

Tuesday, May 14, 2024

**I. MEETING CALLED TO ORDER AT (00:28:57)**

**Roll Call (00:29:04)**

Excused absence Member Graham.

Member Hardy and Member Miller arrived after roll call.

**II. Approval of April minutes (00:29:39-00:30:14) MOTION TO APPROVE APRIL 9<sup>TH</sup> MINUTES BY MEMBER KENNETH MOUNTCASTLE, 2<sup>ND</sup> BY MEMBER DIANA CYGANOVICH. MOTION CARRIED.**

**III. PUBLIC COMMENT (NONE)**

**IV. PRESENTATION OF INVESTIGATIONS (Two Complainants Present)**

**1. 2021-0254: P.O. Christian Crane #50 (00:32:02-00:55:16) (CP Present)**

**Investigator: Smith**

**Complainant: Vaughn**

**Allegation: Improper Procedure-Stop**

Recommendation: Exonerated

Motion: Diana Cyganovich

Second: Dave Gatian

Abstain: Billy Sharp recused, knows complainant. Chenoa Miller arrived late.

Motion: Carried

**Allegation: Biased Policing**

Recommendation: Exonerated

Motion: Diana Cyganovich

Second: Dave Gatian

Abstain: Billy Sharp recused, knows complainant. Chenoa Miller arrived late.

Motion: Carried

**P.O. Jearod Woods #2170**

**Allegation: Improper Procedure-Stop**

Recommendation: Exonerated

Motion: Diana Cyganovich

Second: Brandon Brown

Abstain: Billy Sharp recused, knows complainant. Chenoa Miller arrived late.

Motion: Carried

**Allegation: Biased Policing**

Recommendation: Exonerated

Motion: Diana Cyganovich

Second: Kenneth Mountcastle

Abstain: Billy Sharp recused, knows complainant. Chenoa Miller arrived late

Motion: Carried

Board Member Cyganovich speaks to the complainant about the findings saying that the board is sympathetic to his situation and the only way to find the Officers at fault was if they didn't follow procedures consistent with General Police Orders 1.07.08 which they did. Chair Sharp adds that the officers didn't make that judgment on their own that they had information from an establishment and they acted on that information.

**2. 2023-0187: P.O. Luis Flores #800 (00:56:13-1:39:21) (CP Present)**

**Investigator: Szymanski**

**Complainant: Santiago**

**Allegation: Harassment**

Recommendation:

Motion:

Second:

Motion:

**Allegation: Unprofessional Behavior**

Recommendation:

Motion:

Second:

Motion:

**Allegation: Lack of Service- Duty to Furnish Name, Rank, Badge**

Recommendation:

Motion:

Second:

Motion:

**Sgt. Michael Keane #9198**

**Allegation: Harassment**

Recommendation:

Motion:

Second:

Motion:

**Allegation: Unprofessional Behavior**

Recommendation:

Motion:

Second:  
Motion:

**Allegation: Lack of Service- Duty to Furnish Name, Rank, Badge**

Recommendation:  
Motion:  
Second:  
Motion:

**Allegation: WCS Violation**

Recommendation:  
Motion:  
Second:  
Motion:

**P.O. Eric Rost #1587**

**Allegation: Unprofessional Behavior**

Recommendation:  
Motion:  
Second:  
Motion:

**Allegation: Lack of Service- Duty to Furnish Name, Rank, Badge**

**Recommendation:**  
Motion:  
Second:  
Motion:

There was a lengthy discussion regarding observing and responding to a call and what action requires the activation of the WCS according to GPO 4.06.04. . During an OPS investigation Interview Sgt. Keane said the only reason he responded to the area was to ensure his officers didn't overstep their bounds and to ensure they didn't bother the complainant; so he watched from afar without activating his WCS or coming into any contact with the complainant. Chair Sharp stated that going out on a call is responding to a call whether he stayed back to survey the scene or not. OPS Administrator Perez commented saying Sgt. have a responsibility to do a courtesy drive-by to ensure that their officers are being safe and using the right tactics during interactions with citizens. Mr. Santiago (Complainant) was given three minutes to speak on his behalf during that time he stated he did in fact come into contact with the Sgt but the other officers wouldn't have known that because it was before they arrived. Investigator Syzanski was asked again about the Sgts. response to whether or not he came in contact with Mr. Santiago and if he arrived on the scene first. His response was No, he (Sgt Keane) was only there to look out for his guys. Administrator Perez interjects asking "Who showed up 1<sup>st</sup>?" Member Hardy asks whether or not the OPS administrator should be interjecting

