

CIVILIAN POLICE REVIEW BOARD

September 24, 2025

MEETING MINUTES

<u>CIVILIAN POLICE REVIEW BOARD</u> MEMBERS

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

LEGAL COUNCIL

Lillian Hall, Asst. Director of Law Michael Hess, Asst. Director of Law

<u>OFFICE OF PROFESSIONAL</u> <u>STANDARDS</u>

Kristen Traxler, Interim Administrator
Jessyca Watson, Interim General Manager
and 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
Mary Smith-Moore, Investigative Assistant

MEETING AGENDA

I. Call to Order

Brandon Brown, Chair

- 1. Chair Brown called the September 24, 2025 hearing to order at 9:06 am EST.
- 2. Roll Call
 - a. Member Cyganovich had an excused absence.
 - b. Member Parker III had an excused absence
 - c. Member Miller had an excused absence
 - d. Member Moore joined meeting after Roll Call @ 10:04 am
 - e. Member Sharp exited meeting @ 10:59 am, Quorum maintained.

II. Public Comment

Brandon Brown, Chair

1. No member of the public were present for public comment.



III. Presentation of Investigations with Citizen Or CDP Subject Employee Present

Kristen Traxler Interim Administrator

OPS2023-0188 Complainant: Aaron Silvers (Present)

Presented by: James Ouk

P.O. Sean Donovan, #1084

Allegation A: Unprofessional Behavior/Conduct **Allegation B:** Lack of Service/Insufficient Service

Summary of Case Presentation: On 08/07/2023, Mr. Aaron Silvers filed a complaint with the Office of Professional Standards alleging unprofessional conduct and lack of service by Patrol Officer Shawn Donovan (Badge #1084) in connection with a 06/20/2023 incident. Mr. Silvers claimed Officer Donovan accused him of instigating an assault, questioned why he was staring during the interaction, failed to follow up at the hospital, and did not make an arrest at the scene.

Board Discussion Summary: Board Members asked Mr. Silvers and Investigator Ouk clarifying questions about the timeline of events, the handling of video evidence, and the broader investigative process. Mr. Silvers explained that information was shared with the prosecutor much later and that he did not show the video to Officer Donovan at the scene due to the urgency of being transported to the hospital. Investigator Ouk confirmed reviewing the video, noting it was difficult to identify the primary aggressor due to the phone being dropped during the altercation, and that the footage did not reflect on the officer's conduct. Board members acknowledged that the case involved multiple points of concern, including the officer's on-scene decisions and the subsequent referral to a detective and prosecutor. While the detective's actions were briefly reviewed, they were not within the scope of the investigation. Overall, the board recognized that the officer's conduct aligned with the flow of the investigation and did not appear to violate policy.

Additional Information to Note: The complainant was present and used his allocated four minutes to deliberate on the case. Mr. Aaron Silvers expressed concerns about the professionalism and conduct of the responding officer during a medical emergency following an assault. He stated that the officer questioned the medic's decision to send him to the hospital, which he found inappropriate and unprofessional. Mr. Silvers also noted that the assailants received access to the police report and his personal information within a day, while he was told he would need to wait a week. He described the severity of his injuries, including multiple facial fractures, an orbital blowout fracture, and the need for urgent ophthalmology and ENT appointments due to potential vision loss. Additionally, he shared that one of the assailants, believing they would not face consequences, attempted to obtain a restraining order against him using false claims, which was ultimately unsuccessful.



Case Findings:

P.O. Sean Donovan, #1084

Allegation A: Unprofessional Behavior/Conduct (Manual Rule 5.08, 5.09)

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated

Body-worn camera footage confirmed that Officer Donovan made the statements in question and asked about the stare, which appeared to stem from confusion rather than malice, as Mr. Silvers had just sustained injuries.

