



CIVILIAN POLICE REVIEW BOARD
OFFICE OF PROFESSIONAL STANDARDS

May 16, 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 | Henry Roney, Sr. Investigator |
| Stephanie Scalise | Dave Hammons, Investigator |
| Michael Graham | Barbara Williams-Bennett, Inv. |
| Edwin Santos | Julie Delaney, Investigator |
| Michael Walker | Eric Richardson, Investigator |
| Ernest Turner | Kevin Wynne, Investigator |
| Michael Hess | Keith Oliver, Investigator |
| Mary Clark | Vince Funari, Investigator |
| LeeAnn Hanlon, Secretary | |
| Gerri Butler, Staff Counsel | |
| III. PUBLIC COMMENT | |
| IV. PRESENTATION OF INVESTIGATIONS | OPS Investigative Staff |
| V. ANNOUNCEMENTS AND COMMUNICATIONS | |
| VI. OPS REPORT | |
| VII. COMMITTEE REPORTS | |
| VIII. NEW BUSINESS | |
| IX. ADJOURNMENT | |



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

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

At last month's meeting Board members expressed concern about the difficulty in determining whether bias-free policing guidelines had been violated. Admittedly, this is difficult since arriving at such a conclusion.

I believe the investigative process can reveal behavioral data that the Board can rely upon with a great deal of confidence that bias is present that led to the filing of a complaint.

When the preponderance of the evidence reveals that the following behaviors occurred the Board can confidently reach the conclusion that biased policing occurred. These behaviors can be taken individually or in any combination when considering whether biased policing occurred. The list is not all-inclusive and is taken from the CDP's biased-free policing policy:

1. Failure of the officer to base initiated law enforcement activities on observable behavior, reasonable suspicion, and/or probable cause.
2. Evidence that the officer used harassing, intimidating, derogatory language verbally or in writing or by gesture.
3. Failure of the officer to take into account the gender identity when conducting a body search and not making a conscious effort in having the search conducted by an officer of the same gender identity.
4. If removal of a woman's headscarf is required, failure of the officer to have it done by a female officer in a private place.
5. Failure of the officer to release an individual from detention as soon as lawful detention is fulfilled.
6. Officers delaying or denying police services.
7. Failure of the officer to introduce oneself, stating the reasons for the interaction, listening and answering reasonable questions and explaining what the officer is doing and why.
8. Failure of the officer to provide the officer's name, rank and badge number, including business card with the officer's assigned police district, supervisor and/or commander's contact information.
9. Failure of the officer to have a supervisor respond to the scene when the subject wants to make a complaint

Next Meeting Date: Wednesday, June 20, 2018 at 10:00 am



IV. Vote

a. 14-084: Lewis

P.O. Thomas #687

Allegation: Excessive Force
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Graham
Motion passes

P.O. Mullin #100

Allegation: Excessive Force
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Santos
Motion passes

P.O. Kellums #1020

Allegation: Excessive Force
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Santos
Motion passes

P.O. Pesta #981

Allegation: Excessive Force
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Santos
Motion passes



b. 14-118: Bahar

P.O. Yamamoto #388

Allegation: Excessive Force

Recommendation: Exonerate

Motion: Quarto

Second: Clark

Motion passes, one abstention

Allegation: Improper Procedure

Recommendation: Exonerated

Motion: Quarto

Second: Clark

Motion passes, one abstention

P.O. Jones #1334

Allegation: Excessive Force

Recommendation: Exonerated

Motion: Quarto

Second: Clark

Motion passes, one abstention

Allegation: Improper Procedure

Recommendation: Exonerated

Motion: Quarto

Second: Santos

Motion passes, one abstention

c. 14-155: Prescott

P.O. Fore #729

Allegation: Excessive Force

Recommendation: Exonerated

Motion: Scalise

Second: Quarto

Motion passes



P.O. Hategan #1879

Allegation: Excessive Force
Recommendation: Exonerated
Motion: Scalise
Second: Quarto
Motion passes

d. 14-179: Ogundapo

Sgt. Brown #9138

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

Allegation: Improper Arrest
Recommendation: Exonerated
Motion: Quarto
Second: Clark
Motion passes

e. 14-336: Mbajika – tabled for discussion with the Monitoring Team regarding instances of biased policing.