information to his investigators while they are presenting a case. Chair Sharp responds saying "We often allow the Lead investigators and Administrator to offer comments" Member Hardy states "Mr. Szymanski is looking nervous at the Administrator looking at him." Chair Sharp says that's an assertion and let's move past that. At some point, Mr. Santiago says that he had his own personal body camera on that he believes caught the encounter between himself and Sgt. Keane. Member Gatian asks Mr. Santiago "You have footage?" Mr. Santiago replies "Yes, I don't wear that specific body cam anymore but I still have that footage" Member Gatian asks Investigator Szymanski "Were you aware of that?" to which the Investigator replies "No" Chair Sharp wants to get clarity on the interaction and obtain the complainant's body cam evidence. Member Gatian motion to table the case and in the meantime contact the complainant to see if the footage is available to show that there was an interaction with the Sgt. Chair Sharp wants two questions asked. Was Sgt Keane the first to arrive and did he have that conversation the complaint alleges? Motion to table. Second by Member Cyganovich.

**3. 2024-0033: P.O. Thomas Harrigan #1085 (1:40:35-1:44:55)**

**Investigator: Smith**

**Complainant: Werner**

**Allegation: Improper Procedure-Tow**

Recommendation: Exonerated

Motion: Billy Sharp

Second: Sherall Hardy

Motion: Carried

Based on the preponderance of the evidence including WCS and the officer's statement, the alleged conduct did occur but was in compliance with GPO 6.03.01

**4. 2021-0114: P.O. Matthew MacLaren #931 (1:45:34 – 1:55:54)**

**Investigator: Szymanski**

**Complainant: Rothschild**

**Allegation: Unprofessional Behavior**

Recommendation: Unfounded

Motion: Sherall Hardy

Second: Diana Cyganovich

Motion: Carried

**Allegation: Lack of Service**

Recommendation: Sustained

Motion: Sherall Hardy

Second: Diana Cyganovich

Motion: Carried

Based on the Preponderance of the evidence the alleged unprofessional conduct did not occur however P.O MacLaren did not comply with CDP Manual of Rules and Regulations

Section IV. Duty 4.03 and 4.14 and the procedures of GPO 3.4.16. The Lack of service allegation was sustained. Motion for a group Level 1 was made by Member Hardy and Second by Member Cyganovich. Group Level 1 Unsatisfactory Performance.

**5. 2022-0081: Sgt. Charles Boddy #9254 (1:56:34 – 2:10:45)**

**Investigator: Bowker**

**Complainant: Price**

**Allegation: Improper Arrest**

Recommendation: Exonerated

Motion: Billy Sharp

Second: Kenneth Mountcastle

Motion: Carried

**SGT George Roberts #9296**

**Allegation: Improper Arrest**

Recommendation: Exonerated

Motion: Billy Sharp

Second: Kenneth Mountcastle

Motion: Carried

Based on the preponderance of the evidence which includes the officers WCS and the field case reports there was probable cause for the arrest and both Sgts. were in compliance with GPO 2.02.01 and 3.04.01.

**6. 2023-0076: Detective Kenneth Potchatek #2016 (2:11:16-2:17:15)**

**Investigator: Harris**

**Complainant: Pitts**

**Allegation: Unprofessional Behavior**

Recommendation: Exonerated

Motion: Billy Sharp

Second: Brandon Brown

Motion: Carried

**Allegation: Lack of Service**

Recommendation: Exonerated

Motion: Billy Sharp

Second: Brandon Brown

Motion: Carried

Allegation 1 based on the preponderance of the evidence Sgt. Roberts complied with GPO 4.03.03 and 4.03.01. Allegation 2 was based on the preponderance of the evidence including manual rule 5.09 and 5.13 Sgt. Roberts complied.