Motion by: Member Sharp Second by: Member Willis Motion Status: Carried

P.O. Sean Donovan, #1084

Allegation B: Lack of Service/Insufficient Service (GPO 3.04.01 Manual Rules 4.01, 4.14)

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated

Officer Donovan provided EMS assistance, conducted a preliminary investigation, and advised Mr. Silvers on next steps, including contacting the prosecutor. A dual assault report was filed due to conflicting accounts and inability to determine the primary aggressor, and the case was referred to the grand jury with supporting evidence. Per CDP policy, Officer Donovan was not obligated to follow up at the hospital or make an arrest without probable cause.

Motion by: Member Sharp Second by: Member Willis Motion Status: Carried

OPS2023-0108 Complainant: Fernando Gonzalez (Present)

Presented by: Joseph Symanski

P.O. Anthony Lee, #255 P.O. Jearod Woods, #2170

Allegation A: Lack of Service: Insufficient

Allegation A: Lack of Service: Insufficient

Service Service

Allegation B: Unprofessional

P.O. Ericka Davis, #758 Behavior/Conduct

Allegation A: Lack of Service: Insufficient

Service

Summary of Case Presentation: Fernando Gonzalez filed multiple complaints against Cleveland Division of Police officers Jared Woods (#2170), Anthony Lee (#255), and Erica Davis (#758), alleging lack of service and unprofessional conduct in response to noise and parking violations. On 03/27/2023, Officers Woods and Lee responded to a noise complaint involving Matthew Morgan. Although they had grounds to issue citations under city ordinances, they exercised



discretion and issued a verbal warning, consistent with CDP policy and Community and Problem-Oriented Policing (CPOP) practices. On 05/052023, Officer Davis responded to a parking complaint and issued a 72-hour notice for a vehicle with a flat tire. No evidence supported Mr. Gonzalez's claim that enforcement was improperly declined. Additional allegations against unidentified First District officers were dismissed due to lack of specific identification and verifiable details, per OPS Manual 703(B). Mr. Gonzalez also alleged officers falsely reported music playing and made dismissive gestures, but body-worn camera footage contradicted these claims and showed no policy violations. The investigation confirmed that all involved officers acted within CDP guidelines, and the collective evidence supported exoneration of the lack of service allegations and an unfounded finding for unprofessional conduct. Allegations against unidentified officers were administratively dismissed.

Board Discussion Summary: During the board's deliberation the board acknowledged their jurisdictional limits, which focus on adjudicating specific allegations against identified officers. While Investigator Szymanski conducted a focused investigation based on the original complaint, board members recognized that Mr. Gonzalez's concerns pointed to a broader, systemic issue involving repeated noise complaints and perceived lack of enforcement. Several members emphasized that although they cannot formally investigate precinct-wide practices, they could request additional information if new evidence or context emerged before a final decision.

Board members, including Member Sharp and Member Gatian, questioned whether the investigation had sufficiently explored the history of complaints and the officers' prior knowledge of the situation. They noted that if officers had responded to similar complaints multiple times, their continued inaction could reflect a pattern of discretionary policing that warranted closer scrutiny. Mr. Gonzalez shared that he had called the police approximately 60 times over several years and had pursued legal action, including a personal protection order and submitting evidence of threats. His frustration over having to conduct his own investigation and gather public records underscored the need for a more comprehensive review.

Motion: Table Case OPS2023-0108 emphasizing the need to explore the broader context of repeated complaints, particularly related to noise violations, and assess whether officers had prior knowledge that could influence their conduct and the board's evaluation.

Motion by: Gatian

Second by: Member Sharp Motion Status: Carried

In light of the broader concerns raised, the board voted to table the case for further review. A motion was passed to have Investigator Szymanski meet again with Mr. Gonzalez, gather more detailed information about prior complaints, identify specific dates and officers involved, and explore the extent of the issue. The board emphasized that Mr. Gonzalez should not bear the burden of requesting records and that OPS should take the lead in uncovering relevant history. They also expressed appreciation to both Mr. Gonzalez and Officer Davis for their participation,



reaffirming the importance of hearing from both complainants and officers to ensure a fair and thorough process.

