

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

July 11, 2023

MEETING MINUTES

THE NEXT CPRB BOARD MEETING IN ROOM 514 AT CITY HALL

CPRB MEMBERS

ATTENDANCE

Michael Hess, Chair
Dave Gatian, Vice Chair
Ken Mountcastle
Billy Sharp
Sherall Hardy
Brandon Brown
Michael Graham
Chenoa Miller
Diana Cyganovich

Christopher Heltzel, Staff Council

OPS STAFF

ATTENDANCE

Marcus Perez, Administrator

Julie Delaney, Investigator
Art Bowker, Investigator
Vincent Funari, Investigator
Hercules Harris, Investigator
David Hammons, Interim Sr. Investigator
Joe Szymanski, Investigator
Peter Demopolis, Investigator
Maryum Ali, Community Engagement Coordinator

I. APPROVAL OF MINUTES

Michael Hess

II. PUBLIC COMMENT

III. NEW BUSINESS

IV. PRESENTATION OF INVESTIGATIONS

Marcus Perez, Administrator

VII. OPS REPORT

Marcus Perez, Administrator

A. REVIEW OF CHIEF DISCIPLINARY DECISIONS

Marcus Perez, Administrator

VIII. OPS REPORT

Marcus Perez, Administrator

IX. POLICY UPDATES

Marcus Perez, Administrator

X. COMMITTEE REPORTS (None)

XI. UNFINISHED BUSINESS (None)

XII. ADJOURNMENT

Next Meeting: Tuesday, June 13, 2023 at 9:00 am

I. MEETING CALLED TO ORDER AT 39:41-39:56

II. ROLL CALL AT 39:57-40:55

MH: We're going to get started without board member, Billy Sharp, who has told me he's on his way so I'll try to note that for the record when he arrives.

III. APPROVAL OF MINUTES 41:00-45:05

MH: Did everybody get a chance to take a look at the minutes from our last meeting. Does anybody have a motion to approve or amend those minutes?

SH: Looking at the minutes, there were two absences last month. How do we know if they were or what's the difference between an excused absence and an absence that's not an excuse?

MH: To be honest, I don't think we've really been distinguishing that all that much.

SH: I think it should be distinguished because from my understanding an excused absence is if they call in 24 hours, so if the members did not call in, it is a difference and we should distinguish it on the meetings, but both of those were absent. I meant moving forward.

MH: Moving forward, I think that's probably fair. Moving forward we'll try to make sure that that's distinguished or not.

SH: Something that was brought to my attention. I know last month, I made a motion and it was not carried. So if a motion is made and not carried, should that be noted for the record or no?

MH: I suppose it could be, but it wouldn't need to be since it's not operative.

SH: So are you saying yes or no?

MH: I guess it could be, but it doesn't have to be. I think we've always chosen not to put it in there to streamline the minutes. I don't know that there would be a requirement that it needs to be. I think it could be something for Chris to look into this week.

CH: Sure.

MH: Does anybody have a motion to approve the minutes.

Mountcastle: Motion to approve minutes. 2nd by Hardy. Brown and Miller abstained. Motion Carried.

MH: Our next order of business is going to be to enter an executive session. We have some OPS business to discuss. I'm going to move to enter an executive session for the purpose of considering employment related complaints with respect to the Office of Professional Standards. I would ask that OPS Administrator and OPS Investigators be invited into the session to provide factual reports based on their own individual observations and respective capacities and we'll invite you guys in as we work through that agenda. You guys understand that? Second from Mr. Gatian. Motion Carried.

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MH: For phase one, I'm actually going to ask that just the board and their legal representative from the Law Department remain. I'm going to ask everybody to leave for a couple of minutes and we will let you know when it's all right to come back. I apologize for the hassle and I appreciate your cooperation.

