



CIVILIAN POLICE REVIEW BOARD

July 8th, 2025

MEETING MINUTES

CIVILIAN POLICE REVIEW BOARD MEMBERS

Billy Sharp, Chair
Brandon Brown, Vice Chair
Diana Cyganovich
David Gatian
Sherall Hardy
Chenoa Miller - excused
Kenneth Mountcastle
Glenn Parker III - excused

LEGAL COUNCIL

Lillian Hall, Asst. Director of Law

OFFICE OF PROFESSIONAL STANDARDS

Kristen Traxler, Interim Administrator
Jessyca Watson, Interim General Manager/
Investigator
Vince Funari, Senior Investigator
Art Bowker, Investigator
Adam Eisen, Investigator
LJ Green, Investigator
Hamza Khabir, Investigator
Tammi Lampkin, Investigator
James Ouk, Investigator
Joseph Szymanski, Investigator
Alayne Koenig – Investigative Assistant
Katerina Metheney – Investigative Assistant

MEETING AGENDA

I. Call to Order

Vice Chair Brown

1. Roll Call

- a. Member Miller and Member Parker III both had excused absences.
- b. Chair Sharp arrived briefly after Roll Call

II. Approval of Minutes

Vice Chair Brown

I. Approval of the June 10th meeting minutes

- a. A motion to approve the meeting minutes was made by Member Gatian and Seconded by Member Mountcastle. The motion carried.

II. Approval of the June 17th meeting minutes

- a. A motion to approve the meeting minutes was made by Member Gatian and Seconded by Member Mountcastle. The motion carried.

III. Approval of the June 24th meeting minutes



- a. Vice Chair Brown asked to make an amendment regarding the June 24th minutes. There was an error regarding who adjourned the meeting. Vice Chair was not present at the meeting in question so he could not have made a motion to adjourn.
- b. A motion to approve the meeting minute's contingent upon the correction mentioned was made by Member Gatian and Seconded by Member Mountcastle.

III. Public Comment

- a. No members of the public were present.
- b. Discussion on City Hall's 9:00 a.m. entry policy and its impact on public comment accessibility.
- c. Suggested solution: Move meeting start to 9:15 a.m.
- d. Alternative suggestion: Move public comment to later in agenda
- e. Action: Administratively tabled to New Business

IV. Presentation of Investigations

Kristen Traxler
Interim Administrator



1. OPS2024-0001

Complainant: McCoy-Gibbons (Present)

Presented by: Arthur Bowker

P.O. David Smith, #2376

Allegation A: Unprofessional Behavior/Conduct

Allegation B: Unprofessional Behavior/ Conduct

Allegation C: WCS Violation

Allegation D: Improper Procedure: Stop

Allegation E: Improper Procedure: Citation

Sgt. Marcus Jones, #9284

Allegation F: Improper Procedure

Allegation G: WCS Violation

Allegation H: Improper Procedure-Citation

Case Summary: On November 19, 2023, P.O. David Smith, #2376 engaged in unprofessional conduct by commenting on the complainant's lack of parenting skills as it related to her adult daughter, Taylor Gibbons, who he had lawfully stopped. P.O. Smith then unreasonably detained the complainant's daughter while waiting for her husband, Mr. Gibbons, to arrive to receive a citation, which was improperly issued. P.O. Smith did not activate his WCS in a timely manner but did notify his supervisor Sgt. Marcus Jones #9284. Sgt. Jones also did not annotate his duty report concerning P.O. Smith's disclosure that his WCS had not activated immediately.

Statement from Complainant – Shane McCoy Gibbons

- Described daughter's traumatic first police interaction and her own experience as a law enforcement professional.
- Stated she only sought an apology, not formal complaint, but was advised to pursue it.
- Described verbal mistreatment and improper detention witnessed during FaceTime.
- Highlighted inconsistencies in ticket issuance, lack of service, and outstanding warrant for her husband.
- Closed by raising broader concerns over officer conduct and public trust
- Clarification: Confirmed Complainant is not an officer with Cleveland Division of Police.

Case Findings:

P.O. David Smith, #2376

Allegation A: Unprofessional Behavior/Conduct

OPS Recommendation: Sustained

CPRB Recommendation: Sustained – Based on the Preponderance of the Evidence to include the WCS footage, OPS interviews, and records supports that on November 19,



2023, P.O. David Smith #2376 questioned the complainant's parenting skills as a police officer in regards to her adult daughter's conduct, i.e. getting dropped off on a highway. Questioning anyone's parenting skills for the conduct of their adult children is behavior that would reasonably be demeaning to any citizen and therefore violates Manual Sections 5.01 and 5.09.