Additional Information to Note:

Complainant Gonzalez Statement: Mr. Fernando Gonzalez expressed deep frustration with what he described as years of unresolved noise complaints involving a neighbor, Mr. Morgan. He stated that despite calling the police approximately 60 times over four years—often between 1:00 and 4:00 a.m.—officers repeatedly told him they needed to "catch him in the act" to issue a citation. Mr. Gonzalez recounted a specific incident where he believed officers had finally witnessed the violation, yet no ticket was issued, and Mr. Morgan was released, later taunting him from his window. He criticized the lack of enforcement for noise violations, parking infractions near a fire hydrant, and operating a vehicle without a license, arguing that officers exercised excessive discretion and failed to uphold the law. He also expressed concern about delayed dispatch responses and being contacted hours after incidents had ended. Mr. Gonzalez concluded by asserting that police officers should not interpret laws based on personal mood or discretion, emphasizing that enforcement should follow the letter of the law.

<u>P.O. Ericka Davis, #758 Statement:</u> Officer Davis explained that the call for service was specifically related to a parking infraction. Upon arrival, she and her partner, Officer Chantry, observed a pickup truck with a flat tire, which Mr. Gonzalez identified. After running the vehicle's plate and confirming it was properly registered, Officer Davis issued a 72-hour parking notice and gave Mr. Gonzalez a business card with instructions on the next steps if the vehicle remained unmoved. She clarified that the response was limited to the parking issue and that there were no reports or observations of loud music, neighborhood disturbances, or prior history connected to the vehicle or its owner during that call.

OPS2022-0029 Complainant: Evan Bunch

Presented by: L.J. Green

Sgt. Kenneth Allen, #9167

Allegation A: Unprofessional Behavior/Conduct

Allegation B:Improper Procedure: Search

Allegation C: Biased Policing

Det. Ashley Schut #888

Allegation A: Unprofessional Behavior/Conduct

Allegation B:Improper Procedure: Search

Allegation C: Biased Policing:

Det. Ashley Schut #888

Allegation A: Unprofessional Behavior/Conduct

Allegation B:Improper Procedure: Search

Allegation C: Biased Policing:

Summary of Case Presentation: Mr. Evan Bunch filed a complaint with the Office of Professional Standards (OPS) on 01/22/2022 regarding an incident that occurred on 04/16/2021,



involving Sergeant Kenneth Allen (#9167), Detective Ashley Shut (#888), and Patrol Officer James Grotenrath (#2435) of the Cleveland Division of Police. Mr. Bunch alleged unprofessional conduct, improper search, and biased policing during officers' response to a residential alarm at his new home while he was moving in. He claimed officers failed to identify themselves, demanded identification without articulating a crime, and showed racial bias by favoring his white landlord's account over his own. He also alleged that officers unlawfully searched his home and falsely described him as highly uncooperative in the police report.

Board Discussion Summary: Chair Brown began with a clarification of the structural independence between the Office of Professional Standards (OPS) and the Cleveland Division of Police. The chair emphasized that OPS investigators are charged with impartiality and that delays in case processing—while unfortunate—do not reflect bias or misconduct. The board acknowledged Mr. Bunch's frustration with the timeline, but clarified that OPS received the complaint on 01/22/2022 and that any earlier communications made directly to the police department may not have been forwarded as required. Mr. Bunch confirmed that his initial complaints were submitted to the police, not OPS, prompting the board to invite him to submit any records that could verify an earlier filing date.

Board Member Sharp strongly objected to Mr. Bunch's characterization of Investigator Green as dishonest, defending her integrity and professionalism. He urged the board to remain focused on facts and recommended that OPS verify whether any complaints were submitted prior to the official date. Investigator Green responded by detailing the documentation included in the investigation file and reiterated that OPS is not responsible for delays in complaint submission. The chair reinforced that OPS was designed to operate independently to avoid conflicts of interest and assured Mr. Bunch that any additional evidence he could provide would be considered.

As the discussion transitioned from procedural matters to the merits of the case, the board reviewed the body-worn camera footage and case documentation. The chair noted that the evidence provided a clear account of the incident and that Investigator Green had conducted a thorough and impartial investigation. Board Member Willis agreed, stating that the officers appeared to act in compliance with CDP policies and that Mr. Bunch was never detained or arrested. The board acknowledged that the officers were responding to a triggered residential alarm and that their actions were consistent with standard protocol.