**Chair Sharp: 5 minute break at 10:50 am**

**Meeting returned to order at 11:00 am**

**7. 2023-0086 Sgt. David Day #9182 (2:30:04 -2:51:37)**

**Investigator: Khabir**

**Complainant: Alexander**

**Allegation: Biased Policing**

Recommendation: Unfounded

Motion: Dave Gatian

Second: Billy Sharp

Motion: Carried

**P.O. Steven Obed #2134**

**Allegation: Improper Procedure-Citation**

Recommendation: Exonerated

Motion: Dave Gatian

Second: Diana Cyganovich

Motion: Carried

**P.O. Carlos Robles #2283**

**Allegation: Biased Policing**

Recommendation: Unfounded

Motion: Dave Gatian

Second: Billy Sharp

Motion: Carried

**Allegation: Improper Procedure- Citation**

Recommendation: Sustained

Motion: Dave Gatian

Second: Kenneth Mountcastle

Motion: Carried

Based on the preponderance of the evidence including WCS and Ohio Revised Code 2917.11 the complainant was not disorderly solely by being rude.

Due to P.O Obed being in training and being instructed by his trainer to issue the citation, Member Gatian asked if there was a protocol for a training officer giving directives to an Officer during their probationary period. Member Gatian wants to know that if a training officer says to write the ticket and the P.O. says ok is that an order from the senior officer or not? Investigator Khabir replies "Yes it is." The Board further discusses what ways to go about P.O. Obeds recommendation. Sustaining the allegation didn't seem right due to him being in training and receiving a direct order from his superior. P.O Obeds' allegation

was exonerated because he was in training and given an order. The board recommended he still receive a letter of reinstruction on the Law regarding Disorderly Conduct. Motioned by Chair Sharp. Second by Member Cyganovich

P.O. Robles received a Group Level 1 for Unsatisfactory Performance and a letter of reinstruction. Motioned by Chair Billy Sharp and Second by Member Kenneth Mountcastle.

**8. 2023-0127 P.O. Diovanni Smith #285 (2:52:05-3:20:26)**

**Investigator: Lanman**

**Complainant: Kanning**

**Allegation: Lack of Service**

Recommended: Unfounded

Motion: Dave Gatian

Second: Kenneth Mountcastle

Motion: Carried

Member Hardy argues that the officer did not fill out the OH1 report correctly. Investigator Lanman says that based on the guidelines that are set out by the procedure manual, the officer did fill out the report correctly on the day of the incident. Member Cyganovich states her concern is why the driver wasn't issued a citation for running a red light at the scene. Member Cyganovich wants to set a motion to sustain the allegations of Lack of service for not issuing a citation at the scene of the incident. Motioned second by Member Hardy. 3 for, 4 opposed Motion did not pass.

Member Gatian made a motion for unfounded based on the urgency at the scene where the complainant was taken away by the EMS, P.O. filled out the form to the best of his ability. He met the complainant at the hospital to gather more information where a supplementary report was filled. Chair Sharp questioned "why not exonerated?" Member Gaitian replied "The lack of service did not occur, he wrote a ticket, he investigated" Motion was properly seconded by Kenneth Mountcastle. 4 for, 3 opposed. Motion carried.

**9. 2023-0183 P.O. Tyrence James #1208 (3:20:39- 3:39:42)**

**Investigator: Lanman**

**Complainant: Sneed**

**Allegation: Unprofessional Behavior**

Recommendation: Unfounded

Motion: Brandon Brown

Second: Kenneth Mountcastle

Motion: Carried

**P.O. Dimand Murphy #1264**

**Allegation: Unprofessional Behavior**

Recommendation: Unfounded

Motion: Brandon Brown

Second: Kenneth Mountcastle

Opposed: Dave Gatian

Motion: Carried

**P.O. Dylan O'Donnell #1280**

**Allegation: Unprofessional Behavior**

Recommendation: Unfounded

Motion: Brandon Brown

Second: Kenneth Mountcastle

Motion: Carried

**P.O. David Polocy #1031**

**Allegation: Unprofessional Behavior**

Recommendation: Unfounded

Motion: Brandon Brown

Second: Kenneth Mountcastle

Motion: Carried

Based on the overwhelming body of evidence demonstrated in the WCS, Investigator report, and incident reports; the actions of the officers complied with the CDP manual RULES 5.08.