Explanation/Evidence supporting:

- Witness testimony supported misconduct
- WCS footage incomplete but corroborated key claims
- Conduct was demeaning to the complainant as a parent and professional

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

Group Level: Group Two (Abusive Language & Conduct Unbecoming)

In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

P.O. David Smith, #2376

Allegation B: Unprofessional Behavior

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated – Based on the preponderance of the evidence to include WCS footage, supports that on November 19, 2023, P.O. David Smith #2376 questioning of the complainant's husband did not violate Manual Sections 5.01 and 5.09.

Explanation/Evidence supporting:

- WCS footage captured entire interaction with complainant's husband
- No evidence of demeaning or unprofessional comments

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

P.O. David Smith, #2376

Allegation C: WCS Violation

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated – Based on the preponderance of the evidence to include OPS interviews supports that P.O. David Smith #2376 did advise Sgt. Marcus



Jones #9284 that his WCS was not initially activated and such notification was consistent with the requirements of GPO 4.06.04 B (8).

Explanation/Evidence supporting:

- Officer acknowledged activation failure
- Promptly notified Sergeant Jones, fulfilling protocol under GPO 4.06.04

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

P.O. David Smith, #2376

Allegation D: Improper Procedure- Stop

OPS Recommendation: Sustained

CPRB Recommendation: Sustained – Based on the preponderance of the evidence to include the WCS footage, OPS interviews and records supports that P.O. David Smith's #2376 initial investigative stop of the complainant's daughter on November 19, 2023, was consistent with GPO 2.02.01. However, his detaining her for an additional ten minutes to allow her father to return for his ticket violated GPO 2.02.01 as it was beyond what was reasonably required and compelled her to remain in a location that was inherently unsafe for pedestrians.

Explanation/Evidence supporting:

- Detained complainant's daughter unnecessarily after declining to issue citation
- Prolonged stop violated GPO 2.02.01 and raised safety concerns

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

Group Level: Group Two (Unsatisfactory Performance & Safety Violation)

In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

P.O. David Smith, #2376

Allegation E: Improper Procedure- Citation

OPS Recommendation: Sustained

CPRB Recommendation: Sustained – Based on the preponderance of the evidence to include the WCS footage, OPS interviews and records supports that P.O. David Smith



#2376 issued two Tickets 85005 (San Antonio Gibbons) and 85004 (Muhammad Abdullah) on November 19, 2023 which violated Manual Section 3.12 and GPO 8.2.03, Uniform Traffic Tickets (UTT) in that they both:

1. Cited drivers for walking on the highway, a violation of Cleveland Codified Ordinance 471.05 when neither driver exited their vehicle and walked on the highway.
2. Neither ticket reflects under the remarks section a reason why a summons was being issued as required by GPO 8.2.03
3. Both issued tickets reflect the handwritten date November 19, 2023 after the phrase "This summons served personally on the defendant" indicating the ticket was presented to the defendant when in fact it was not.

All in violation of Manual Section 3.12 and GPO 8.2.03, Uniform Traffic Tickets (UTT).

Explanation/Evidence supporting:

- Issued pedestrian violation to driver who remained in vehicle
- Citation lacked required remarks section justification
- Ticket falsely marked as personally served

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

Group Level: Group Two (Violation of Training & Procedural Misconduct)

In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

Sgt. Marcus Jones, #9284

Allegation F: Improper Procedure

OPS Recommendation: Sustained

CPRB Recommendation: Sustained – Based on the preponderance of the evidence to include the WCS footage, OPS interviews and records supports that Sgt. Jones failed to take action required under GPO 2.02.05 after receiving a complaint about P.O. David Smith #2376 investigative stop on November 19, 2023, reviewing WCS footage of the incident, which revealed P.O. Smith detained the complainant's daughter an additional ten minutes in violation of GPO 2.02.01 C and receiving a Stop Form completed by P.O. Smith that contained discrepancies. As a result, the Stop Form was approved and this improper investigative stop was not raised to the chain of command for possible



corrective actions. All in violation of Manual Section 1.06 and GPO's 2.02.01 and 2.02.05.

Explanation/Evidence supporting:

- Repeated same citation error with second individual
- Same ordinance misapplied, same false service statement

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

Group Level: Group Two (Violation of Training & Procedural Misconduct)

In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

Sgt. Marcus Jones, #9284

Allegation G: WCS Violation

OPS Recommendation: Sustained

CPRB Recommendation: Sustained – Based on the preponderance of the evidence to include the WCS footage, interviews, and Sgt. Jones daily duty report for November 19, 2023, support that Sgt. Jones failed to note on his duty report that P.O. David Smith #2376 had advised him that his WCS did not activate at the start of the incident as required by GPO 4.05.04 III, A.