Additional Information to Note:

Complainant Evan Bunch Statement: Mr. Evan Bunch expressed deep frustration with the handling of his complaint, alleging that the Cleveland Division of Police and OPS deliberately delayed the process to protect the involved officers. He disputed the claim that his complaint was filed nine months after the incident, asserting that he submitted it promptly and that call logs from April 2021 to 2022 would support his timeline. Mr. Bunch accused Investigator Green of manipulating the process and described the system as rigged, suggesting that the delay served to shield officers from accountability.



He recounted the original incident, stating that officers responded to a residential alarm while he was moving into his new home and unjustly treated him as a suspect. Mr. Bunch emphasized that he was cooperative, standing outside with a U-Haul and explaining that the landlord had forgotten to deactivate the alarm. He alleged that officers took the word of his white landlord over his own without proper verification, which he viewed as racially biased. He also criticized the characterization of him as "hostile," arguing that he simply asked reasonable questions and did not behave aggressively.

Mr. Bunch highlighted the visible signs that he was moving in—such as the U-Haul and recently activated electricity—and felt that these were ignored due to racial profiling. He expressed disappointment that what could have been resolved with a simple apology had instead escalated into a prolonged and contentious process. He concluded by reiterating his belief that the system was designed to protect officers from discipline and that his experience reflected broader issues of racial injustice and institutional bias.

Case Findings:

Sgt. Kenneth Allen, #9167

Allegation A: Unprofessional Behavior/Conduct (Manual Rule 5.09)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including body-worn camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in CDP Manual Rule 5.09

Motion by: Chair Brown Second by: Member Gatian Motion Status: Carried

Sgt. Kenneth Allen, #9167

Allegation B: Improper Procedure: Search (GPO 2.02.02)

OPS Recommendation: Unfounded CPRB Recommendation: Unfounded

Body-worn camera footage and incident documentation confirmed that Mr. Bunch was neither searched, detained, nor arrested, and that officers acted in accordance with CDP policies and procedures.

Motion by: Chair Brown Second by: Member Gatian Motion Status: Carried

Sgt. Kenneth Allen, #9167

Allegation C: Biased Policing (Manual Rule 5.09)

OPS Recommendation: Unfounded CPRB Recommendation: Unfounded



The preponderance of the evidence, including WCS footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Chair Brown Second by: Member Moore Motion Status: Carried

P.O. James Grotenrath, #2435

Allegation A: Unprofessional Behavior/Conduct (Manual Rule 5.09)

Allegation B: Improper Procedure: Search (GPO 2.02.02)

Allegation C: Biased Policing (Manual Rule 5.09)

OPS Action: ADMINISTRATIVELY DISMISSED – CDP Separated 7/29/2021

CPRB Recommendation: ADMINISTRATIVELY DISMISSED

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 7/29/2021. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

Det. Ashley Schut #888

Allegation A: Unprofessional Behavior/Conduct (Manual Rule 5.09)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including body-worn camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in CDP Manual Rule 5.09

Motion by: Chair Brown Second by: Member Willis Motion Status: Carried

Det. Ashley Schut #888

Allegation B: Improper Procedure: Search (GPO 2.02.02)

OPS Recommendation: Unfounded CPRB Recommendation: Unfounded

The preponderance of the evidence including Body-worn camera footage and incident documentation confirmed that Mr. Bunch was neither searched, detained, nor arrested, and that officers acted in accordance with CDP policies and procedures.

