





**OPS2022-0050**

**Complainant: Jackson (Present)**

**Presented by: James Ouk**

P.O. Taylor Cunningham, #1218

Allegation A: Lack of Service- No Service

Allegation C: Bias Policing

P.O. Scott Floyd, #514

Allegation A: Lack of Service- No Service

Allegation C: Bias Policing

P.O. James Huskey Jr, #2121

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Bias Policing

**Case Summary:** Mr. Jackson alleges that Cleveland police officers acted unprofessionally and provided inadequate service to him when his neighbors damaged his fence and damaged his house by using their snow blower in its direction. Mr. Jackson alleges that the Cleveland Division of Police are working in accordance with his neighbors to cover up their criminal activities. Mr. Jackson also alleges that the Officers acted unprofessional by threatening him by telling him he cannot come out of his home. Mr. Jackson had interactions with Cleveland Police on the morning of January 19<sup>th</sup>, 2022 and again during the evening of January 19<sup>th</sup>, 2022. He also had an interaction with Cleveland Police on January 28, 2022. Mr. Jackson was named as a suspect on the morning of January 19<sup>th</sup>, 2022 for menacing by stalking. Mr. Jackson asked to make a separate report with himself as the victim to P.O. Huskey on the morning of January 19<sup>th</sup>, 2022. P.O. Huskey told Mr. Jackson that he will not make a report with him as the victim but instead will be including Mr. Jackson's statement in the original report. Mr. Jackson was named a victim on the evening of January 19<sup>th</sup> 2022 for property damage. P.O. Floyd made a non-criminal damage report for Mr. Jackson. P.O. Floyd told Mr. Jackson that he would not make a police report for him on January 28<sup>th</sup> because he believed that no crime occurred. Mr. Jackson showed P.O. Floyd a recording of the incident from his home cameras. Billy and Debra Lyons, Mr. Jackson's neighbors, have a sister in law "Denise" that is a former CDP Detective. Denise arrived to their home in an attempt to defuse the situation and spoke with P.O. Huskey about the continued ongoing altercations between the neighbors. P.O. Huskey was shown a video from a neighbor that wished to remain anonymous, that showed Mr. Jackson causing distress to his neighbors. The Officers involved during the three separate incidents with Mr. Jackson abided by CDP policy and procedures, provided service, were professional, and did not act with bias.

**Case Findings:**



**P.O. Taylor Cunningham, #1218**

**Allegation A: Lack of Service-No Service**

**OPS Recommendation: Exonerated**

**CPRB Recommendation: Exonerated-** Based on the preponderance of the evidence to include the Officers WCS supports a finding that the alleged conduct was consistent with GPO 3.04.01 (Probable Cause/Warrantless Arrest) and Ohio Revised Code 2909.06 (Criminal damaging or endangering).

**Motion:** Billy Sharp

**Second:** Diana Cyganovich

**Motion:** Carried

**P.O. Scott Floyd, #514**

**Allegation A: Lack of Service-No Service**

**OPS Recommendation Exonerated**

**CPRB Recommendation: Exonerated-** Based on the preponderance of the evidence to include the Officers WCS supports a finding that the alleged conduct was consistent with GPO 3.04.01 (Probable Cause/Warrantless Arrest) and Ohio Revised Code 2909.06 (Criminal damaging or endangering).

**Motion:** Billy Sharp

**Second:** Diana Cyganovich

**Motion:** Carried

**P.O. James Huskey Jr, #2121**

**Allegation B: Unprofessional Behavior/Conduct**

**OPS Recommendation: Administratively Dismissed**

**CPRB Recommendation: Administratively Dismissed-**P.O. Huskey is no longer a CDP employee. He Left on 02/17/2022.

**Motion:** Billy Sharp

**Second:** Diana Cyganovich

**Motion:** Carried

**P.O. James Huskey Jr, #2121**

**Allegation C: Bias Policing**

**OPS Recommendation: Administratively Dismissed**

**CPRB Recommendation: Administratively Dismissed-** P.O. Huskey is no longer a CDP employee. He Left on 02/17/2022.

**Motion:** Billy Sharp



**Second:** Diana Cyganovich

**Motion:** Carried

**P.O. Taylor Cunningham, #1218**

**Allegation C: Bias Policing**

**OPS Recommendation: Unfounded**

**CPRB Recommendation: Unfounded-**Based on the preponderance of the evidence to include the Officers' WCS supports a finding that the alleged conduct did not occur. Officers abided by CDP GPO 1.07.08 Bias- Free Policing and properly followed procedures when enforcing Ohio Revised Code 2903.211- Menacing by Stalking.

**Motion:** Billy Sharp

**Second:** Diana Cyganovich

**Motion:** Carried

**P.O. Scott Floyd, #514**

**Allegation C: Bias Policing**

**OPS Recommendation: Unfounded**

**CPRB Recommendation: Unfounded-** Based on the preponderance of the evidence to include the Officers' WCS supports a finding that the alleged conduct did not occur. Officers abided by CDP GPO 1.07.08 Bias- Free Policing and properly followed procedures when enforcing Ohio Revised Code 2903.211- Menacing by Stalking.

