



OFFICE OF PROFESSIONAL STANDARDS

205 West St. Clair Avenue, Suite 301, Cleveland, Ohio 44113

CIVILIAN POLICE REVIEW BOARD

****Meeting Location: 601 Lakeside Avenue, Room 514, Cleveland, Ohio 44114****

Tuesday, April 9, 2019, 10:00am

MEETING AGENDA

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| I. CALL TO ORDER | Roslyn Quarto, Chair |
| II. ROLL CALL & INTRODUCTIONS | |
| III. APPROVAL OF MINUTES | CPRB |
| IV. PUBLIC COMMENT | |
| V. PRESENTATION OF INVESTIGATIONS | Roger Smith, Administrator
OPS Investigative Staff |
| VI. CPRB TRAINING – NO TRAINING | |
| VII. HILLARD HEINTZE CASES | Roger Smith |
| VIII. ANNOUNCEMENTS AND COMMUNICATIONS | |
| IX. OPS REPORT | Administrator Smith |
| A. REVIEW OF CDP DISCIPLINARY DECISIONS | |
| X. POLICY UPDATES | Chair Quarto |
| XI. COMMITTEE REPORTS | |
| XII. UNFINISHED BUSINESS | |
| XIII. NEW BUSINESS | |
| A. INVESTIGATIVE MOTION | |
| XIV. ADJOURNMENT | |

Next Meeting Date: Tuesday, May 14, 2019, 10:00am



Tuesday, March 12, 2019

V: PRESENTATION OF INVESTIGATIONS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	CPRB DISPOSITION
1	17-153	Zillman	Oliver	Unprofessional Conduct	<p>P.O. Santos #301</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Morova #1117</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>Det. Petchler #1765</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p>
2	17-155	Wilborn	Hammons	<p>Lack of Service</p> <p>Unprofessional Conduct</p>	<p>Dispatcher Greer #111</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Paul #2116</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>



3	18-152	Jefferson	Funari	Lack of Service WCS Violation	P.O. Ramey #2201 Lack of Service Recommendation: _____ Motion: _____ Second: _____ WCS Violation Recommendation: _____ Motion: _____ Second: _____ P.O. Pesta #981 Lack of Service Recommendation: _____ Motion: _____ Second: _____ WCS Violation Recommendation: _____ Motion: _____ Second: _____
4	18-160	Dawson	Richardson	Unprofessional Conduct Improper Tow	P.O. France #1924 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Improper Tow Recommendation: _____ Motion: _____ Second: _____



5	18-164	Robinson	Williams-Bennett	Excessive Force Improper Arrest	P.O. Roddy #1753 Excessive Force Recommendation: _____ Motion: _____ Second: _____ Improper Arrest Recommendation: _____ Motion: _____ Second: _____ P.O. Lally #2346 Excessive Force Recommendation: _____ Motion: _____ Second: _____ Improper Arrest Recommendation: _____ Motion: _____ Second: _____
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6	18-172	Donat	Delaney	Improper Arrest Improper Handling of Evidence	Sgt. Guerra #9144 Improper Arrest Recommendation: _____ Motion: _____ Second: _____ P.O. Aldridge #280 Improper Arrest Recommendation: _____ Motion: _____ Second: _____ P.O. Johnson #1166 Improper Handling of Evidence Recommendation: _____ Motion: _____ Second: _____ P.O. Danczak #1828 Improper Handling of Evidence Recommendation: _____ Motion: _____ Second: _____
7	18-182	Haynesworth	Williams-Bennett	Unprofessional Conduct Biased Policing	P.O. Laska #757 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Biased Policing Recommendation: _____ Motion: _____ Second: _____



