



CIVILIAN POLICE REVIEW BOARD
OFFICE OF PROFESSIONAL STANDARDS

April 18, 2018
MEETING MINUTES

- | | |
|--|--|
| I. CALL TO ORDER – 10:10 | Roslyn Quarto, Chair |
| II. ROLL CALL | Chairperson Quarto |
| <u>CPRB MEMBERS</u> | <u>OPS STAFF</u> |
| ATTENDANCE | ATTENDANCE |
| Roslyn Quarto | Tony Scott, General Manager |
| Michael Graham | Anitra Merritt, Investigator |
| Edwin Santos | Julie Delaney, Investigator |
| Michael Walker | Art Bowker, Investigator |
| Ernest Turner | Eric Richardson, Investigator |
| Michael Hess | Shaunita Lee, Investigator |
| Mary Clark | Vince Funari, Investigator |
| LeeAnn Hanlon, Secretary | Dave Hammons, Investigator |
| Gerri Butler, Staff Counsel | Barbara Williams-Bennett, Inv. |
| III. PUBLIC COMMENT | |
| IV. PRESENTATION OF INVESTIGATIONS | Tony Scott, General Manager
OPS Investigative Staff |
| V. ANNOUNCEMENTS AND COMMUNICATIONS | |
| VI. OPS REPORT | General Manager Scott |
| a. REVIEW OF CDP DISCIPLINARY DECISIONS | |
| VII. COMMITTEE REPORTS | |
| VIII. NEW BUSINESS | |
| IX. ADJOURNMENT | |



III. **Public Comment – Ms. Quarto reminds every one of the three (3) minute time limit**

Retired Civilian Police Review Board Member Thomas Jones was in the audience to receive his proclamation from the Mayor. Mr. Jones stated that after 19 years he hopes that they've made a difference in the community. Mr. Jones stated that people don't see the work behind the scenes that the Board members do to prepare for the meetings, but stated that if you're going to an effective job, you've got to put in the hours. He stated that he will be popping into the meetings from time to time.

Dave Lima, **SURJ**, read a statement, which is as follows:

At the close of the training the Board received two (2) months ago concerning the Cleveland Department of Police's Use of Force Policy, I indicated that Cleveland's policy was the area's most progressive and reflected the City's intent to deliver 21st century policing practices.

Recently, the Bias-Free policy was approved by Judge Oliver. James Hardiman, president of the Cleveland NAACP reflecting on the approval said, "The ultimate test is how it's implemented, if officers take it seriously." And I would add, "and if the officers receive effective training."

While attending the "March for Our Lives" event, I engaged two (2) Cleveland Division of Police officers and asked if they had completed the Use of Force Training. They indicated that they had. I asked if they had a clear understanding of the new policy. They said, "not very." I asked if they thought that their fellow officers had a clear understanding of the new policy. The answer was the same, "not very."

It's true that the responses from 2 out of 1200 hours is not a representative sample, but their responses should give us concern about the effectiveness of the training received. One officer's misunderstanding can have serious consequences. This training, their comprehension, and their understanding about the use of force and bias-free policing can and will have a direct impact on this Board and the complaints received.

I think it is incumbent upon this Board to inquire further into the effectiveness of the training model currently used by the Cleveland Department of Police. An effective model should result in officers having a clear understanding of the use of force and bias-free policies.



Mr. Scott informs the Board that Investigator Nici has separated from the Office of Professional Standards, and due to this, the following cases will be removed from today's agenda and moved to the next meeting so that another investigator can prepare and present the cases to the Board:

- 15-135 (Marsh)
- 15-181 (Defreeze)
- 16-041 (Rivers)
- 16-197 (Shepard)



IV. Vote

a. 14-423: Heben

P.O. Zoladz (extended medical leave)

Allegation: Excessive Force

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Santos

Motion passes

Allegation: Improper Search

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Santos

Motion passes

b. 15-059: Sanders

P.O. Crivel #1727

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Graham

Motion passes

Allegation: Improper Citation

Recommendation: Exonerate

Motion: Quarto

Second: Walker

Motion passes

P.O. Robles #2283

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Santos

Motion passes



Allegation: Improper Citation
Recommendation: Exonerate
Motion: Quarto
Second: Santos
Motion passes

c. 15-068: Greer

P.O Donnellan #633

Allegation: Missing Property
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Santos
Motion passes