Explanation/Evidence supporting:

- Reviewed improper stop form with contradictions
- Took no corrective action and approved form
- Displayed pattern of rubber-stamping without review

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

Group Level: Group Two (Failure to Supervise & Violation of Training)

In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

Sgt. Marcus Jones, #9284



Allegation H: Improper Procedure-Citation

OPS Recommendation: None. It was added on by the Board while hearing the case.

CPRB Recommendation: Sustained – Based on the preponderance of the evidence to include the WCS footage, OPS interviews and records supports that P.O. David Smith #2376 issued two Tickets 85005 (San Antonio Gibbons) and 85004 (Muhammad Abdullah) on November 19, 2023 which violated Manual Section 3.12 and GPO 8.2.03, Uniform Traffic Tickets (UTT) in that they both:

1. Cited drivers for walking on the highway, a violation of Cleveland Codified Ordinance 471.05 when neither driver exited their vehicle and walked on the highway.
2. Neither ticket reflects under the remarks section a reason why a summons was being issued as required by GPO 8.2.02
3. Both issued tickets reflect the handwritten date November 19, 2023 after the phrase “This summons served personally on the defendant” indicating the ticket was presented to the defendant when in fact it was not.

All in violation of Manual Section 3.12 and GPO 8.2.03, Uniform Traffic Tickets (UTT).

Explanation/Evidence supporting:

- Failed to document Officer Smith’s WCS error in daily duty report
- Reporting violation under GPO 4.05.04

Motion: Vice Chair Brown

Seconded: Member Hardy

Opposed: Member Gatian

Motion: Carried

Group Level: Group One (Reporting Error & Failure to Submit Required Reports)

In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion: Vice Chair Brown

Seconded: Member Hardy

Motion: Carried

Additional Remarks: Chair Sharp affirmed that while citations occurred in close succession, the repetition itself reflected a concerning pattern. Board members emphasized the responsibility of officers to maintain accuracy and professionalism in all enforcement and documentation procedures.



Presented by: Lachickia Green

Det. Richard Tusing, #2370

Allegation A: Lack of Service-Insufficient Service

Allegation B: Unprofessional Behavior/Conduct

Case Summary: Ms. Yearby alleges Lack of Service and Unprofessional Behavior/Conduct by Cleveland Division of Police Det. Richard Tusing #2730. Ms. Yearby states that Det. Tusing was assigned as the lead detective in her daughter's 2023 murder investigation and failed to return her phone calls and provide updates between the months of July 2023 through October 2024. Ms. Yearby further states that when she was finally able to speak with Det. Tusing, he yelled at her and told her that he was busy with other cases. OPS conducted an investigation into these complaints and found that Det. Tusing did in fact meet with Ms. Yearby on several occasions and was professional during the encounters.

Statement from Complainant – Aja Yearby

- Shared deep personal loss:
 - Her brother was murdered in 2022 and her daughter in 2023
 - Balancing grief, advocacy, and parenting her 8-year-old child
- Stated she never spoke directly with Investigator Green, only with Investigator Jermaine Smith, whom she praised:
 - Described Mr. Smith as professional, empathetic, and consistent in communication
- Disputed OPS report that referenced multiple meetings with Det. Tusing
 - Claims she only met once, in a group setting in early 2024, alongside detectives from both cases and advocate Grace
 - Described that meeting as brief, not a private sit-down
- Highlighted lack of direct communication:
 - Asserted she has never met with or had substantive contact with Det. Tusing
 - Claimed most of her case updates were relayed through Grace, a community advocate
 - Shared text message records showing repeated outreach through Grace after receiving no direct responses
- Questioned why OPS concluded the investigation quickly (from May 16 to June 18) without interviewing her directly
- Emphasized that she was made aware of officer limitations through Mr. Smith and did not expect updates beyond protocol
- Clarified her intent:
 - Did not come to accuse for the sake of punishment
 - Came to testify honestly and raise concerns about investigative thoroughness



Case Findings:

Det. Richard Tusing, #2370

Allegation A: Lack of Service-Insufficient Service

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – The preponderance of the evidence supports a finding that the alleged conduct did not occur. Det. Tusing provided a chronological report and WCS Recording to the OPS Investigator that identify times and dates that he had spoken with Ms. Yearby.

Explanation/Evidence supporting:

- Officer made multiple documented contacts with complainant
- OPS confirmed phone calls and one home visit met minimum standards under CDP protocol

Motion: Chair Sharp

Seconded: Member Cyganovich

Opposed: Vice Chair Brown, citing doubts about accuracy of recorded contacts

Motion: Carried

Det. Richard Tusing, #2370

Allegation B: Unprofessional Behavior/Conduct

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence gathered throughout the investigation supports a finding that the alleged conduct did not occur. According to Manual of Rules Section 5.09- Personnel shall be courteous and respectful in their speech, conduct, and contact with others.