CPRB in Executive Session from 45:16-2:53:49

DG: 2:53:50-2:56:23 I'll call our meeting back to order from Executive Session. We started with a call to order roll call. We approved the minutes. We had an executive session. Chairperson Hess will be back shortly. I'm Vice-Chair, Dave Gatian, so I'm going to move us forward on the agenda. We'll do public comment first and then we'll move immediately to presentation of the cases for those people that are here. Typically that would be the complainant's in a case. We'll move those to the front of the agenda so we can get out of here. Thank you all for your patience for those that have waited until now. Do we have anyone here that would like to make public comment? Anybody that wants to speak generally not regarding a case. If you're here for a specific case, you'll have an opportunity to speak to that. Seeing nobody, we'll move forward since there is no public comment. I don't believe we have new business. If there is any, we'll try to readdress that at the end of our meeting, we'll make sure we ask that question again. So let's move to the presentation of the investigations, moving those who have complainants in the audience first. So everybody understands the process, the board members have all received investigative reports, videos if they were applicable to a case, we've been able to review all of that information which would include interviews of complainant's, witnesses, officers and anybody else that was involved in the case. The investigators will present those cases. After that presentation, board members have an opportunity to ask questions of the investigators to clarify, then if you wish, you can speak regarding your case if there's anything further you believe the board members need to know. We typically allot you up to three minutes for that and then we will discuss and decide on the case what we think is appropriate. Marcus if you want to move us forward on what the first case is.

V. PUBLIC COMMENT (NONE)

VI. NEW BUSINESS (NONE)

VI. PRESENTATION OF INVESTIGATIONS:

1. 2021-0228: Sgt. Daniel Day #9182 (2:57:00 -3:01:16)

Allegation: Lack of Service/No Service

Recommendation: Exonerated

Motion: Sharp

Second: Mountcastle

Motion: Carried

Complainant Kisel Statement: (3:01:27-3:10:28)

2. 2022-0234: P.O. Brittain Jackson #824 (3:15:25-3:20:40)

Allegation: Unprofessional Behavior/Conduct

Recommendation: Exonerated

Motion: Hess

Second: Gatian

Motion: Carried

Complainant D'Angelo Statement: (3:20:50-3:31:08)

3. 2022-0304: Det. Lawrence Smith #772 (3:34:10-3:37:08) **Tabled until next meeting**

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Allegation: Lack of Service/No Service

Recommendation:

Motion:

Second:

Motion:

Det. Matthew Randolph #2372

Allegation: Lack of Service

Recommendation:

Motion:

Second:

Motion:

Complainant Jackson Statement: (3:37:17-4:09:51)

4. **2022-0255: Det. Darryl Turner #2200 (4:11:22-4:13:40)** Tabled until next meeting

Allegation: Lack of Service

Recommendation:

Motion:

Second:

Motion:

Complainant Bey Statement: (4:14:00-4:20:34)

5. **2022-0051: Det. Carl Robinson #2364 (4:21:02-4:23:37)**

Allegation: Lack of Service

Recommendation: Exonerated

Motion: Hess

Second: Sharp

Motion: Carried

Complainant Taylor Statement: (4:27:57-4:38:51)

Discussion to approve second CPRB Meeting: (4:40:12-4:46:44)

Motion to hold a second meeting on July 25, 2023 in Room 514 made by Hess @4:33:47, 2nd by Gatian.

Motion carried @ 4:44:56.

6. **2021-0235: P.O. P.O. Robert Mangan #2459 (5:01:02-5:06:27)**

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Gatian

Second: Hardy

Motion: Carried

P.O. Christopher Horvath #2934

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Gatian

Second: Hardy

Motion: Carried

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P.O. Joseph Markey #613
Allegation: Lack of Service
Recommendation: Unfounded
Motion: Gatian
Second: Hardy
Motion: Carried

7. **2023-0003: Erica Parnell #3/Dispatcher (5:06:36-5:10:00)**
Allegation: Unprofessional Behavior/Conduct
Recommendation: Unfounded
Motion: Hardy
Second: Gatian
Motion: Carried