Allegation: Improper Stop
Recommendation: Exonerate
Motion: Quarto
Second: Clark
Motion passes

Allegation: Biased Policing
Recommendation: Unfounded
Motion: Quarto
Second: Graham
Motion passes

Allegation: Improper Tow
Recommendation: Exonerate
Motion: Quarto
Second: Graham
One abstention, motion passes

Allegation: Improper Arrest
Recommendation: Exonerate
Motion: Quarto
Second: Hess
Motion passes



d. 15-147: Johnson

P.O. Potachek #2016

Allegation: Improper Citation

Recommendation: Exonerate

Motion: Quarto

Second: Turner

Motion passes

P.O. Porter #2509

Allegation: Improper Citation

Recommendation: Exonerate

Motion: Quarto

Second: Clark

Motion passes

e. 15-222: Muhammad

P.O. Hagy #268

Allegation: Improper Procedure

Recommendation: Exonerate

Motion: Quarto

Second: Santos

Motion passes

P.O. Zeitz #1174

Allegation: Improper Procedure

Recommendation: Exonerate

Motion: Quarto

Second: Turner

Motion passes



f. 15-251: Blair

P.O. Davis #561

Allegation: Improper Stop
Recommendation: Exonerate
Motion: Quarto
Second: Walker
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Exonerate
Motion: Quarto
Second: Clark
Motion passes

Allegation: Biased Policing
Recommendation: Unfounded
Motion: Quarto
Second: Graham
Motion passes

Sgt. Beitel #9014

Allegation: Improper Stop
Recommendation: Sustain
Motion: Quarto
Second: Turner
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Sustain
Motion: Quarto
Second: Turner
Motion passes

Allegation: Biased Policing
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Graham
Motion passes



P.O. Goykberg #2537

Allegation: Improper Stop
Recommendation: Exonerate
Motion: Quarto
Second: Graham
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Exonerate
Motion: Quarto
Second: Clark
Motion passes

Allegation: Biased Policing
Recommendation: Unfounded
Motion: Quarto
Second: Santos
One opposed, one abstention, motion passes

P.O. Velez #912

Allegation: Improper Stop
Recommendation: Exonerate
Motion: Quarto
Second: Clark
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Exonerate
Motion: Quarto
Second: Turner
Motion passes

Allegation: Biased Policing
Recommendation: Unfounded
Motion: Quarto
Second: Santos
Motion passes



P.O. Laska #757

Allegation: Improper Stop
Recommendation: Exonerate
Motion: Quarto
Second: Walker
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Exonerate
Motion: Quarto
Second: Walker

Allegation: Biased Policing
Recommendation: Unfounded
Motion: Quarto
Second: Walker
Motion passes

P.O. McKenzie #1816

Allegation: Improper Stop
Recommendation: Exonerate
Motion: Quarto
Second: Santos
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Exonerate
Motion: Quarto
Second: Turner
Motion passes

Allegation: Biased Policing
Recommendation: Unfounded
Motion: Quarto
Second: Santos
Motion passes



g. 15-252: Clemens

P.O. Rodriguez #1293

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Quarto

Second: Hess

Motion passes

Allegation: Improper Procedure

Recommendation: Exonerate

Motion: Quarto

Second: Clark

Motion passes

h. 15-255: Debardeleben

Det. Orr #2320

Allegation: Lack of Service

Recommendation: Exonerate

Motion: Graham

Second: Quarto

Motion passes

i. 15-290: Yusufi

P.O. Bayness #217

Allegation: Improper Tow

Recommendation: Exonerated

Motion: Santos

Second: Quarto

Motion passes



j. 17-009

P.O. McMullen #2305

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Quarto

Second: Santos

Motion passes

Allegation: Excessive Force

Recommendation: Unfounded

Motion: Quarto

Second: Clark

Motion passes

Allegation: Failure to Arrest/Document

Recommendation: Sustain

Motion: Quarto

Second: Walker

Motion passes

P.O. Wright #1731

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Quarto

Second: Santos

Motion passes

Allegation: Excessive Force

Recommendation: Unfounded

Motion: Quarto

Second: Santos

Motion passes

Allegation: Failure to Arrest/Document

Recommendation: Sustain

Motion: Quarto

Second: Walker

Motion passes



k. 17-035: Perovic

P.O. Johnson #802

Allegation: Lack of Service
Recommendation: Exonerate
Motion: Quarto
Second: Turner
Motion passes

l. 17-143: Overton

Lt. Todd #8531

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Quarto
Second: Turner
One abstention, motion passes

m. 17-169: Jones-McFarlane – Complainant present. Ms. Jones-McFarlane insisted that no one properly investigated her case, despite the documentation that she's provided. She was adamant that she supplied letters, pictures, and police reports, and that no one interviewed her or followed up on information that she's provided to the officers and investigators.