Explanation/Evidence supporting:

- WCS footage showed no hostile or inappropriate behavior by Det. Tusing
- Officer's conduct during recorded interactions aligned with professional standards

Motion: Chair Sharp

Seconded: Member Cyganovich

Motion: Carried

Additional Remarks:

- Board members expressed empathy and understanding toward Ms. Yearby's emotional testimony and acknowledged the extraordinary grief she continues to endure.
- While ruling aligned with established policy and GPO thresholds, members voiced concern that:



- Documentation alone may not reflect the true quality of engagement between officers and victim families.
 - The use of vague terms like “attempts” in procedural language could diminish the perception of responsiveness and accountability.
- Vice Chair Brown and several members noted persistent doubt regarding the completeness of the documented contacts and voiced interest in stricter standards for verifying officer communications.
- Process Improvements Discussed
 - Administrative Oversight Gaps: Board acknowledged that OPS should implement more robust internal case management:
 - If an investigator goes on leave, voicemail and case communication must be actively managed to avoid delays.
- Victim Communication Protocol Recommendation: Member Gatian initiated discussion to establish clear, written contact expectations for victims and surviving family members:
 - Suggested a guidance handout outlining realistic timelines, limitations on disclosure, and avenues for updates and follow-up.
 - Motion passed for OPS to report back on existing policies and identify if further action is needed.
- Board unanimously supported making trauma-informed practices more visible in standard operating procedures, even for cases ruled within compliance.
- Complainant Follow-Up
 - Board encouraged OPS to meet personally with Ms. Yearby to:
 - Review her concerns regarding case handling and communication.
 - Provide closure and restore confidence in the complaint process.
- Chair reminded Ms. Yearby of her right to appeal the board’s finding to the Community Police Commission, which may choose to reopen or further review the investigation.

3. OPS2023-0173 (Incomplete from 6/17/2025)

Complainant: Westfall

Presented by Lachickia Green

P.O. Ryan Krantz, #1734

Allegation A: Lack of Service- Insufficient Service

Case Summary: P.O. Ryan Krantz #1734 served with CDP during the March 28, 2023 incident. He resigned on November 15, 2024, briefly joined the Cleveland Metroparks Police Department, and then returned to CDP on May 12, 2025. P.O. Ryan Krantz #1734 was unintentionally omitted from original case adjudication due to assumption of resignation.

Case Findings:



P.O. Ryan Krantz, #1734

Allegation A: Lack of Service-Insufficient Service

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS and Officer Interviews, supports a finding that the alleged conduct did not occur.

Explanation/Evidence supporting:

- WCS footage confirmed that Patrol Officer Ryan responded and assisted in accordance with CPD procedures
- Documentation supported that officers helped facilitate property retrieval; no misconduct or negligence was observed

Motion: Member Cyganovich

Seconded: Vice Chair Brown

Motion: Carried

Final Remarks:

- Members acknowledged the challenge presented by delayed officer adjudication due to resignation and later rehire.
- The unanimous vote to adopt the finding of “Unfounded” was based on body-worn camera footage and thorough review of the police report, which confirmed officer compliance during the March 2023 incident.
- While the allegations did not result in disciplinary action, the case highlighted an urgent need to strengthen procedural safeguards around officer reemployment.
- Process Gap & Accountability Discussion
 - Chair Sharp emphasized the risk of disciplinary complaints being lost or overlooked when officers leave CPD mid-investigation.
 - The board acknowledged that jurisdiction limitations prevent adjudicating cases once an officer resigns, creating a procedural gap referred to as a "donut hole."
 - Legal and administrative staff clarified:
 - CPD may retain unresolved complaint records, but clarity is lacking on whether these are surfaced during rehire screening.
 - The officer's return to CPD was discovered incidentally via IAP Roque status, not via formal CPD notification.
- Board Directive – Closing the Accountability Gap
 - A motion was passed directing OPS to:
 - Confirm whether unresolved complaints are marked in CPD personnel files when an officer resigns before adjudication.



- Establish a process by which rehire rosters from CPD are regularly submitted to OPS for review, allowing the team to flag and adjudicate any previously unprocessed complaints

4. OPS2022-0303

Complainant: Roque

Presented by Joseph Szymanski

P.O. Robert Bjekic, #693

Allegation A: Improper Procedure: Stop

Allegation B: Improper Procedure: Search

P.O. Kirstein Beringuel, #691

Allegation A: Improper Procedure: Stop

Allegation B: Improper Procedure: Search

Sgt. Hignia Rivera, #9246

Allegation B: Improper Procedure: Search

Case Summary: Mr. Roque alleged Improper Procedure: Stop and Search allegations by Cleveland Division of Police (CDP) Patrol Officers Robert Bjekic #693 and Kirstein Beringuel #6981, on December 8, 2022. Providing, officers conducted a traffic stop, claiming he used a late turn signal. Mr. Roque alleged after he told the officers he did not consent to a search of the vehicle; and unauthorized search was conducted, claiming they trashed his vehicle by ripping up his carpet and ashtrays.