8	18-190	Dille	Funari	Unprofessional Conduct WCS Violation	P.O. Ellis #1524 Unprofessional (Racist) Recommendation: _____ Motion: _____ Second: _____ Unprofessional (Badge) Recommendation: _____ Motion: _____ Second: _____ WCS Violation Recommendation: _____ Motion: _____ Second: _____ P.O. Alford #510 Unprofessional (Badge) Recommendation: _____ Motion: _____ Second: _____
9	18-202	Hilton	Williams-Bennett	Unprofessional Conduct	P.O. Zubal #2513 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
10	18-212	Leftwich	Williams-Bennett	Improper Procedure	P.O. Brody #153 Improper Procedure Recommendation: _____ Motion: _____ Second: _____ P.O. Rospieski #2006 Improper Procedure Recommendation: _____ Motion: _____ Second: _____



11	19-001	McDowell	Delaney	Improper Arrest	<p>P.O. Crivel #1727</p> <p>Improper Arrest Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Rahim #238</p> <p>Improper Arrest Recommendation: _____ Motion: _____ Second: _____</p>
12	19-005	Burns	Hammons	<p>Excessive Force</p> <p>Unprofessional Conduct</p>	<p>Det. Harston #994</p> <p>Excessive Force Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p>
13	19-014	Eggleston	Richardson	Improper Citation	<p>P.O. Williams #989</p> <p>Improper Citation Recommendation: _____ Motion: _____ Second: _____</p>



14	19-024	Thomas	Richardson	Lack of Service Unprofessional Conduct	P.O. Gallagher #422 Lack of Service Recommendation: _____ Motion: _____ Second: _____ P.O. Lavender #2594 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Dispatcher Alvarez #31 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
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VIII. Hillard Heintze Cases

COUNT	OPS #	COMPLAINANT	ALLEGATION	RECOMMENDATION	MOTION
1	15-288	Beard	Lack of Service	Unfounded	Approved _____ Not Approved _____
2	15-292	Brown	Unprofessional	Insufficient Evidence	Approved _____ Not Approved _____
3	16-007	Aikens	Lack of Service	Unfounded	Approved _____ Not Approved _____
4	16-010	Lindsey	Harassment Improper Arrest Biased Policing	Unfounded Exonerated Unfounded	Approved _____ Not Approved _____
5	16-017	Taylor	Improper Tow	Exonerated	Approved _____ Not Approved _____
6	16-026	Starr	Unprofessional Lack of Service	Unfounded Unfounded	Approved _____ Not Approved _____
7	16-029	Gilmore	Unprofessional	Insufficient Evidence	Approved _____ Not Approved _____
8	16-035	Howard	Excessive Force Damaged Property	Exonerated Unfounded	Approved _____ Not Approved _____
9	16-049	Hannah	Lack of Service	Unfounded	Approved _____ Not Approved _____
10	16-052	Conway	Lack of Service	Unfounded	Approved _____ Not Approved _____



11	16-053	Eafford	Lack of Service Unprofessional	Unfounded	Approved _____ Not Approved _____
12	16-073	McCalep	Improper Citation Unprofessional	Exonerated Insufficient Evidence	Approved _____ Not Approved _____
13	16-081	Edwards	Lack of Service	Unfounded	Approved _____ Not Approved _____
14	16-083	Carr	Missing Property	Insufficient Evidence	Approved _____ Not Approved _____
15	16-088	Saleem-Jeffries	Improper Arrest Improper Procedure	Exonerated Exonerated	Approved _____ Not Approved _____
16	16-093	Frazier	Lack of Service Unprofessional	Unfounded Unfounded	Approved _____ Not Approved _____
17	16-100	Williams	Improper Procedure	Exonerated	Approved _____ Not Approved _____
18	16-104	Page	Unprofessional Improper Citation	Insufficient Evidence Exonerated	Approved _____ Not Approved _____
19	16-112	Melendez	Harassment	Exonerated	Approved _____ Not Approved _____
20	16-113	Jones	Harassment Improper Arrest	Unfounded Exonerated	Approved _____ Not Approved _____
21	16-118	Gursharn	Lack of Service	Unfounded	Approved _____ Not Approved _____

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22	16-122	Hall	Harassment	Insufficient Evidence	Approved _____
			Unprofessional	Insufficient Evidence	Not Approved _____
23	16-123	HetHeru	Unprofessional	Unfounded	Approved _____
			Lack of Service	Unfounded	Not Approved _____
24	16-125	Jones	Assault	Insufficient Evidence	Approved _____
			Unprofessional	Insufficient Evidence	Not Approved _____
25	16-126	Turner	Lack of Service	Unfounded	Approved _____
					Not Approved _____