**10. 2023-0216 P.O. Cory Beckwith #1363 (3:40:57-3:45:20)**

**Allegation: Improper Procedure-Arrest**

Recommendation: Exonerated

Motion: Billy Sharp

Second: Brandon Brown

Motion: Carries

Based on the preponderance of the evidence including WCS and investigator reports the P.O. was in compliance of GPO 3.04.01- Probable Cause/ Warrantless Arrests.

**11. 2022-0217 P.O. Brizillo Hall #476 (PT.2 00:3:49-00:29:58)**

**Investigator: Smith**

**Complainant: Brown**

**Allegation: WCS Violation**

Recommendation: Sustained

Motion: Sherall Hardy

Second: Diana Cyganovich



Motion: Carried

**P.O. Gerald Mooneyham #2241**

**Allegation: WCS Violation**

Recommendation: Sustained

Motion: Sherall Hardy

Second: Diana Cyganovich

Motion: Carried

**Allegation: Lack of Service**

Recommendation: Sustained

Motion: Sherall Hardy

Second: Diana Cyganovich

Motion: Carried

**Sgt. Albert Oliver #9220**

**Allegation: WCS Violation**

Recommendation: Sustained

Motion: Sherall Hardy

Second: Diana Cyganovich

Motion: Carried

**Allegation: Lack of Service**

Recommendation: Sustained

Motion: Sherall Hardy

Second: Diana Cyganovich

Motion: Carried

Member Cyganovich states the officer should have done more. The father didn't return the child to the custodial parent at the agreed-upon time. Interference of custody should have been filed. Investigator Harris responded saying Officer Moneyham did file an interference of custody report however there were inconsistencies in the report. The report was "weak"

Based on the preponderance of the evidence including the investigator reports; all the Officers failed to comply with GPO 4.06.04 and 6.02.17.

Member Sherall Hardy made the motion for Group Level 1 Unsatisfactory Performance. Motion Second by Member Diana Cyganovich.

Member Diana Cyganovich makes a motion for a written reprimand including but not limited to just a written reprimand. Motion second by Member Dave Gatian.

**12. 2024-0051 P.O. Jamieson Ritter #1176 (PT.2 00:30:13-00:35:21)**

**Investigator: Haris**  
**Complainant: Harrison**  
**Allegation: Lack of Service**  
Recommendation: Exonerated  
Motion: Sherall Hardy  
Second: Diana Cyganovich  
Motion: Carried

**P.O. Rashaun Searles-Fowler #2157**  
**Allegation: Lack of Service**  
Recommendation: Exonerated  
Motion: Sherall Hardy  
Second: Diana Cyganovich  
Motion: Carried

Based on the Preponderance of the evidence including WCS, and CDP Field Case reports.

**13. 2023-0270 Detective Patrick Andrejczak #5 (PT.2 00:36:16-00:41:22)**

**Investigator: Bowker**  
**Complainant: Anonymous**  
**Allegation: Unprofessional Behavior**  
Recommendation: Insufficient Evidence  
Motion: Billy Sharp  
Second: Dave Gatian  
Motion: Carries

Based on the preponderance of the evidence and investigators' report along with two conflicting statements, the Board agreed on Insufficient Evidence.

**14. 2023-0251 P.O. Richard Rusnak #849 (PT.2 00:41:28-00:52:44)**

**Investigator: Bowker**  
**Complainant: Brown**  
Allegation: Improper Procedure-Stop  
Recommendation: Exonerated  
Motion: Sherall Hardy  
Second: Dave Gatian

**\*Allegation Added\* Unprofessional Behavior/Conduct. Motion added by Member Hardy**

**P.O. Richard Rusnak #849**  
**Allegation: Unprofessional Behavior/Conduct**  
Recommendation: Sustained  
Motion: Sherall Hardy

Second:  
Motion: Not Carried

**Allegation: Unprofessional Behavior/Conduct**

Recommendation: Exonerated

Motion: Dave Gatian

Second: Kenneth Mountcastle

Opposed: Sherall Hardy

Motion: Carried

Member Hardy states when the officer asked for the Complainant's insurance and she said it was on her phone, She (Member Hardy) believes the officer violated Behavior 5.01 because he threatened her by asking if she wanted to go to court.