Case Findings:

P.O. Robert Bjekic #693

Allegation A: Improper Procedure-Stop

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated – The preponderance of the evidence supports a finding that the alleged conduct occurred but the Officers' actions were consistent with law, Cleveland Division of Police General Police Orders, trainings and procedures.

Explanation/Evidence supporting:

- Stop was lawful based on broken tail light and suspended license; actions aligned with GPO 2.02.01

Motion: Vice Chair Brown

Seconded: Member Gatian

Motion: Carried



P.O. Kirstein Beringuel #691

Allegation A: Improper Procedure-Stop

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated – The preponderance of the evidence supports a finding that the alleged conduct occurred but the Officers' actions were consistent with law, Cleveland Division of Police General Police Orders, trainings and procedures.

Explanation/Evidence supporting:

- Stop was lawful based on broken tail light and suspended license; actions aligned with GPO 2.02.01

Motion: Vice Chair Brown

Seconded: Member Gatian

Motion: Carried

P.O. Robert Bjekic #693

Allegation B: Improper Procedure- Search

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated – The preponderance of the evidence supports a finding that the alleged conduct occurred but the Officers' actions were consistent with law, Cleveland Division of Police General Police Orders, trainings and procedures.

Explanation/Evidence supporting:

- Search consistent with arrest procedure and inventory policies; GPO 2.02.01 referenced

Motion: Vice Chair Brown

Seconded: Member Gatian

Motion: Carried

P.O. Kirstein Beringuel #691

Allegation B: Improper Procedure- Search

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS and Officer Interviews, supports a finding that the alleged conduct did not occur. The Officers conducted the property inventory search of the vehicle.

Explanation/Evidence supporting:

- No evidence of officer conducting search; confirmed by WCS footage

Motion: Vice Chair Brown

Seconded: Member Gatian

Motion: Carried



Sgt. Hignio Rivera #9246

Allegation B: Improper Procedure- Search

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated – Based on the preponderance of the evidence to include WCS, CDP Incident Report, OPS Interviews, supports a finding that the alleged conduct occurred, but the officer's actions were consistent with law, Cleveland Division of Police Orders, training, or procedures.

Explanation/Evidence supporting:

- Search was incidental to arrest; limited and did not cause damage; compliant with CDP training & policies

Motion: Vice Chair Brown

Seconded: Member Gatian

Motion: Carried

Final Remarks:

- The board acknowledged the emotional weight of Mr. Roque's concerns and affirmed the importance of transparency in police-citizen encounters. b. After thorough review of body-worn footage, police documentation, and inventory procedures, the board found no evidence to support claims of search-related damage or misconduct. c. Officer actions were deemed consistent with CDP General Police Orders, specifically relating to investigatory stops and property inventory post-arrest. d. The board reaffirmed the necessity of documenting all officer interactions accurately and stressed the value of video evidence in adjudicating future complaints. e. The motions adopted reinforce public expectations that lawful stops and searches must remain procedurally sound and respectfully executed.

5. OPS2023-0095

Complainant: Moore

Presented by Joseph Szymanski

Sgt. Robert Goines #9215

Allegation A: Unprofessional Behavior/Conduct

Allegation B: Lack of Service- Failure to provide name and badge

P.O. Samuel Ortiz Jr. #1694

Allegation A: Unprofessional Behavior/Conduct

Allegation B: Lack of Service- Failure to provide name and badge

P.O. Kraig Novak #1244

Allegation A: Unprofessional Behavior/Conduct



Allegation B: Lack of Service- Failure to provide name and badge

P.O. Denzel Jones #990

Allegation A: Unprofessional Behavior/Conduct

Allegation B: Lack of Service- Failure to provide name and badge

P.O. Luis Flores- Galarza #800

Allegation A: Unprofessional Behavior/Conduct

Allegation B: Lack of Service- Failure to provide name and badge

P.O. Jason Santana #2012

Allegation A: Unprofessional Behavior/Conduct

Allegation B: Lack of Service- Failure to provide name and badge

P.O. Cory Beckwith #1363

Allegation A: Unprofessional Behavior/Conduct

Allegation B: Lack of Service- Failure to provide name and badge

P.O. Zachary Musarra #2133

Allegation A: Unprofessional Behavior/Conduct

Allegation B: Lack of Service- Failure to provide name and badge

Case Summary: On April 26, 2023, upon arrival, P.O. Samuel Ortiz Jr. #1694, and Jason Santana #2012 encountered Mr. Luyando Jr. and Mr. Moore. Multiple officers responded to the scene, and determined Mr. Luyando Jr., required crisis intervention and facilitated his transport to Metro Health for evaluation. Mr. Moore expressed frustration over the handling of the incident and demanded that officers arrest the suspect. Mr. Moore alleged officers engaged in unprofessional behavior/conduct and failed to provide their names and badge numbers when requested.