Motion by: Chair Brown Second by: Member Moore Motion Status: Carried

Det. Ashley Schut #888

Allegation C: Biased Policing (Manual Rule 5.09)



The preponderance of the evidence, including body-worn camera footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Chair Brown Second by: Member Willis Motion Status: Carried

IV. **Presentation of Investigations** Kristen Traxler

Interim Administrator

OPS2022-0198 Complainant: Gavin Kamaske (Not-Present)

Presented by: Adam Eisen

P.O. Tania Torres, #2493 Unknown Member

Allegation B: Lack of Service: Insufficient

Allegation A: Harassment

Service OPS Action: Administratively Dismissed

Summary of Case Presentation: Complainant Gavin Kamasake and his girlfriend Molly Manley alleged that retired Cleveland Division of Police (CDP) officer Harry Gant was using off-duty CDP personnel for his private security business and harassing them at the request of a neighbor. Their separate complaints (OPS 2022-0198 and 2022-0199) were consolidated into one investigation. A Fox 8 report revealed that Mr. Gant, who retired in 2012, had worn a fake Cuyahoga County Sheriff's uniform during one of these encounters.

The complaint alleges on 08/15/2022, CDP responded to an altercation between Mr. Kamasake and his neighbor. During the response, Officer Tania Torres (#2493) refused to file complaint about prior verbal altercation.

OPS administratively dismissed the harassment allegation under Manual Rule 703 (A and B), but recommended a sustained finding against Officer Torres for lack of service, citing violations of Manual Rules 4.18, 5.01, 5.08, and 5.09.

Board Discussion Summary: Members focused on Officer Tania Torres's failure to take a complaint from Ms. Molly Manley regarding a prior verbal altercation. A board member asked the investigator about the officer's rationale, and it was noted that Officer Torres could not recall the incident due to the time lapse—nearly two years—between the event and the interview. Another member questioned whether it was standard protocol to dismiss a complaint simply because it occurred days earlier, especially when the situation appeared to be escalating.

The investigator clarified that per CDP policy, officers are required to take any report a citizen wishes to file, regardless of when the incident occurred. Based on this, board members agreed that the officer should have taken the report and that her failure to do so constituted a lack of



service. No further questions or objections were raised, and the board appeared aligned in its view that the officer's actions did not follow proper procedure.

Case Findings:

Unknown Member

Allegation A: Harassment [OPS Manual 703(a) and (b)]

OPS Action: Administratively Dismissed CPRB Action: Administratively Dismissed

Administratively dismissed due to the inability to identify another CDP employee despite the best efforts of the agency. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

P.O. Tania Torres, #2493

Allegation B: Lack of Service/Insufficient Service (Manual Rule 4.18, 5.01, 5.08, 5.09)
OPS Recommendation: Sustained
CPRB Recommendation: Sustained

The preponderance of the evidence supports a finding that the alleged conduct did occur and the officer's actions were inconsistent with CDP Manual Rules 4.18, 5.01, 5.08, and 5.09, warranting a sustained finding for lack of service.

Motion by: Vice Chair Mountcastle

Second by: Member Moore Motion Status: Carried

Group Level: Group Level 1

Explanation: The CPRB collectively agreed that the officer failed to follow departmental policy by not taking a police report when requested by the complainant. This omission constituted a clear failure to perform required duties, as CDP policy mandates that officers document any report a citizen wishes to file. No circumstances justified the officer's refusal, and the Board found no valid rationale for the lack of service. In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion by: Vice Chair Mountcastle

Second by: Member Gatian Motion Status: Carried

OPS2022-0202 Complainant: Jennifer Williams (Not-Present)

Presented by: Adam Eisen Det. Shane Bauhof, #1637

Allegation A: Lack of Service/Insufficient Service



Summary of Case Presentation: Complainant Jennifer Williams alleged a lack of service by Detective Shane Bauhof (#1637) in the investigation of her son's murder. She felt the investigation was inadequate. Detective Bauhof reported that he actively pursued all available leads, including reviewing video footage from one neighbor, serving a search warrant on another, and examining a third neighbor's phone with permission. Although he subpoenaed the security company for additional footage, the results were negative. Ms. Williams later acknowledged to both OPS and Detective Bauhof that she was in a state of fresh grief when she filed the complaint. Based on the evidence, OPS recommended a finding of exonerated for Detective Bauhof.

