the parties participate in the selection of the decision makers who are charged with resolving any disputes which may arise between the parties.

The arbitration hearing occurred over eight rigorous days in October, 2019 before a panel of three arbitrators. The arbitrators were selected through the process outlined in the CBA. After the hearing, transcripts and briefing was prepared and the matter was submitted for final consideration. On April 22, 2020, the parties received a decision from the arbitrators. The 125 page decision detailed the evidence and arguments of the parties. Though it is fair to say that both the Police Department and the Police Officers' Association are each disappointed in some of the conclusions that were reached by the panel of arbitrators, both parties are committed to accepting the decision and moving forward. Both parties support due process for our officers and the arbitration process.

The results of the arbitration are as follows:

Scotty Payne – his termination was upheld.

Ryan McClarty – his termination was reduced to a 20 day suspension with a last chance agreement for a period of one year. Any finding of a violation of the use of force policy within that year will result in his termination.

Jennifer Strudl – Reinstated with full pay. She was determined to have a minor policy violation which did not result in discipline.

Makayla Mead – Reinstated with full pay. She was determined to have a minor policy violation which did not result in discipline.

The officers who will return to service will go through refresher training at the Omaha Police Training Academy before they return to regular duties.

The parties will not be releasing the arbitration opinion or any of the underlying evidence or arguments from the arbitration hearing.

“It’s time to move forward. Omaha police officers have a very difficult job and my focus is on keeping my officers safe in the Coronavirus environment while simultaneously protecting the city”.-Chief Todd Schmaderer