

OFFICE OF PROFESSIONAL STANDARDS

December 10, 2024

MEETING MINUTES

CPRB MEMBERS

Billy Sharp, Chair

Brandon Brown, Vice Chair

Michael Graham

David Gatian

Glen Parker III

Kenneth Mountcastle

Diana Cyganovich

Sherall Hardy

Chenoa Miller

OPS

Kristen Traxler, General Manager

Vincent Funari, Sr. Investigator

Joe Szymanski, Investigator

Tammi Lampkin, Investigator

Kimberly Maxwell, Investigator

Art Bowker, Investigator

Adam Eisen, Investigator

Jessyca Watson, Investigator

Jermaine Smith, Investigator

LAW DEPARTMENT

Lillian Hall

Michael Hess

- I. Call to Order** **Brandon Brown**
- II. Roll Call**
Chair Sharp arrived after the training session. Member Miller had an excused absence.
- III. APPROVAL OF MINUTES** **Brandon Brown**

Vice Chair Brandon Brown made a motion to approve the minutes from the November CPRB meeting. The motion was seconded by Member Dave Gatian.

IV. TRAINING SESSION (00:30:32-01:06:49) Art Bowker, Investigator

A. Police Oversight and Social Media Investigations

With the rise of social media, people can easily connect with family and friends, both near and far, to share their opinions on a wide range of topics, from mundane to momentous. However, this environment can tempt individuals to impulsively make inflammatory comments that they later regret. Unfortunately, employers often respond to these ill-advised remarks by firing or punishing the individuals involved.

During his training, Investigator Bowker covered the following areas:

- Defining Social Media
- Impact on Police Oversight
- Officer Social Media Use as Indicative of Misconduct
- Offensive or Bigoted Posts
- Discipline and Section 115-4 Investigation and Disposition
- Investigative Considerations

V. PRESENTATION OF INVESTIGATIONS Vince Funari, Sr Investigator

1. 2023-0232 Det. Melvin Gonzalez #1150 & P.O. Mason Swires #2383

Summary-On September 21, 2023, A. Phillips filed an email complaint with the Office of Professional Standards, alleging misconduct of the Cleveland Division of Police. Phillips claimed that on April 17, 2023, Patrol Officers Mason Swires #2382 and Christian Crane #067 provided (Insufficient Service) when they failed to investigate thoroughly and wrongly identified him as a suspect in a burglary and property damage case, despite the victim naming G. Toney as the suspect. Phillips alleged the Officers lacked integrity and fabricated reports to implicate him instead of G. Toney. Phillips also alleged that Det. Marvin Gonzalez #1150 failed to investigate the case thoroughly, ignored evidence pointing to G. Toney, lacked integrity when he provided false information to the Grand Jury, and issued a wrongful arraignment summons alleging Phillips was the suspect involved in this case.

Allegation: Unprofessional Behavior/Conduct

Recommendation: Sustained- Based on the preponderance of the evidence including WCS videos, reports, radio/dispatch calls, and interviews.

Motion: Billy Sharp

Second: Sherall Hardy

Motion: Carried

Allegation: Lack of Service- No Service

Recommendation: Sustained- Based on the preponderance of the evidence including WCS videos, reports, radio calls, and interviews.

Motion: Brandon Brown

Second: Sherall Hardy

Motion: Carried

Allegation: Improper Procedure-Arrest

Recommendation: Sustained- Based on the preponderance of the evidence including WCS videos, reports, radio calls, and interviews.

Motion: Brandon Brown

Second: Sherall Hardy

Motion: Carried

2. 2022-0210 P.O. Antwuan Wells, #1330 (00:29:00-00:38:37)

Summary: TABLED CASE from the November 12, 2024 meeting. To look up Prior Disciplinary on P.O. Wells #1330.

On 8/25/22 OPS received a complaint from Ms. C. Spates alleging after being assaulted by several individuals P.O Wells #1330 failed to apprehend the individual. During the investigation, it was found that P.O. Wells violated CDP Manual Rules 4.01, 4.03 4.14. 4.18 And 5.01.

In November, Vice Chair Brown made a motion to table making a determination in regard to the group level of discipline until OPS can do an additional investigation into the disciplinary history of the officer. The motion was seconded by Member Cyganovich.

Senior Investigator Funari provided the CPRB with the disciplinary history of P.O. Wells.

Allegation: Lack of Service

Recommendation: Sustained

Motion: Brandon Brown

Second: Glen Parker III

Abstain: Dave Gatian and Michel Graham. Not at the meeting when the case was heard.

Motion: Carried

Group Level 2. Failure to arrest. Member Parker seconded the motion.