P.O. Davis #2398

Allegation: Harassment

f. 14-383: Oko – tabled for discussion with the Monitoring Team regarding instances of biased policing– Complainant present. The Complainant stated that he felt that the information the investigator provided was distorted and generalized, and that his complaint is harassment. The Complainant wants the Board to know that P.O. Davis should be watched.

Ms. Quarto reminded the Complainant that regardless of what the investigator presented, they have the full report, and they are not basing their decision solely based on what the investigator synopsis.



Ms. Quarto asked the Complainant to provide the investigator with his witness/friend's contact information, and that the Board will table this case until the witness can provide a statement.

P.O. Davis #2398

Allegation: Harassment
Allegation: Intimidation
Allegation: Biased Policing

g. 14-439: Rhone

P.O. Smith #2117

Allegation: Improper Arrest
Recommendation: Unfounded
Motion: Quarto
Second: Turner
Motion passes, one abstention

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Quarto
Second: Clark
Motion passes, one abstention

P.O. Prince #848

Allegation: Improper Arrest
Recommendation: Unfounded
Motion: Quarto
Second: Clark
Motion passes, one abstention

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Quarto
Second: Clark
Motion passes, one abstention



h. 15-090: Mbajika – tabled for discussion with the Monitoring Team regarding instances of biased policing

P.O. Davis #2398

Allegation: Harassment

i. 15-133: Moton

Det. Diaz #101

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Santos

Motion passes, one abstention

j. 15-135: Marsh

Sgt. Dunn #9998

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Graham

Motion passes

Allegation: Lack of Service

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Clark

Motion passes

k. 15-181: Defreeze

P.O. Dunn #2563

Allegation: Improper Citation

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Turner

Motion passes



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

I. 15-217: Johnson

Det. Brooks #1050

Allegation: Improper Procedure
Recommendation: Exonerated
Motion: Quarto
Second: Santos
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Exonerated
Motion: Quarto
Second: Scalise
Motion passes

m. 16-041: Rivers

P.O. Santillo #309

Allegation: Improper Procedure
Recommendation: Exonerated
Motion: Quarto
Second: Clark
Motion passes

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



P.O. Wohl #396

Allegation: Improper Procedure
Recommendation: Exonerated
Motion: Quarto
Second: Turner
Motion passes

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

n. 16:075: Moss

P.O. Hannon #2065

Allegation: Excessive Force
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Turner
Motion passes

o. 16-108: Paul

P.O. Conway #2065

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

p. 16-197: Shepard

P.O. Burkhardt #69

Allegation: Improper Citation
Recommendation: Exonerated
Motion: Scalise
Second: Quarto
Motion passes

Next Meeting Date: Wednesday, June 20, 2018 at 10:00 am



q. 16-209

P.O. Connole #1902

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Scalise

Second: Quarto

Motion passes

P.O. Rivera #1846

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Scalise

Second: Quarto

Motion passes

All of Second District

Allegation: Lack of Service

Recommendation: **Board moved not to hear because no officer was named**

Motion: Scalise

Second: Quarto

Motion passes

r. 16-259: Green

P.O. Perez #2588

Allegation: Lack of Service

Recommendation: Exonerated

Motion: Scalise

Second: Quarto

Motion passes



s. **17-012: Conner**

P.O. Mauldin #1857

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

- t. **17-132: Hameen – Complainant was present. Complainant and witness, Mr. Whitfield, stated that her experience with Det. Kraynik and Lt. DeFranco was chaotic, and that no one kept her apprised of the status of her investigation. Further, she stated that she continually had to re-supply Det. Kraynik with information for her case. Ultimately, both the Complainant and Mr. Whitfield were disappointed with the outcome of their case.**

Ms. Scalise stated that the case before the Board is whether or not service was provided. There are two issues at hand – whether or not the officers provided service per Cleveland Division of Police policy or procedure, and whether or not the officers reached the right outcome.