Case Findings:

Sgt. Robert Goins #9215

Allegation A: Unprofessional Behavior/ Conduct

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct did not occur. WCS did not reveal any officers violating the standards of Manual Section V. Behavior 5.01, 5.08, 5.09. Although the complainant perceived his interactions with the officers as dismissive and unprofessional,



the officers-maintained composure and issued directives appropriately. No evidence supports that any officer used inappropriate language, displayed discourteous conduct, or violated cited behavioral polices.

Explanation/Evidence supporting: WCS footage confirmed all officers maintained professionalism and complied with CDP Rules §§5.01–5.09

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Samuel Ortiz Jr #1694

Allegation A: Unprofessional Behavior/ Conduct

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct did not occur. WCS did not reveal any officers violating the standards of Manual Section V. Behavior 5.01, 5.08, 5.09. Although the complainant perceived his interactions with the officers as dismissive and unprofessional, the officers-maintained composure and issued directives appropriately. No evidence supports that any officer used inappropriate language, displayed discourteous conduct, or violated cited behavioral polices.

Explanation/Evidence supporting: WCS footage confirmed all officers maintained professionalism and complied with CDP Rules §§5.01–5.09

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Kraig Novak #1244

Allegation A: Unprofessional Behavior/ Conduct

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct did not occur. WCS did not reveal any officers violating the standards of Manual Section V. Behavior 5.01, 5.08, 5.09. Although the complainant perceived his interactions with the officers as dismissive and unprofessional, the officers-maintained composure and issued directives appropriately. No evidence supports that any officer used inappropriate language, displayed discourteous conduct, or violated cited behavioral polices.

Explanation/Evidence supporting: WCS footage confirmed all officers maintained professionalism and complied with CDP Rules §§5.01–5.09

Motion: Chair Sharp

Seconded: Member Mountcastle



Motion: Carried

P.O. Denzel Jones #990

Allegation A: Unprofessional Behavior/ Conduct

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct did not occur. WCS did not reveal any officers violating the standards of Manual Section V. Behavior 5.01, 5.08, 5.09. Although the complainant perceived his interactions with the officers as dismissive and unprofessional, the officers-maintained composure and issued directives appropriately. No evidence supports that any officer used inappropriate language, displayed discourteous conduct, or violated cited behavioral polices.

Explanation/Evidence supporting: WCS footage confirmed all officers maintained professionalism and complied with CDP Rules §§5.01–5.09

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Luis Flores- Galarza #800

Allegation A: Unprofessional Behavior/ Conduct

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct did not occur. WCS did not reveal any officers violating the standards of Manual Section V. Behavior 5.01, 5.08, 5.09. Although the complainant perceived his interactions with the officers as dismissive and unprofessional, the officers-maintained composure and issued directives appropriately. No evidence supports that any officer used inappropriate language, displayed discourteous conduct, or violated cited behavioral polices.

Explanation/Evidence supporting: WCS footage confirmed all officers maintained professionalism and complied with CDP Rules §§5.01–5.09

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Jason Santana #2012

Allegation A: Unprofessional Behavior/Conduct

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews



supports a finding that the alleged conduct did not occur. WCS did not reveal any officers violating the standards of Manual Section V. Behavior 5.01, 5.08, 5.09. Although the complainant perceived his interactions with the officers as dismissive and unprofessional, the officers-maintained composure and issued directives appropriately. No evidence supports that any officer used inappropriate language, displayed discourteous conduct, or violated cited behavioral polices.

Explanation/Evidence supporting: WCS footage confirmed all officers maintained professionalism and complied with CDP Rules §§5.01–5.09

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Cory Beckwith #1363

Allegation A: Unprofessional Behavior/ Conduct

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct did not occur. WCS did not reveal any officers violating the standards of Manual Section V. Behavior 5.01, 5.08, 5.09. Although the complainant perceived his interactions with the officers as dismissive and unprofessional, the officers-maintained composure and issued directives appropriately. No evidence supports that any officer used inappropriate language, displayed discourteous conduct, or violated cited behavioral polices.

Explanation/Evidence supporting: WCS footage confirmed all officers maintained professionalism and complied with CDP Rules §§5.01–5.09

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Zachary Musarra #2133

Allegation A: Unprofessional Behavior/ Conduct

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct did not occur. WCS did not reveal any officers violating the standards of Manual Section V. Behavior 5.01, 5.08, 5.09. Although the complainant perceived his interactions with the officers as dismissive and unprofessional, the officers-maintained composure and issued directives appropriately. No evidence supports that any officer used inappropriate language, displayed discourteous conduct, or violated cited behavioral polices.



