CIVILIAN POLICE REVIEW BOARD
OFFICE OF PROFESSIONAL STANDARDS

February 12, 2019

MEETING MINUTES

I. CALL TO ORDER – 10:00 — **Roslyn Quarto, Chairperson**

II. ROLL CALL — Chairperson Quarto

CPRB MEMBERS

ATTENDANCE
Roslyn Quarto
Ken Mountcastle
Mary Clark
Michael Hess
Ernest Turner
Michael Graham
Gerri Butler, Staff Counsel
LeeAnn Hanlon, Secretary

OPS STAFF

ATTENDANCE
Roger Smith, Administrator
Keith Oliver, Investigator
Kevin Wynne, Investigator
Vince Funari, Investigator
Dave Hammons, Investigator
Art Bowker, Investigator.
Julie Delaney, Investigator
Anitra Merritt, Investigator
Barbara Williams-Bennett, Investigator
Eric Richardson

III. APPROVAL OF MINUTES

IV. PUBLIC COMMENT

V. PRESENTATION OF INVESTIGATIONS

VI. CPRB TRAINING

VII. HILLARD HEINTZE CASES — Roger Smith

VIII. ANNOUNCEMENTS AND COMMUNICATIONS

IX. OPS REPORT
- **A. REVIEW OF CDP DISCIPLINARY DECISIONS**

X. POLICY UPDATES

XI. COMMITTEE REPORTS

XIII. NEW BUSINESS

XIV. ADJOURNMENT

Next Meeting Date: Tuesday, March 12, 2019 at 10:00 am

III. APPROVAL OF MINUTES

Ms. Quarto request a motion to approve the minutes. Motion made by Mr. Mountcastle and seconded by Mr. Hess. Motion passes.

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

Dave Lima, SURJ

Mr. Lima thought he would mention some of the activities that SURJ is involved in in 2019 that have some impact and direct influence in the community, and may impact this Board in some ways. SURJ is involved in various areas of the Consent Decree, and currently monitor over 35 Northeastern Ohio. SURJ is also involved in advocating for the sustainability of the Cleveland Police Commission post-Consent Decree. SURJ is also participating actively in a variety of the Police Commission's working groups, search and seizure accountability, the community of problem-oriented policing, and bias-free policing. Mr. Lima just wanted to make it known to the Board and those here today. In addition, SURJ is involved in a very small activity of collecting contributions from over 160 of our members, and distributing those contributions on a regular, recurring monthly basis to Black Lives Matter, HOLA, and the Committee of 500 Years of Dignity and Resistance. These are the three groups that SURJ has designated for providing regular and ongoing support.

Ms. Quarto asked Mr. Lima if the CPC was meeting regularly. Mr. Lima answered that yes, they are. There is no meeting in February, but the next meeting is in March, and it is usually the last Tuesday of the month.

Mr. Smith requested a private conversation with Mr. Lima. Mr. Lima agreed.

V. PRESENTATION OF INVESTIGATIONS

a. 15-270: Underwood

P.O. MacLaren #931

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

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

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

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

b. 17-098: Moore

Det. Middaugh #2128

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

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

Allegation: Harassment
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Turner
Motion passes

Det. McNeeley #1925

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

c. 18-092: Smith

P.O. Morris #135

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

P.O. Leon #2468

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

Next Meeting Date: Tuesday, March 12, 2019 at 10:00 am

Sgt. Bickerstaff #9001

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

d. **18-102: Williams – Complainant is present. Complainant stated that she would not have made the complaint if she felt that it was not necessary. The Complainant was offended that she had to advocate for herself, and had a problem with the Detective telling her that he doesn't speak about ongoing investigations. The Complainant stated that she shouldn't have had to gone through an advocate of the Rape Crisis Center to get information on her case.**

****This case was suspended for further investigation and returned to the investigator****

e. **18-116: Krogh**

Det. Moran #1888

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

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

f. **18-128: Roundtree**

P.O. King #2123

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

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g. 18-132: Jackson

P.O. Rodes #2126

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

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

Allegation: WCS Violation
Recommendation: Sustained
Motion: Quarto
Second: Clark
Motion passes

h. 18-141: Fomby

P.O. Blade #1129

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

i. 18-142: DeFrank-Jenne

P.O. Troutman #673

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

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

j. 18-144: Subtle

P.O. Gorczyca #48

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

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

P.O. Dembie #544

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

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

Next Meeting Date: Tuesday, March 12, 2019 at 10:00 am

k. **18-150: Williams**

Det. Bellanca #1858

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

Allegation: WCS Violation
Recommendation: Sustained
Motion: Quarto
Second: Clark
Motion passes

l. **18-162: Shepherd**

P.O. Sumlin #2153

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

m. **18-171: Thomas**

P.O. Beckwith #1047

Allegation: Improper Tow
Recommendation: Sustained
Motion: Quarto
Second: Mountcastle
Motion passes

n. **18-176: Horton**

Det. Chapman #9232

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Quarto
Second: Turner
Motion passes

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

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

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

Allegation: Improper Search
Recommendation: Sustained
Motion: Quarto
Second: Turner
Motion passes

o. **18-201: Walker**

P.O. Jagoe #509

Allegation: Lack of Service: Allowing Entrance to Lobby
Recommendation: Exonerated
Motion: Quarto
Second: Mountcastle
Motion passes

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

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

Allegation: Duty Report Violation
Recommendation: Sustained
Motion: Quarto
Second: Turner
Motion passes

p. 18-125: Leftwich

P.O. Tatum #2571

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

Sgt. Kutina #9106

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Quarto
Second: Clark
Motion passes with one abstention

Next Meeting Date: Tuesday, March 12, 2019 at 10:00 am

VII. HILLARD HEINTZE CASES

Mr. Smith read the following cases into record:

- 16-006
- 16-217
- 16-218
- 16-221
- 16-228
- 16-235
- 16-253
- 16-261
- 17-010
- 17-017
- 17-024
- 17-026
- 17-032
- 17-064
- 17-069
- 17-073
- 17-082
- 17-131
- 17-135
- 17-144
- 17-145
- 17-210
- 17-212

Ms. Quarto makes a motion to adopt the recommendations of the Hillard Heintze investigators on the above cases. Ms. Clark seconds the motion, motion passes.

IX(A). REVIEW OF DISCIPLINARY DECISIONS

The Board accepted the recommendation of the Chief, and declined to forward the case to the Safety Director for the following cases:

- 17-020 – P.O. King was issued a written reprimand and P.O. Rakovec was issued a 6-day suspension
- 17-028 – P.O. Collier was issued a written reprimand
- 17-036 – Det. Sudberry was issued a written reprimand
- 18-012 – P.O. Krakowski and P.O. Greear were issued one-day suspensions
- 18-036 – Det. Murphy, P.O. Matt, and P.O. Estergall were issued written reprimands
- 18-041 – P.O. Slatkovsky was issued a letter of reinstruction
- 18-099 – P.O. Troche was issued a written reprimand
- 18-101 – P.O. Rodes was issued a written reprimand
- 18-105 – P.O. Tolley and P.O. Harris were issued a one-day suspension
- 18-139 – P.O. Ratti was issued a letter of reinstruction
- 18-148 – P.O. Reeves was issued a letter of reinstruction

XIV. ADJOURNMENT

Meeting adjourned at 13:27 hours.

Next Meeting Date: Tuesday, March 12, 2019 at 10:00 am