Ms. Quarto stated that the details of a police investigation is beyond the scope of what the Board is supposed to do. There was an investigation, and the prosecutor issued a final decision. Different service is not no service.

Det. Kraynik #1517

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Scalise
Second: Quarto
Motion passes

Lt. DeFranco #8509

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Scalise
Second: Quarto
Motion passes



u. 17-207: Kubin

P.O. Kazimer #844

Allegation: Improper Arrest
Recommendation: Exonerated
Motion: Scalise
Second: Quarto
Motion passes, one abstention

P.O. Guerra #569

Allegation: Improper Arrest
Recommendation: Exonerated
Motion: Scalise
Second: Quarto
Motion passes

Unknown Officer(s)

Allegation: Harassment
Recommendation: **Board moved not to hear because no officer was named**
Motion: Scalise
Second: Quarto
Motion passes, one abstention

v. 17-216: Weaver: Complainant present. The Complainant stated that he obtained a Civil Protection Order (CPO) to protect his daughters against their mother's boyfriend, Mr. Edwards. The Complainant stated Mr. Edwards is not supposed to be around his children, and yet Mr. Edwards is never detained by police.

P.O. Wagner #1802

Allegation: Lack of Service – Civil Protection Order
Recommendation: Exonerated
Motion: Scalise
Second: Quarto
Motion passes



P.O. Smith #2177

Allegation: Lack of Service – Civil Protection Order

Recommendation: Exonerated

Motion: Scalise

Second: Quarto

Motion passes

P.O. Jackson #9952

Allegation: Lack of Service – Civil Protection Order

Recommendation: Exonerated

Motion: Scalise

Second: Quarto

Motion passes

Allegation: Lack of Service – Failure to Arrest on Capias

Recommendation: Sustained

Motion: Scalise

Second: Quarto

Motion passes

w. 17-233: Ingram

P.O. Glasscock #447

Allegation: Unprofessional Conduct

Recommendation: Exonerated

Motion: Scalise

Second: Turner

Motion passes, one abstention

Allegation: Excessive Force

Recommendation: Exonerated

Motion: Scalise

Second: Clark

Motion passes, one abstention



x. 18-003: Washington

P.O. Hoban #470

Allegation: Improper Arrest
Recommendation: Exonerated
Motion: Scalise
Second: Santos
Motion passes

P.O. Mills #1596

Allegation: Improper Arrest
Recommendation: Exonerated
Motion: Scalise
Second: Clark
Motion passes

y. 18-014: Dawson

P.O. Decredico #2279

Allegation: Biased Policing
Recommendation: Exonerated
Motion: Scalise
Second: Quarto
Motion passes, one abstention

P.O. McBride #340

Allegation: Biased Policing
Recommendation: Exonerated
Motion: Scalise
Second: Quarto
Motion passes, one abstention



z. 18-019: Parish

P.O. Majid #777

Allegation: Lack of Service

Recommendation: Exonerated

Motion: Scalise

Second: Quarto

Motion passes

Ms. Scalise moved for a commendation to be sent to P.O. Majid in recognition of how he conducted himself with the Complainant; Mr. Walker seconded, Mr. Hess opposed, motion passed.

aa. 18-047: Randall – Complainant present. The Complainant alleged that Det. Reese provided a biased police report that resulted in the in the suspect not being charged.

Ms. Scalise asked for clarification on the complaint, because the complaint before the Board is that the Complainant obtained a police report with a different number than what Det. Reese provided to him. That the complainant was given the wrong report is all that they can vote on.

Ms. Quarto stated that the Complainant's complaint is that he was provided the wrong report, and that is what the Board is ruling on. The Board is limited in their jurisdiction, and the complaint that the Complainant was given the wrong report is all that they can vote on.

Det. Reese #591

Allegation: Lack of Service

Recommendation: Exonerated

Motion: Scalise

Second: Quarto

Motion passes



bb. 18-050: Keyes

P.O. Hernandez #828

Allegation: Lack of Service

Recommendation: Exonerated

Motion: Scalise

Second: Quarto

Motion passes

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Scalise

Second: Quarto

Motion passes

passes

VII. ADJOURNMENT – 15:00 hours