8. **2021-0291: P.O. Brizilio Hall #476 (5:10:40-5:13:18)**
Allegation: Lack of Service
Recommendation: Exonerated
Motion: Sharp
Second: Hardy
Motion: Carried

9. **2021-0269: Det. Daniel Florentz #2586 (5:13:26-5:51:53)**
Allegation: Unprofessional Behavior/Conduct
Recommendation: Unfounded
Motion: Hardy
Second: Miller
Motion: Carried

Det. Richard Rospierski #2006
Allegation: Unlawful entry
Recommendation: Unfounded
Motion: Hardy
Second: Miller
Motion: Carried

Sgt. Jake Simonelli #9306
Allegation: Unlawful entry
Recommendation: Unfounded
Motion: Hardy
Second: Sharp
Motion: Carried

Allegation: Improper Procedure/Juvenile Offender
Recommendation: Sustained
Motion: Hardy
Second: Mountcastle

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Motion: Carried

10. 2022-0237: P.O. Ryan Koehl #1696

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Sharp

Second: Hardy

Motion: Carried

11. 2023-0021: Det. Andrew Hayduk #349 (5:56:10-6:01:22)

Allegation: Harassment

Recommendation: Unfounded

Motion: Hess

Second: Hardy

Motion: Carried

12. 2022-0208: Det. Shane Bauhof #1637 (6:01:46-6:05:35)

Allegation: Unprofessional Behavior/Conduct

Recommendation: Exonerated

Motion: Hardy

Second: Sharp

Motion: Carried

Det. Brian Kellums #1020

Allegation: Unprofessional Behavior/Conduct

Recommendation: Exonerated

Motion: Hardy

Second: Sharp

Motion: Carried

13. 2023-0034: P.O. James Kertcher #564 (6:06:16-6:12:14)

Allegation: Unprofessional Behavior/Conduct

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion: Carried

P.O. Jeremiah John #194

Allegation: Unprofessional Behavior/Conduct

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion: Carried

Sgt. Albert Oliver #9220

Allegation: Unprofessional Behavior/Conduct

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Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion: Carried

14. **2022-0292: P.O. Logan Weber #2425 (6:12:23-**

Allegation: Unprofessional Behavior/Conduct

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion: Carried

Allegation: Lack of Service/No Service

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion: Carried

Allegation: Improper Procedure

Recommendation: Exonerated

Motion: Hess

Second: Sharp

Motion: Carried

Allegation: Improper Tow

Recommendation: Exonerated

Motion: Hess

Second: Hardy

Motion: Carried

P.O. Brittany Metzger-Vajusi #16

Allegation: Unprofessional Behavior/Conduct

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion carried

Allegation: Lack of Service/No Service

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion carried

Allegation: Improper Procedure

Recommendation: Exonerated

Motion: Hess

Second: Hardy

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Motion carried

Allegation: Improper Tow

Recommendation: Exonerated

Motion: Hess

Second: Sharp

Motion: Carried

P.O. Jose Ortiz #1284

Allegation: Unprofessional Behavior/Conduct

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion carried

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion carried

Allegation: Improper Procedure

Recommendation: Exonerated

Motion: Hess

Second: Sharp

Motion: Carried

Allegation: Improper Tow

Recommendation: Exonerated

Motion: Hess

Second: Sharp

Motion: Carried

P.O. Ismail Quran #641

Unprofessional Behavior/Conduct

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion carried

Allegation: Lack of Service/No Service

Recommendation: Unfounded

Motion: Hess

Second: Sharp

Motion carried

Allegation: Improper Procedure

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Recommendation: Exonerated

Motion: Hess

Second: Sharp

Motion carried

Allegation: Improper Tow

Recommendation: Exonerated

Motion: Hess

Second: Sharp

Motion: Carried

XII. ADJOURNMENT

Motion to adjourn the meeting by Brown, 2nd by Miller at 3:10 P.M., Motion carried.

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