



**CIVILIAN POLICE REVIEW BOARD**  
**OFFICE OF PROFESSIONAL STANDARDS**

August 15, 2018

**MEETING MINUTES**

- |  |   |
|--|---|
| <b>I. CALL TO ORDER – 10:00</b>  | <b>Roslyn Quarto, Chair</b>   |
| <b>II. ROLL CALL</b>   | Chairperson Quarto  |
| <b><u>CPRB MEMBERS</u></b>   | <b><u>OPS STAFF</u></b>   |
| <b>ATTENDANCE</b><br>Roslyn Quarto<br>Edwin Santos<br>Michael Walker<br>Ernest Turner<br>Michael Hess<br>Mary Clark<br>LeeAnn Hanlon, Secretary<br>Gerri Butler, Staff Counsel | <b>ATTENDANCE</b><br>Henry Roney, Sr. Investigator<br>Eric Richardson, Investigator<br>Barbara Williams-Bennett, Inv.<br>Dave Hammons, Investigator<br>Keith Oliver, Investigator<br>Kevin Wynne, Investigator<br>Dave Hammons, Investigator<br>Julie Delaney, Investigator |
| <b>III. PUBLIC COMMENT</b>   |   |
| <b>IV. PRESENTATION OF INVESTIGATIONS</b>  | OPS Investigative Staff   |
| <b>V. ANNOUNCEMENTS AND COMMUNICATIONS</b>   |   |
| <b>VI. OPS REPORT</b>  |   |
| <b>VII. COMMITTEE REPORTS</b>  |   |
| <b>VIII. NEW BUSINESS</b>  |   |
| <b>IX. ADJOURNMENT</b>   |   |



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

No Public Comment.

**IV. VOTE**

**a. 15-074: McGary**

SDCO Johnson (resigned)

Allegation: Improper Procedure

Recommendation: Declined to Adjudicate

Motion: Quarto

Second: Clark

*Motion passes*

**b. 15-183: Woodi**

P.O. White #1889 (retired)

Allegation: Lack of Service

Recommendation: Declined to Adjudicate

Motion: Quarto

Second: Clark

*Motion passes*

Allegation: Biased Policing

Recommendation: Declined to Adjudicate

Motion: Quarto

Second: Clark

*Motion passes*

**c. 15-218: Brandow**

Sgt. Jones #9090

Allegation: Lack of Service

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Santos

*Motion passes*



**d. 15-246: Westley**

Sgt. Shoulders #9913 (retired)

Allegation: Improper Arrest

Recommendation: Declined to Adjudicate

Motion: Quarto

Second: Clark

*Motion passes*

Allegation: Unprofessional Conduct

Recommendation: Declined to Adjudicate

Motion: Quarto

Second: Clark

*Motion passes*

Allegation: Harassment

Recommendation: Declined to Adjudicate

Motion: Quarto

Seconded: Clark

*Motion passes*

**e. 16-077: Joyner**

P.O. Valentino #2526

Allegation: Excessive Force

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Clark

*Motion passes*

Allegation: Missing Property

Recommendation: Exonerated

Motion: Quarto

Second: Turner

*Motion passes*



P.O. Durst #698

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

Allegation: Missing Property  
Recommendation: Exonerated  
Motion: Quarto  
Second: Clark  
*Motion passes*

**f. 16-103: Hood**

P.O. Gugliotta #7 (retired)

Allegation: Lack of Service  
Recommendation: Declined to Adjudicate  
Motion: Quarto  
Second: Clark  
*Motion passes*

Allegation: Biased Policing  
Recommendation: Declined to Adjudicate  
Motion: Quarto  
Second: Clark  
*Motion passes*

**g. 16-163: Reed**

P.O. Walker #1788

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Quarto  
Second: Turner  
*Motion passes with one abstention*



Allegation: Unprofessional Conduct  
Recommendation: Insufficient Evidence  
Motion: Quarto  
Second: Santos  
*Motion passes with one abstention*

Allegation: Failure to Activate WCS  
Recommendation: Sustained  
Motion: Quarto  
Second: Santos  
*Motion passes with one abstention*

P.O. Waters #657

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Quarto  
Second: Santos  
*Motion passes*

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

Allegation: Failure to Activate WCS  
Recommendation: Sustained  
Motion: Quarto  
Second: Turner  
*Motion passes*

Sgt. Ealey #9083

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Quarto  
Second: Santos  
*Motion passes*