Explanation/Evidence supporting: WCS footage confirmed all officers maintained professionalism and complied with CDP Rules §§5.01–5.09

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

Sgt. Robert Goins #9215

Allegation B: Lack of Service- Failure to Provide Name and badge

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct occurred but the officers' actions were consistent with CDP Manual Rules Section IV. Duty 4.13 which requires officers to furnish their name, rank, and badge number upon request. Although the officer's credentials weren't written; not required, they were verbally provided.

Explanation/Evidence supporting: Officers followed CDP identification procedures (Rule §4.13)

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Kraig Novak #1244

Allegation B: Lack of Service- Failure to Provide Name and badge

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct occurred but the officers' actions were consistent with CDP Manual Rules Section IV. Duty 4.13 which requires officers to furnish their name, rank, and badge number upon request. Although the officer's credentials weren't written; not required, they were verbally provided.

Explanation/Evidence supporting: Officers followed CDP identification procedures (Rule §4.13)

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Luis Flores-Galarza #800

Allegation B: Lack of Service- Failure to Provide Name and badge

OPS Recommendation: Exonerated



CPRB Recommendation: Exonerated – Based on the preponderance of the evidence to include WCS, Cleveland Division of Police Incident Report, and OPS Interviews supports a finding that the alleged conduct occurred but the officers' actions were consistent with CDP Manual Rules Section IV. Duty 4.13 which requires officers to furnish their name, rank, and badge number upon request. Although the officer's credentials weren't written; not required, they were verbally provided.

Explanation/Evidence supporting: Officers followed CDP identification procedures (Rule §4.13)

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Samuel Ortiz Jr. #1694

Allegation B: Lack of Service- Failure to Provide Name and badge

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to including WCS supports a finding that the alleged conduct did not occur. Mr. Moore didn't not make a direct request for identification from P.O. Ortiz #1694, P.O. Jones #990, P.O. Santana #2012, P.O. Beckwith #136, and P.O. Musarra #2133.

Explanation/Evidence supporting: No evidence of misconduct; WCS supported compliance with identification protocol

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Denzel Jones #990

Allegation B: Lack of Service- Failure to Provide Name and badge

OPS Recommendation: Unfounded

PRB Recommendation: Unfounded – Based on the preponderance of the evidence to including WCS supports a finding that the alleged conduct did not occur. Mr. Moore didn't not make a direct request for identification from P.O. Ortiz #1694, P.O. Jones #990, P.O. Santana #2012, P.O. Beckwith #136, and P.O. Musarra #2133.

Explanation/Evidence supporting: No evidence of misconduct; WCS supported compliance with identification protocol

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried



P.O. Jason Santana #2012

Allegation B: Lack of Service- Failure to Provide Name and badge

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to including WCS supports a finding that the alleged conduct did not occur. Mr. Moore didn't not make a direct request for identification from P.O. Ortiz #1694, P.O. Jones #990, P.O. Santana #2012, P.O. Beckwith #136, and P.O. Musarra #2133.

Explanation/Evidence supporting: No evidence of misconduct; WCS supported compliance with identification protocol

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Cory Beckwith #136

Allegation B: Lack of Service- Failure to Provide Name and badge

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to including WCS supports a finding that the alleged conduct did not occur. Mr. Moore didn't not make a direct request for identification from P.O. Ortiz #1694, P.O. Jones #990, P.O. Santana #2012, P.O. Beckwith #136, and P.O. Musarra #2133.

Explanation/Evidence supporting: No evidence of misconduct; WCS supported compliance with identification protocol

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried

P.O. Zachary Musarra #2133

Allegation B: Lack of Service- Failure to Provide Name and badge

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded – Based on the preponderance of the evidence to including WCS supports a finding that the alleged conduct did not occur. Mr. Moore didn't not make a direct request for identification from P.O. Ortiz #1694, P.O. Jones #990, P.O. Santana #2012, P.O. Beckwith #136, and P.O. Musarra #2133.

