

# **CIVILIAN POLICE REVIEW BOARD**

**February 11, 2025**

## **MEETING MINUTES**

### **CPRB MEMBERS**

**Billy Sharp, Chair**

**Brandon Brown, Vice Chair**

**Michael Graham**

**David Gatian**

**Glen Parker III**

**Kenneth Mountcastle**

**Diana Cyganovich**

**Sherall Hardy**

**Chenoa Miller**

### **OPS STAFF**

**Kristen Traxler, General Manager**

**Vincent Funari, Sr. Investigator**

**Joe Szymanski, Investigator**

**Tammi Lampkin, Investigator**

**Kimberly Maxwell, Investigator**

**Art Bowker, Investigator**

**Adam Eisen, Investigator**

**Jessyca Watson, Investigator**

**Jermaine Smith, Investigator**

**Hamza Khabir, Investigator**

**Lachickia Green, Investigator**

**James Ouk, Investigator**

### **LAW DEPARTMENT**

**Lillian Hall**

**Michael Hess**

**I. CALL TO ORDER**

**Brandon Brown**  
*Vice Chair*

**II. ROLL CALL (09:15am)**

Vice Chair Brown began roll call, as Chair Sharp was not yet present. Chair Sharp arrived immediately after, however Vice Chair Brown carried out roll call while Chair Sharp got situated. Member Miller was not present during roll call but arrived later.

**III. PUBLIC COMMENT**

Mr. Leon Meredith provided a comment regarding the police in the Hough Neighborhood (Ward 7). Mr. Meredith is dissatisfied with the service provided by the police in this neighborhood. It was suggested by the Vice Chair Brown that Mr. Meredith attend a CPC meeting to express his concerns as well. Vice Chair Brown also suggested that Mr. Meredith attend the monthly District 3 meeting. Vice Chair Brown requested that OPS provides Mr. Meredith with necessary information to contact the CPC and attend the District meeting. On 2/12/25, Mr. Meredith was provided with the information to facilitate contact with the CPC and District 3.

Presentation of certificate to Member Michael Graham, who has concluded his service to the CPRB.

**IV. APPROVAL OF MINUTES**

**Billy Sharp**  
*Chair*

The approval of the January CPRB meeting minutes was presented by Chair Billy Sharp. No corrections to the January minutes were identified. Member Gatian made a motion to accept and Member Cyganovich seconded that motion. January CPRB meeting minutes approved.

**V. TRAINING**

Introduction by EJ Pavlinich. Dr. Stephanie Kent presented training information regarding **Shot Spotter** and how it is used within the City of Cleveland.

**VI. PRESENTATION OF INVESTIGATIONS**

**Kristen Traxler**  
*General Manager*

**1. OPS 2024-0251**

Complainant: Mr. Darrell Houston  
Sgt. David Harris, #9146

**Summary:** On 10/7/2024, the complainant stated that he was approached in an aggressive and unprofessional manner in the parking lot behind City Hall following a meeting. The complainant feels that he was harassed based on the fact that he was carrying a firearm.

**Allegation A: Improper Procedure – Stop**

**Recommendation: Exonerated** – Improper Stop against Sgt. David Harris, #9146  
The Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police, Sections 4.01 and 4.18 and General Police Order (GPO 2.02.01) support a finding that the alleged conduct occurred but the Officer's actions were consistent with law, Cleveland Division of Police General Police Orders, training or procedures.

Motion: Gatian

Second: Cyganovich

Motion: Carried

**Allegation B: Harassment**

**Recommendation: Unfounded.** Harassment allegation against Sgt. David Harris, #9146, The Manual of Rules for the Conduct and Discipline of Employees of the Cleveland Division of Police, Sections 3.01 and 5.01 support a finding that the alleged conduct did not occur.

Motion: Gatian

Second: Cyganovich

Motion: Carried

## 2. OPS 2024-0158

Complainant: Ms. Shelia Foster  
Dispatcher Makeba Greer, #111

**Summary:** On 6/24/24, the complainant called police in response to her son being in crisis. The complainant contends that the Dispatcher was rude and laughed at her.

### **Allegation A: Unprofessional Behavior/Conduct**

**Recommendation: Unfounded-** Based on the preponderance of the evidence to include the 911 call audio, event chronology and Bureau of Communications and Property Control Communications Control Section policy No. 1.1.17, Call Taking Procedures revised 1/9/23, supports a finding that the alleged conduct did not occur. Additionally, Dispatcher Greer followed Bureau of Communications and Property Control Communications Control Section policy No. 1.1.18, General Dispatching Procedures, revised 2/10/17.

Motion: Cyganovich

Second: Gatian

Abstain: Hardy – Unable to review the case due to late distribution from OPS.  
Miller – Audio unavailable in the WCS.

Motion: Carried

## 3. OPS 2024-0104

Complainant: Ms. Darlene Cozart  
P.O. Diovanni Smith, #285

**Summary:** On 4/27/24, the complainant was parked in front of the Hannah Building, during which time a valet backed into their vehicle. The complainant contacted police and provided their proof of insurance but feels the police did an insufficient job in obtaining and sharing the proof of insurance of the other party to her.

### **Allegation A: Lack of Service – Insufficient Service**

**Recommendation: Exonerated** – The preponderance of the evidence to include the WCS footage and electronic report records reflects that P.O. Diovanni Smith, #285 investigated the accident and completed the oH-1 Report 2024-00114007, consistent with manual Section 4.18 and GPO 8.1.02. Additionally, neither ORC 4549.01 nor any Manual Section or GPO required P.O. Smith to provide insurance or driver's license information directly to the complainant.