3. 2024-0031 P.O. Paul Beckwith #1047 (00:39:36-00:54:41)

Summary: On February 20, 2024, M. Assad filed a complaint via e-mail alleging that P.O. Paul Beckwith was unprofessional as he treated him as a child when he was stopped for allegedly speeding. Mr. Assad did not provide a telephone number or address for OPS to contact him. OPS sent an e-mail to the complainant on March 4, 2024, requesting an interview. The CP did not reply. OPS obtained the complainant's address from his speeding ticket. On March 22, 2024, regular and certified letters were sent to the complainant, but he did not reply. On June 10, 2024, a field contact was made to the complainant's address and a letter was dropped off with a family member requesting he contact OPS for an interview. To date, he has not replied to any of OPS's efforts to interview him.

Allegation: Unprofessional Behavior/ Conduct

Recommendation: Exonerated- Based on the preponderance of the evidence, the Officer's conduct occurred but was consistent with law, CDP GPO, training, and/or procedures.

Motion: Billy Sharp

Second: Glen Parker III

Abstain: Michael Graham- Not in the room during the case.

Motion: Carried

Allegation: Bias Policing

Recommendation: Exonerated- Based on the preponderance of the evidence, the Officer's conduct occurred but was consistent with law, CDP GPO, training, and/or procedures.

Motion: Billy Sharp

Second: Glen Parker III

Abstain: Michael Graham- Not in the room during the case.

Motion: Carried

4. 2024-0075 P.O. Kyle Paridon #938 (00:55:23-01:46:26)

Summary: On April 11, 2024, an anonymous complainant provided information concerning a post in a private Facebook Group. The information revealed that on or about April 8, 2024, P.O. Kyle Paridon #938 posted in an image of himself in CDP uniform, next to two zone cars, pointing his firearm in the sky while wearing eclipse glasses. The post was accompanied by text implying that it was a parody of a social media meme purporting that police pointed their weapons at the sun during a solar eclipse because it was turning black. OPS accessed the Facebook Group and found images and two video files posted by P.O. Paridon from October 6, 2023 to November 4, 2024. These posts reflected a CDP document, simulation weapons, a portion of a restricted data base, a live CDP shooting range, images of new recruits and two instructors during an exercise, and an accident scene, all of which are prohibited from being posted by GPO 7.03.03. Investigator Bowker identified several other allegations.

Allegation A: Unprofessional Behavior/ Conduct

Recommendation: Sustained- Based on the preponderance of the evidence including social media posts and OPS interviews. On or about April 8, 2024, P.O. Paridon #938 posted in a Facebook group an image of himself in a CDP uniform, next to two zone cars, pointing at the sky with his firearm while wearing eclipse-blocking glasses. The post was made while he was working which violates GPO 7.03.03 III C and reflects an officer improperly handling his weapon which diminishes the esteem of the Division of the Police in the eyes of the public and reflects conduct that does not command the public's respect, also violating Manual Sections 5.01, 5.08, and 5.13.

Motion: Diana Cyganovich

Second: Sherall Hardy

Motion: Carried

Group Level 2: Social Media violation. Improper use of firearm. Second by Member Hardy.

Allegation B: Unprofessional Behavior/Conduct

Recommendation: Sustained- Based on the preponderance of the evidence including social media posts and OPS interviews, supports a finding that on or about October 6, 2023, P.O. Kyle Paridon #938 posted in a Facebook Group a video created while on duty of an accident scene, which is prohibited by GPO 7.03.03 III C and D (1) (a) and E

Motion: Diana Cyganovich

Second: Sherall Hardy

Motion: Carried

Group Level 1; second Member Dave Gatian

Allegation C: Unprofessional Behavior/Conduct

Recommendation: Based on the preponderance of the evidence including social media posts and OPS interviews, supports a finding that on or about January 24, 2024, P.O. Paridon #938 posted an image created while on duty containing a portion of MDT terminal screen in a Facebook group which is prohibited under GPO 7.03.03 III C and D (6).

Motion: Diana Cyganovich

Second: Dave Gatian

Motion: Carried

Group Level 2. Social Media Policy violation. Member Hardy Second the motion

Allegation D: Unprofessional Behavior/ Conduct

Recommendation: Sustained- Based on the preponderance of the evidence including social media post and OPS interviews, supports that on July 10, 2024, P.O. Kyle Paridon #938 posted a Form1 and on November 4, 2024, he posted images of simulation equipment used by CDP, which were created while on duty in violation of GPO 7.03.03 III C.

Motion: Diana Cyganovich

Second: Dave Gatian

Motion: Carried

Group Level 2. Social Media violation. Member Hardy second the motion

Allegation E: Unprofessional Behavior/ Conduct

Recommendation: Sustained- Based on the preponderance of the evidence to include the social media posts and OPS interviews, supports that on or about February 19, 2024, P.O. Paridon #938 posted in a Facebook Group a video created while on duty of himself shooting on the range in violation of GPO 7.03.03 III C and the video reflects an officer concerned about his watch as opposed to firearm safety which diminishes the esteem of the Division of Police in the eyes of the public and reflects conduct that does not command the public's respect in violation of Manual Sections 5.01, 5.08, and 5.13.