Explanation/Evidence supporting: No evidence of misconduct; WCS supported compliance with identification protocol

Motion: Chair Sharp

Seconded: Member Mountcastle

Motion: Carried



Final Remarks:

- The board acknowledged the complainant's emotional experience and desire for stronger enforcement
- However, all evidence—particularly WCS footage—demonstrated a lawful and compassionate crisis intervention response
- Allegations were unsubstantiated, with officers adhering to both conduct and identification protocols
- This case emphasized the importance of clear communication, procedural transparency, and trauma-informed policing practices
- The board affirmed its role in ensuring community concerns are heard and that officer accountability remains rooted in verified standards

MEETING RECESS

Motion: Recess for break until 12:10 PM

Motion: Chair Sharp

Seconded: Member Hardy

Motion: Carried, board recessed at 11:40 AM

V. Executive Session

Chair Sharp
Chair

Motion: Enter executive session to discuss matters relating to:

- Personnel
- Employment
- Discipline

Motion: Chair Sharp

Seconded: Member Hardy

Invitees to Executive Session:

- A. Interim Administrator Traxler
- B. Office Manager Jessyca Watson
- C. Law Department representatives Ms. Hall and Mr. Hess

Vote: Roll Call

- D. Outcome: Motion carried, board entered executive session

Charter Interpretation Request

- E. Motion: Request official interpretation from the City Law Director regarding:
 - Whether and how CPRB can delegate HR and personnel duties related to OPS
 - **Motion:** Chair Sharp



- **Seconded:** Member Mountcastle
- **Motion:** Carried

IV. OPS Status Report

Kristen Traxler
Interim Administrator

A. OPS and CPRB Seals

- Current Issue: One combined seal used for both CPRB and OPS; leads to confusion on joint memorandums
- **Proposal:** Develop two distinct seals
 - One for CPRB
 - One for OPS
- **Motion:** Direct OPS to develop and present separate seals for board approval
- **Discussion:**
 - Member Hardy expressed aesthetic and symbolic concerns about losing the unified justice theme
 - **Motion** passed despite one opposition vote (Hardy)
 - **Outcome:** Motion carried

V. New Business

Chair Sharp, Chair

A. Scheduling virtual CPRB meeting for July, August, and September.

1. Wednesday, July 30th- Cases only
2. Wednesday, August 27th- Cases Only
3. Wednesday, September 24th – Cases Only

B. Chair & Vice Chair Nominations (For Next Term)

- a. Chair Nomination:
 - i. Nominee: Vice Chair Vice Chair Brown
 - ii. **Nominated by:** Chair Sharp
 - iii. **Accepted:** Yes
- b. Vice Chair Nomination:
 - i. Nominee: Member Mountcastle
 - ii. **Nominated by:** Vice Chair Brown
 - iii. **Accepted:** Yes

- c. **Vote:** To occur next meeting by roll-call and written ballot

C. Changing the meeting time to 9:15

- a. **Motion:** Change start time to 9:15 AM for meetings at City Hall
- b. Reason: Public access to building begins at 9:00 AM; adjustment allows for adequate check-in
- c. **Motion:** Member Gatian



- d. **Seconded:** Member Mountcastle
- e. **Vote:** Unanimously approved
- f. **Outcome:** Future notices to reflect updated time
- D. Stadium Drop-Off Safety Recommendation
 - a. Concern Raised in Prior Case (2024-0001): Recurring unsafe drop-offs at Cleveland Browns Stadium freeway ramp
 - b. **Motion:** Request OPS to:
 - i. Investigate existing signage
 - ii. If absent, draft a recommendation for CPD to install “No Drop-Off Zone” and violator ticketing signs
 - c. **Motion:** Member Gatian
 - d. **Seconded:** Vice Chair Brown
 - e. **Motion:** Carried

VI. Old Business

Chair Sharp, Chair

- A. Salary Adjustment & HR Role Realignment
 - a. Salary Adjustment Plan:
 - i. OPS to build merit-based rubric using case metrics, community engagement, and policy impact
 - ii. Will include career tiering and pay band “top-out” structure
 - iii. Administrator to present plan at future meeting
 - b. **Motion:** Authorize OPS to continue exploring salary adjustments
 - c. **Motion** by: Vice Chair Brown
 - d. **Seconded:** Member Cyganovich
 - e. **Motion:** Carried
 - f. HR Role Reconfiguration:
 - i. General Manager position to be retitled as General Manager of Administrative Services
 - ii. HR responsibilities officially merged into position
 - iii. \$3,000 salary increase proposed
 - iv. Administrator to submit updated job description for board vote at next meeting
- B. NACOLE 2025 Conference Registration
 - a. Dates: October 26–30, 2025
 - b. Location: Minneapolis, Minnesota
 - c. Interest: Majority of board members confirmed attendance
 - d. Action Items:
 - i. Administrator Traxler to email board members for final RSVP by end of week



- ii. City travel encumbrance paperwork to be submitted promptly
- iii. Board reminded hotel rooms may sell out early and reservations must follow city guidelines

VII. **Adjournment**

Vice Chair Brown, Vice Chair

A. Motion to Table Remaining Cases

- **Motion:** [Lead Member]
- **Seconded:** [Member]
- **Motion:** Carried

B. Motion to Adjourn Meeting:

- **Motion:** [Lead Member]
- **Seconded:** [Member]
- **Motion:** Carried
- **Outcome:** Meeting adjourned