Motion: Hardy

Second: Brown  
Motion: Carried

**4. OPS 2023-0111**

Complainant: Mr. Robert Walker  
Sgt. Daniel Florentz, #9340  
Sgt. Michael Harper, #9230  
Det. Dylan Madej, #2078

**Summary:** On 4/11/2023, the complainant claims that they were pulled over for no reason. The complainant claims that the officer stated that they pulled him over because of a turn signal but then stated they stopped him because they witnessed a hand-to-hand drug transaction.

**Sgt. Daniel Florentz, #9340**

**Sgt. Michael Harper, #9230**

**Det. Dylan Madej, #2078**

**Allegation A: Improper Procedure – Stop**

**Recommendation: Exonerated** – Based on the preponderance of evidence gathered throughout the investigation supports a finding that the alleged conduct did occur but the officer's actions were consistent with law, Cleveland Division of Police General Police Orders, training or procedures. GPO 2.02.05, Manual of Rules 3.12

Motion: Brown

Second: Hardy

Motion: Carried

**Sgt. Daniel Florentz, #9340**

**Sgt. Michael Harper, #9230**

**Det. Dylan Madej, #2078**

**Allegation B: Improper Procedure- Search**

**Recommendation: Exonerated-** Based on the preponderance of the evidence gathered throughout the investigation supports a finding that the alleged conduct did occur but the officer's actions were consistent with law, Cleveland Division of Police General Police Orders, training or procedures. GPO 2.02.02, Manual of Rules 4.05, ORC 2923.13.

Motion: Brown

Second: Hardy

Motion: Carried

A motion was made by Vice Chair Brandon Brown to direct OPS to include a summary of adjudication regarding any charges (misdemeanor or felony) that were the result of the complainant's interaction with the police for the allegation that the complaint was made.

Motion: Brown

Second: Gatian

Abstain: Sharp – Was not in the room during the discussion

Motion: Carried

#### **5. OPS 2024-0297**

Complainant: Mr. Ryan Bethards

P.O. Vickie Phillips, #1766

**Summary:** On 12/13/2024, the complainant was escorted out of Aldi. During the interaction with the police officer, the complainant claims that the officer was unprofessional and used excessive force.

#### **Allegation A: Unprofessional Behavior/Conduct**

**Recommendation: Insufficient Evidence-** The preponderance of the evidence fails to establish whether the alleged conduct did or did not occur. The video footage from the Aldi store did not contain audio. Manual of Rules 5.01, 5.08 and 5.09.

Motion: Sharp

Second: Parker

Motion: Carried

#### **Allegation B: Excessive Force**

**Recommendation: Exonerated** – The preponderance of the evidence to include the officer's WCS footage finding that the alleged conduct did occur but the officer's actions were consistent with law, Cleveland Division of Police General Police Orders, training or procedures. Mr. Bethards was escorted out of the store with de minimis force. GPO 2.01.01 Manual of Rules 4.05

Motion: Sharp

Second: Parker

Motion: Carried

#### **VII. OPS STATUS REPORT**

The CPRB voted to accept the hiring of Austin Kelleher as the Data Analyst for OPS. Mr. Kelleher was officially hired after the January 2025 CPRB meeting which is why the vote was delayed to approve his hire.

**Kristen Traxler**  
*General Manager*

- VIII. NEW BUSINESS**  
N/A
- Kristen Traxler**  
*General Manager*
- IX. OLD BUSINESS**  
N/A
- Kristen Traxler**  
*General Manager*
- X. EXECUTIVE SESSION**  
Member Gatian & Vice Chair  
Brown exited the executive session while in session. They did not return.
- CPRB**
- XI. STATEMENT FROM MEMBER HARDY**
- Sherral Hardy**
- Ms. Hardy offered condolences to the family of a 10-year-old child who was shot and killed. The CPRB held a moment of silence.
- XII. ADMINISTRATIVE MATTERS**
- Billy Sharp**  
*Chair*
- Motion to provide OPS Administrator Perez with a 3.2% pay increase for the year of 2024. Effective immediately, 2/11/25.  
Motion: Gatian  
Second: Cyganovich  
Abstain: Hardy – Not present for the discussion  
Motion: Carried
- Chair Sharp – There is another pay increase coming in May, 2025. At that time, they will determine what that increase looks like.
- XIII. STATEMENT FROM THE BOARD**
- CPRB**
- The Board would like to make a statement regarding comments that were made by Member Hardy during the January, 2025 CPRB meeting. The board as a whole would like to distance themselves from the comments made by Member Hardy regarding her

statement of not feeling safe in the OPS office.  
The Board does not feel that these comments were appropriate, and they distance themselves from those comments.

**RESPONDING STATEMENT FROM MEMBER HARDY**

**Sherral Hardy**

Member Hardy understands that everyone has their own life experiences, and the Board's experience that she has had with Marcus Perez may be the experience that they have had, so by the Board departing from her, she accepts their departure. However, what she said, she said. It was explained to her that it should not have been said in a public meeting, but rather in the executive session. From now on, her remarks will be mentioned or kept in executive session.

**XIV. REMAINING CASES**

**Billy Sharp**

The Chair would like a motion to move the remaining cases to the next agenda.

*Chair*

Motion: Hardy

Second: Gatian

Motion: Carried

**XV. ADJOURNMENT**

**CPRB**

Motion to adjourn

Motion: Gatian

Second: Cyganovich

Motion: Carried