IX (A) . Review of CDP Decisions

COUNT	OPS #	COMPLAINANT	INVESTIGATOR	Allegation	Chief Decision
1	15-285	McElrath	Bowker	<p>Unprofessional Conduct: Failure to Report Malfunctioning Door</p> <p>Unprofessional Conduct: Mischarging</p> <p>Unprofessional Conduct: Derogatory Language</p> <p>Insubordination Violation</p> <p>Investigations Violation</p>	<p>CPRB recommended a Group III discipline category for P.O. Collins for Unprofessional Conduct: Derogatory Language and Investigations Violation.</p> <p>The CPRB also recommended a Group III discipline category for P.O. Judd for Unprofessional Conduct: Failure to Report Malfunctioning Door, Unprofessional Conduct: Mischarging, Insubordination Violation, and Investigations Violation.</p> <p>Chief Williams dismissed the allegations, citing that P.O. Collins asked a question during the arrest, and attempting to determine motive. Chief Williams also stated that P.O. Collins attempted to answer questions asked by OPS, and did not interfere with the investigation. Chief Williams recommended that P.O. Collins attend Cultural Sensitivity training.</p> <p>Chief Williams dismissed the charges against P.O. Judd, citing that the allegations were false, and that P.O. Judd amended the felony charges to misdemeanors within 24 hours. The Chief further stated that experienced difficulty in answering questions because of the age of the case, and not because he was misleading OPS.</p>



2	18-018	Hyland	Oliver	Unprofessional Conduct Dress Code Violation	<p>CPRB recommended a Group II discipline category for Unprofessional Conduct for P.O. Smith #493 saying "hey baby" and telling the Complainant she was beautiful. CPRB also recommended a Group I discipline category for Dress Code Violation for P.O. Smith not wearing his badge.</p> <p>Chief Williams dismissed the allegation of Unprofessional Conduct, citing that the CPRB failed to substantiate evidence or independent witnesses for the allegation.</p> <p>Chief Williams found P.O. Smith guilty of the Dress Code Violation and issued him a letter of reinstruction.</p>
3	18-088	Belligan	Richardson	Unprofessional Conduct WCS Violation	<p>CPRB recommended a Group I discipline category for P.O. Kidd's failure to de-escalate the situation with the Complainant and his failure to activate his WCS.</p> <p>Chief Williams found P.O. Kidd guilty of the allegations and issued him a 2-day suspension.</p>

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4	18-089	Osborne	Williams-Bennett	<p>Unprofessional Conduct</p> <p>Improper Procedure: Citation</p>	<p>CPRB recommended a Group II discipline category against P.O. Wagner #1802 for Unprofessional Conduct and a Group I discipline category against P.O. Wagner and P.O. O'Dea #873 for Improper Procedure: Citation.</p> <p>Chief Williams, as against P.O. Wagner, sustained the allegation of Improper Procedure: Citation and Unprofessional Conduct. However, Chief Williams departed from the CPRB's Group II recommendation and amended it to Group I, issuing P.O. Wagner a two-day suspension.</p> <p>Chief Williams also dismissed the allegation against P.O. O'Dea, citing that he was a probationary patrol officer and acting under the orders of P.O. Wagner.</p>
5	18-128	Roundtree	Merritt	Lack of Service	<p>CPRB recommended a Group I discipline category for P.O. King's failure to record the proper theft offense code on a report, resulting in a delay of investigation.</p> <p>Chief Williams issued P.O. King a letter of reinstruction.</p>



6	18-167	Gay	Richardson	Lack of Service	<p>CPRB recommended a Group II discipline category for failing to interview the suspect while he was incarcerated.</p> <p>Chief Williams dismissed the allegation, citing that it is an investigatory strategy to interview the suspect after the detective has exhausted all other investigatory avenues.</p>
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