Motion: Diana Cyganovich

Second: Sherral Hardy

Motion: Carried

Group Level 2. Violation of social media policy and mishandling of a firearm. Motion second by Member Hardy.

Allegation F: Unprofessional Behavior/ Conduct

Recommendation: Sustained- Based on the preponderance of the evidence to include the social media post and OPS interviews, supports that on or about September 11, 2024, he created and posed in a Facebook Group an image that reflects the faces of new recruits and the instructors on the range without obtaining their consent all in violation of GPO 7.03.03 III C and d (3).

Motion: Diana Cyganovich

Second: Sherall Hardy

Motion: Carried

Group Level 2. Violation of Social Media Policy. Motion second by Member Hardy

Vice Chair Brown made a motion to add on an allegation.

Allegation G: Unprofessional Behavior/ Conduct

Recommendation: Sustained- Based on the preponderance of the evidence to include social media posts and OPS interviews, supports a finding that on or about April 8, 2024, P.O. Paridon #938 posted in a Facebook group an image of himself in the CDP uniform next to two zone cars pointed at the sky with his eclipse glasses on and that the post invited racially insensitive comments onto the social media profile, diminishing the esteem of the department.

Motion: Brandon Brown

Second: Diana Cyganovich

Motion: Carried

Group Level 3. Violation of Social Media Policy. Member Parker III seconded the motion.

5. 2024-0103 P.O. Sune Stamper #1918 (02:03:03-02:19:07)

Summary: On May 10, 2024, the Office of Professional Standards received a complaint from Mr. M Mccaleb. Mr. Mccaleb stated he entered the 4th district police station to file an accident report. He stated P.O. Stamper filled out an OH-1 Traffic Crash Report with CAD#2024-118805, but the report was never made or submitted. Additionally, on May 10, 2024, Mr. Mccaleb stated when P.O. Stamper contacted him to follow up on his report, she was rude and unprofessional. During the investigation, it was discovered that the OH-1 Traffic Crash Report was filed, but P.O. Stamper accidentally put the wrong CAD# on the report. Mr. Mccaleb was

unable to receive his report due to this issue. Once the CAD# was corrected Mr. Mccaleb was able to obtain a copy of the report.

Allegation: Unprofessional Behavior/Conduct

Recommendation: Insufficient Evidence- Based on the preponderance of the evidence, including interviews with the complainant and subject officer, fails to establish whether the alleged conduct did or did not occur.

Motion: Brandon Brown

Second: Billy Sharp

Motion: Carried

Member Sherall Hardy motions for OPS to implement something regarding Officers turning on WCS during phone calls. Member Parker III seconded the motion.

VI. Executive Session- (02:21:49-03:03:46)

CPRB

Vice Chair Sharp made a Motion to go into executive session with the option to include the Law department, GM Traxler, and Senior Investigator Funari, to discuss personnel, employment, and discipline matters. The Motion was seconded by Member Gatian.

VII. Departure-OPS2022-0217 (03:04:59-03:14:28)

On August 31, 2022, the Office of Professional Standards received a complaint from Josile Brown. Brown stated that on Monday, August 29, 2022, she came to the CDP 4th District to report her one-year-old daughter missing. Brown believed her daughter was missing because the child had not been returned from a visit with the child's paternal grandmother by the agreed-upon date/time. Ms. Brown asserted the officers had no sympathy for the situation, alluded that she was a bad mother, and degraded her as a black woman. She stated that the officers allowed others to decide when her child was going to be returned to her. She stated that the officers told her certain actions would be taken if her child wasn't returned by the timeframe they set, but still, no help was given.

On May 14, 2024, the Civilian Police Review Board heard the case and voted to sustain the allegations of Lack of Service against P.O. Gerald Mooneyham #2214 and Sgt. Albert Oliver #9220.

On November 25, 2024, the Chief departed from this specification. The rationale was that a supervisor ordered P.O. Mooneyham to create an Interference with the Custody report and Sgt. Oliver evaluated the matter and correctly determined that an Interference with Custody report was the proper report to be made. Furthermore, Sgt.

Oliver called the Male who was with the complainant's child and successfully arranged for the child to be returned to the mother that same day. The Chief is recommending that the Lack of Service Allegation be Dismissed for P.O. Mooneyham and Sgt. Oliver.

On December 10, 2024, CPRB Members voted to table the case until the next meeting. The Motion was made by Member Gatian and Second by Member Hardy.

VIII. ADJOURNMENT

Member Parker made a motion to adjourn the meeting. Vice Chair Brown seconded the motion.