Det. Williams #547

Allegation: Lack of Service
Recommendation: Insufficient Evidence
Motion: Clark
Second: Quarto
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Graham
Second: Quarto
Motion passes

Ms. Quarto recognized that Ms. Jones-McFarlane was disappointed with the decision, but stated that the Board made their recommendations based on the



evidence provided to them in the report, and that corroborating evidence needed to be had for the allegations being made.

n. 17-174: Loper

P.O. Valencic #2091

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Quarto
Second: Walker
Motion passes

Allegation: Biased Policing
Recommendation: Unfounded
Motion: Quarto
Second: Walker
Motion passes

P.O. Petkac #1821

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Quarto
Second: Walker
Motion passes

Allegation: Biased Policing
Recommendation: Unfounded
Motion: Quarto
Second: Walker
Motion passes

o. 17-215: Nelson

P.O. Bartell #166

Allegation: Harassment
Recommendation: Exonerated
Motion: Quarto
Second: Turner
Motion passes



p. 17-217: Boc/Taylor

P.O. Crivel #1727

Allegation: Improper Tow
Recommendation: Exonerate
Motion: Quarto
Second: Walker
Motion passes

Allegation: Harassment
Recommendation: Unfounded
Motion: Quarto
Second: Clark
Motion passes

P.O. Kaufmann #893

Allegation: Improper Tow
Recommendation: Exonerate
Motion: Quarto
Second: Walker
Motion passes

Allegation: Harassment
Recommendation: Unfounded
Motion: Quarto
Second: Santos
Motion passes

q. 17-227: Gilmore Smalley

P.O. Bush

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Quarto
Second: Turner
Motion passes

Sgt. Beitel #9014



Allegation: Lack of Service
Recommendation: Unfounded
Motion: Quarto
Second: Turner
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Turner
Motion passes

P.O. Harper #2470

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Quarto
Second: Clark
Motion passes

P.O. Lombardi #1130

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Quarto
Second: Hess
Motion passes



r. 17-232: Hamilton

P.O. Beckwith #1047

Allegation: Improper Citation
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Walker
Motion passes

Allegation: Improper Stop
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Santos
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Quarto
Second: Clark
Motion passes

Allegation: Biased Policing
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Hess
Motion passes



- s. **17-235: Sanders – Complainant present with witness Antonio Bridges. Ms. Sanders stated that there was a caravan of people turning, and while she swerved right to attempt to avoid the collision, it still happened. Ms. Sanders stated that she felt frightened of the other woman involved in the accident, because the other woman attempted to open Ms. Sanders’ car door and appeared to be very angry about the accident. Ms. Sanders stated that the officer spent a very long time with the other woman involved in the accident, and continuously told her to get back to her vehicle when she moved closer to ask questions. Ms. Sanders stated that the officer never once asked her what happened, or if she or her passengers were okay after the accident. Mr. Bridges corroborated what Ms. Sanders stated, and stated that he felt that the officer did not properly investigate the accident or the passengers in the vehicle.**

P.O. Judd #1545

Allegation: Lack of Service
Recommendation: Sustained
Motion: Santos
Second: Quarto
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Sustained
Motion: Santos
Second: Quarto
Motion passes

Allegation: Improper Citation
Recommendation: Sustained
Motion: Santos
Second: Quarto
Motion passes

Allegation: Biased Policing
Recommendation: Insufficient Evidence
Motion: Santos
Second: Quarto
Motion passes



t. 17-236: Williams

P.O. Stuhm #425

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Quarto

Second: Hess

One abstention, motion passes

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Santos

One abstention, motion passes

P.O. Walter #1683

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Quarto

Second: Santos

One abstention, motion passes

VII. ADJOURNMENT – 15:13 hours