Allegation: Failure to Activate WCS  
Recommendation: Sustained  
Motion: Quarto  
Second: Clark  
*Motion passes*

**h. 16-167: Benton**

P.O. Mendat #1114

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

Allegation: Unprofessional Conduct  
Recommendation: Insufficient Evidence  
Motion: Quarto  
Second: Clark  
*Motion passes*

Sgt. Edrington #9143

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

P.O. Munko #1159

Allegation: Failure to Activate WCS  
Recommendation: Sustained  
Motion: Quarto  
Second: Walker  
*Motion passes*



**i. 16-180: Rashid**

P.O. Gugliotta #7 (retired)

Allegation: Improper Citation

Recommendation: Declined to Adjudicate

Motion: Quarto

Second: Clark

*Motion passes*

**j. 17:020: King – Complainant is present. Complainant stated that she was victimized by two females and the officers didn't care. The officers did not respect her, and showed her no dignity. Additionally, the officers let the girls go who assaulted her. When she looked for help, they did not help her.**

P.O. Rakovec #1695. Torres #1634

Allegation: Unprofessional Conduct

Recommendation: Sustained

Motion: Quarto

Second: Clark

*Motion passes*

Allegation: Biased Policing

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Santos

*Motion passes*

Allegation: Failure to Provide Police Service

Recommendation: Sustained

Motion: Quarto

Second: Clark

*Motion passes*

Allegation: Failure to Identify Oneself

Recommendation: Sustained

Motion: Quarto

Second: Santos

*Motion passes*



Allegation: Failure to Activate WCS

Recommendation: Sustained

Motion: Quarto

Second: Clark

*Motion passes*

P.O. King #2501

Allegation: Failure to Provide Police Service

Recommendation: Sustained

Motion: Quarto

Second: Santos

*Motion passes*

Allegation: Failure to Identify Oneself

Recommendation: Sustained

Motion: Quarto

Second: Clark

*Motion passes*

Allegation: Failure to Activate WCS

Recommendation: Sustained

Motion: Quarto

Second: Santos

*Motion passes*

- k. **17:034: Richmond – Attorney for the Complainant is present. Complainant’s attorney stated that the officers knew the Complainant was in a coma and that her vehicle should have been held for her until she was out of her coma and out of the hospital. The vehicle was scrapped while the Complainant was still in the hospital. Additionally, Complainant believes that Det. Van Buren never followed up on witnesses and never pulled video footage leading up to her shooting.**

Det. Van Buren #1273

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Quarto

Second: Santos

*Motion passes*



Allegation: Unprofessional Conduct  
Recommendation: Insufficient Evidence  
Motion: Quarto  
Second: Santos  
*Motion passes*

Allegation: Damage to Property  
Recommendation: Exonerated  
Motion: Quarto  
Second: Walker  
*Motion passes*

Lt. Riley #8517

Allegation: Damage to Property  
Recommendation: Exonerated  
Motion: Quarto  
Second: Walker  
*Motion passes*

**I. 17-088: Russo**

P.O. Johnson #1166

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

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

Allegation: Failure to Activate WCS  
Recommendation: Sustained  
Motion: Quarto  
Second: Clark  
*Motion passes*



P.O. Love #2145

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Quarto  
Second: Clark  
*Motion passes*

Sgt. Kelly #9141

Allegation: Unprofessional Conduct  
Recommendation: Sustained  
Motion: Quarto  
Second: Walker  
*Motion passes*

**m. 17-241: Peoples**

Sgt. Keane #9198

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

- n. 18-009: Spearman – Complainant is present. Complainant stated that she believes that her husband didn't accidentally shoot himself, and there was a reason that he pulled the gun out. Complainant wants her husband's case re-opened. Complainant stated that she was dismissed and felt that her voice was not heard. Complainant wants justice for her husband.**

**This case was tabled for a future meeting so that the investigator could re-interview Det. Fischbach regarding new questions for the allegation of Lack of Service.**

Det. Fischbach #450

Allegation: Unprofessional Conduct  
Recommendation: Insufficient Evidence  
Motion: Quarto  
Second: Santos  
*Motion passes*



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

Allegation: Lack of Service (tabled)

- o. 18-011: Masten – Complainant is present. Complainant stated that she provided audio and video recordings of what the officers said, and alleged that the officers kept turning their recording devices off and on while asking her nonsensical questions. Complainant additionally stated that the property manager is friends with Sgt. Hutchinson, and therefore CDP refuses to investigate any cases that come from the apartment complex.**