**Motion:** Billy Sharp

**Second:** Diana Cyganovich

**Motion:** Carried

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**OPS2023-0051**

**Complainant: Jackson**

**Presented by: James Ouk**

P.O. Antwuan Wells, #1330

Allegation A: Lack of Service

Allegation B: Unprofessional Behavior/Conduct

**Case Summary:** On March 10<sup>th</sup>, 2023 the Office of Professional Standards received a complaint from Mr. Jackson. In Mr. Jackson's complaint, he states that on March 10<sup>th</sup>, 2023 he called the police to file a report for menacing, criminal damaging and criminal mischief against his neighbor. Mr. Jackson states that his neighbor has repeatedly tried to damage his fence. When the responding officers responded to the scene and refused to create a report for the requested charges and arrest the neighbor, Mr. Jackson requested a supervisor. P.O. Antwuan Wells responded to the scene. Mr. Jackson states that P.O. Wells refused to properly not the call, arrest the neighbor and make a report



for menacing, criminal damaging and criminal mischief. When P.O. Wells arrived on scene, he was shown a video of the incident on Mr. Jackson's computer. P.O. Wells determined that the action shown did not rise to the level of Criminal damaging, Criminal Mischief, Menacing or violate the Cleveland City Ordinances on Fence Regulations. Mr. Jackson was then provided a police report for property damage non-criminal.

#### **Case Findings:**

**P.O. Antwuan Wells, #1330**

**Allegation A: Lack of Service**

**OPS Recommendation: Exonerated**

**CPRB Recommendation: Exonerated-** The preponderance of the evidence gathered throughout the investigation supports a finding that the alleged conduct did occur but the Officers' actions were consistent with law, Cleveland Division of Police Orders, training or procedures. P.O. Wells' actions were consistent with General Police Order: 4.04.03 Reports.

**Motion:** Billy Sharp

**Second:** Diana Cyganovich

**Motion:** Carried

**P.O. Antwuan Wells, #1330**

**Allegation B: Unprofessional Behavior/Conduct**

**OPS Recommendation:**

**CPRB Recommendation: Unfounded** – Based on the preponderance of the evidence, the alleged conduct did not occur. Officer Wells abided by General Police Orders 1.07.07 (Retaliation) and 1.07.08 (Bias-Free Policing).

**Motion:** Billy Sharp

**Second:** Diana Cyganovich

**Motion:** Carried

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#### **Departures**

**OPS2023-0232**

**Complainant: Phillips**

**Presented by: Vince Funari**

Date Heard by CPRB: 12/10/2024

Date Heard by Chief: 05/02/2025

**Det. Melvin Gonzalez, #1150**

**Allegation A: Unprofessional Behavior/Conduct**



**CPRB Recommendation:** Sustained

**Chief Departure Recommendation:** Dismissed- *“The record contains insufficient evidence to support a finding of guilty as it pertains to you intentionally having the complainant charged and continually pursuing that charge, I depart from the Civilian Police Review Board’s finding for Specification #2. Based on the foregoing, I “Dismiss” Specification #2.”*

**CPRB Decision:** Chair Sharp made a motion to move forward with the original finding as the Chief did not give clear and significant evidence to overturn the ruling.

Motion was seconded by Member Cyganovich.

Member Hardy and Member Miller both Opposed to the motion.

The motion carried.

**Det. Melvin Gonzalez, #1150**

**Allegation B: Lack of Service-No Service**

**CPRB Recommendation:** Sustained

**Chief Departure Recommendation:** Dismissed- *“The record contains insufficient evidence to support a finding of guilty as it pertains to you intentionally having the complainant charged and continually pursuing that charge, I depart from the Civilian Police Review Board’s finding for Specification #2. Based on the foregoing, I “Dismiss” Specification #2.”*

**CPRB Decision:** Chair Sharp made a motion to move forward with the original finding as the Chief did not give clear and significant evidence to overturn the ruling.

The Motion was seconded by Member Cyganovich.

Member Hardy and Member Miller both Opposed to the motion.

The motion carried.

**Det. Melvin Gonzalez, #1150**

**Allegation C: Improper Procedure**

**CPRB Recommendation:** Sustained

**Chief Departure Recommendation:** Dismissed- *“The record contains insufficient evidence to support a finding of guilty as it pertains to you intentionally having the complainant charged and continually pursuing that charge, I depart from the Civilian Police Review Board’s finding for Specification #2. Based on the foregoing, I “Dismiss” Specification #2.”*

**CPRB Decision:** Chair Sharp made a motion to move forward with the original finding as the Chief did not give clear and significant evidence to overturn the ruling.

The Motion was seconded by Member Cyganovich.

Member Hardy and Member Miller both Opposed to the motion.



The motion carried.

**P.O. Mason Swires, #2383**

**Allegation A: Unprofessional Behavior/Conduct**

**CPRB Recommendation:** Sustained

**Chief Departure Recommendation:** Dismissed- *“The record contains insufficient evidence to support a finding of guilty as it pertains to you intentionally completing the report with the incorrect named suspect. Because you checked with Cleveland Police Radio in an effort to rectify the discrepancy in the name provided by Cleveland Police Radio, I depart from the Civilian Police Board’s finding for Specification #2. Based on the foregoing, I “Dismiss” Specification#2”*

**CPRB Decision:** Chair Sharp made a motion to move forward with the original finding as the Chief did not give clear and significant evidence to overturn the ruling.

The Motion was seconded by Member Cyganovich.

Member Hardy and Member Miller both Opposed to the motion.

The motion carried.

**III. Adjournment**

**Billy Sharp, Chair**

A. Member Miller made a motion to adjourn the meeting. The motion was properly seconded by Member Hardy.