Member Gatian says WCS shows the P.O. asking the Complainant multiple times for the ID and it took approximately 5 minutes for her to produce it. He was being abused by her cussing while trying to get her to give him the ID. At one point the Officer said either give it to me or you're going to have to end up in court. Member Gatian believes that was not an out-of-line statement as he was just telling her the process. He didn't raise his voice. P.O. Rusnak was professional and patient. The officer was consistent with the requirements of CDP manual section 5.01 and GPO 2.0 and 2.01

**(Pt.2 00:53:40-00:55:00)**

**Motion to adjourn into Executive session to review personal strategies and employment matters also to include Lillian Hall (Law department)**

**(PT.3 00:1:24)** Meeting Called back to order.

**V. OPS Status Report (PT.3 00:1:40)**

Motion to suspend OPS status report until the next meeting. Motioned by Sherall Hardy. Second by Diana Cyganovich. Motion Carried.

**VI. New Business (PT.3 00:2:03-00:10:33)**

Chair Sharp asked for a motion to vote Mr. Brandon Brown into vice chair as the previous Vice-chair Micheal Hess has left and left with the position of Vice Chair Open. Member Hardy then made the Motion for Member Brandon Brown to fill the vacant position of Vice-chair until the remainder of the term has expired. Motion second by Diana Cyganovich.

Chair Sharp makes a motion to move Ms. Kristen Traxler from interim to permanent OPS office manager. Motion second by Diana Cyganovich

Member Dave Gatian motioned for the Law department to develop and present a way for the board to self-enforce our own rules. Member Hardy questioned if that would be included in the new manual. Lillian Hall (Law Department) says yes, if it's developed it would be included in the manual. Motion second by Diana Cyganovich

Motion made by Member Diana Cyganovich to appoint Mr. Oaks and Ms. Maxwell into investigator positions. Second by Member Dave Gatian.

Member Dave Gatian thanks investigator Harris for his services and makes a motion to accept his resignation. Motion second by Member Sherral Hardy.

Member Dave Gatian says the board should have the opportunity to provide input or should be able to interview any potential Board member. Chair Sharp replied "It's a request letter that needs to go to the Mayor's office and city council that we have some input into that process." Member Sharp ask "How much would that weigh?" Chair Sharp responds "It's just a request and if granted we could attend the question session and have input that way." Motion initiated by Dave Gatian. Second by Brandon Brown.

**Policy recommendation update to be tabled until June.**

#### **VII. Old Business (PT.3 00:10:36-00:16:29)**

Member Hardy mentions that her name has been spelled wrong on the meeting Agendas for a couple of months. The correct spelling of her name is S-H-E-R-A-L-L H-A-R-D-Y. The spelling is correct on today's agenda but in the past, it had been spelled wrong.

Member Hardy says that because she was tardy to today's meeting she didn't have the opportunity to mention this during the approval of minutes but that while looking over the minutes it seems like its saying she agreed to something she didn't agree to when she made an issue about being singled out. Chair Sharp responded by saying " No, to your original question 'Were we going to do something about the official record reflecting when somebody disagrees with a motion or abstain.' My judgement was that we were not going to do anything differently because we have a visual record of the meeting so to put something different in writing seems to be as if we were trying to hide something." Chair Sharp asked the New CPRB secretary to amend that statement from the April 9<sup>th</sup> meeting where it states that "Ms. Hardy is asking for her name to be removed to which she agrees" This statement will be amended from the April 9<sup>th</sup> meeting Minutes

Motion made by Member Dave Gatian to move case #2 and #12 to the next meeting. Second by Diana Cyganovich.

Chair Sharp wants to take another look at re-implementing the bi-monthly meeting because we are going to have a point where we are dealing with a lot of caseloads and

we don't want another backup and advises the board to be prepared hopefully by July. One meeting will be in person and the other will be virtual. Member Hardy says if we are fully staffed that may not have to be done. Chair Sharp says that *because* we are fully staffed and are behind about 300 cases is why we are going to have to do it.

**(PT 3. 00:16:21-00:16:51)**

Motion to adjourn meeting by Member Dave Gatian. Second by Vice Chair Brown.