P.O. MacLaren #931

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

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Quarto  
Second: Walker  
*Motion passes*

P.O. Zupal #2513

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

P.O. Pivanik #2058

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



Sgt. Hutchinson #9098

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Quarto  
Second: Walker  
*Motion passes*

Sgt. Egglemeyer #9126

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Quarto  
Second: Walker  
*Motion passes*

P.O. Russell #55

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

Det. Cozart #457

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

**p. 18-024: Garman**

P.O. Marquard #1760

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



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

**q. 18-038: Taylor**

Det. Yasenchack #2362

Allegation: Improper Search – 1<sup>st</sup> Search  
Recommendation: Exonerated  
Motion: Quarto  
Second: Turner  
*Motion passes*

Allegation: Improper Search – 2<sup>nd</sup> Search  
Recommendation: Sustained  
Motion: Quarto  
Second: Clark  
*Motion passes*

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

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

Allegation: Investigations Violation  
Recommendation: Sustained  
Motion: Quarto  
Second: Santos  
*Motion passes*



Det. Davis #482

Allegation: Improper Search  
Recommendation: Exonerated  
Motion: Quarto  
Second: Turner  
*Motion passes*

Det. Hargrove #1560

Allegation: Improper Search  
Recommendation: Exonerated  
Motion: Quarto  
Second: Clark  
*Motion passes*

- r. **18-048: Serrano- Attorney for Complainant is present. Attorney stated that nothing is more important than responding to a victim of violence. Cleveland has a phone service available, and officers should be using it. Limited English Proficiency (LEP) individuals are suffering because officers are not utilizing the language line. There needs to be clear access to the phone service so that officers can use it while they are in the field.**

P.O. Guion #1926

Allegation: Violation of Limited English Proficiency  
Recommendation: Exonerated  
Motion: Quarto  
Second: Santos  
*Motion passes*

P.O. Buettner #1317

Allegation: Violation of Limited English Proficiency  
Recommendation: Exonerated  
Motion: Quarto  
Second: Clark  
*Motion passes*



P.O. McGervey #2352

Allegation: Violation of Limited English Proficiency

Recommendation: Sustained

Motion: Quarto

Second: Hess

*Motion passes*

**s. 18-057: Bollinger**

P.O. Gaviria-Sanchez #446

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Clark

*Motion passes*

**t. 18-061: Smith**

Det. Orr #2320

Allegation: Lack of Service – Debit Card

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Santos

*Motion passes*

Allegation: Lack of Service – Money Order

Recommendation: Unfounded

Motion: Quarto

Second: Clark

*Motion passes*

**u. 18-064: Young**

P.O. Guiliano #1313

Allegation: Unprofessional Conduct

Recommendation: Sustained

Motion: Quarto

Second: Santos

*Motion passes*



- v. **18-068: Malloy – Complainant is present. Complainant stated that Toast Wine Bar is a nuisance, and that no one investigates the noise complaints because the owner of Toast Wine Bar is a friend of Matt Zone. Complainant stated that she will continue to complain about the bar because her complaining annoys CDP.**

P.O. Sowders #1103

Allegation: Unprofessional Conduct  
Recommendation: Exonerated  
Motion: Quarto  
Second: Turner  
*Motion passes*

P.O. McNatt #1551

Allegation: Unprofessional Conduct  
Recommendation: Exonerated  
Motion: Quarto  
Second: Clark  
*Motion passes*

P.O. Cruz #772

Allegation: Unprofessional Conduct  
Recommendation: Exonerated  
Motion: Quarto  
Second: Turner  
*Motion passes*

Dispatcher Kelley #112

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



**w. 18-088: Belligan**

P.O. Mazur #2109

Allegation: Improper Tow  
Recommendation: Exonerated  
Motion: Quarto  
Second: Santos  
*Motion passes*

P.O. Kidd #865

Allegation: Unprofessional Conduct  
Recommendation: Sustained  
Motion: Quarto  
Second: Turner  
*Motion passes*

Allegation: Failure to Activate WCS  
Recommendation: Sustained  
Motion: Quarto  
Second: Clark  
*Motion passes*

Lt. Hamm #8524

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Quarto  
Second: Turner  
*Motion passes*

Meeting adjourned at 15:15 hours.