Board Discussion Summary: Board members sought clarification on Detective Shane Bauhof's investigative efforts. Member Willis asked about the detective's contact with neighbors who potentially had video footage. The investigator confirmed that Detective Bauhof spoke with all three neighbors, obtained access to one neighbor's phone, served a search warrant on another, and subpoenaed the security company for footage, which ultimately yielded no results. With no further questions or comments, the board acknowledged that the detective had pursued all reasonable leads, indicating thoroughness in his investigation.

Case Findings:

Det. Shane Bauhof, #1637

Allegation A: Lack of Service/Insufficient Service (Manual Rule 4.18)

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCs and OPS interviews supports that Detective Bauhof made all efforts to retrieve video from all three evidence and addresses noted by complainant which alignments with the standards outlined in CDP Manual Rule 4.18.

Motion by: Member Willis

Second by: Member Mountcastle

Motion Status: Carried

OPS2023-0134 Complainant: Nicole Burton (Not-Present)

Presented by: James Ouk Det. Richard Sparks, #1959

Allegation A: Lack of Service/: No Service **Allegation B:** Unprofessional Behavior/Conduct

Summary of Case Presentation: Complainant Nicole Burton alleged that Detective Richard Sparks (#1959) failed to investigate claims that her children were being sex trafficked and accused him of engaging in sexual misconduct with them. Investigator Ouk reviewed the detective's investigation and found it to be thorough, involving interviews with all relevant parties including family members, caseworkers, hospital staff, and others. Reports and interviews revealed no



evidence of abuse or misconduct, and the children themselves stated no harm occurred, noting their mother suffers from paranoid schizophrenia. The internal affairs report, corroborated by witness statements and police documentation, found no contact between Detective Sparks and the children and no criminal conduct.

Board Discussion Summary: The board began by clarifying procedural context for the public, noting that the initial investigation was conducted by CDP's Internal Affairs due to the criminal nature of the allegations. The Civilian Police Review Board (CPRB) explained that while their standard of review is based on the preponderance of the evidence, they rely on Internal Affairs reports to determine whether all investigative steps were properly taken. If gaps are identified, CPRB retains the right to conduct further inquiry.

Board members expressed confidence in the thoroughness of the Internal Affairs investigation and acknowledged that no additional witnesses or evidence appeared to be overlooked. No further questions or concerns were raised, and the board appeared satisfied with the investigative process and findings.

Additional Information to Note: Member Moore commended Investigator Bowker for his professionalism during the interview with Ms. Burton, and the board collectively agreed with the recognition.

Case Findings:

Det. Richard Sparks, #1959

Allegation A: Lack of Service: No Service (Detective Responsibilities 1-7)

OPS Recommendation: Unfounded CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS footage, CDP Internal Affair investigation and reports show support a finding that the alleged conduct did not occur.

Motion by: Vice Chair Mountcastle

Second by: Member Willis Motion Status: Carried

Det. Richard Sparks, #1959

Allegation B: Unprofessional Behavior/Conduct (Manual Rule 5.01)

The preponderance of the evidence, including WCS footage, CDP Internal Affair investigation and reports show support a finding that the alleged conduct did not occur.

Motion by: Vice Chair Mountcastle

Second by: Member Moore



Motion Status: Carried

OPS2022-0131 Complainant: Kevin Maloy (Not-Present)

Presented by: Joseph Szymanski

P.O. Adrian Craiu, #1922 P.O. Anthony Lee, #255

Allegation A: Excessive Force Allegation A: Excessive Force

Summary of Case Presentation: Complainant Kevin Maloy alleged excessive force by Patrol Officer Anthony Lee (#255) and Patrol Officer Adrien Craiu (#1922) during an incident on 05/28/2022. Mr. Maloy reportedly escalated the situation by refusing to answer questions, ignoring verbal commands, and actively resisting detention. Officer Lee attempted verbal deescalation before using minimal and proportional force to stabilize and detain Mr. Maloy. WCS camera footage and officer statements confirmed that the force used was brief, did not cause injury or restricted breathing, and was consistent with CDP General Police Orders 2.01.01 and 2.01.02.

OPS found no evidence to support the excessive force allegation against Officer Lee and recommended the allegation be classified as unfounded. Officer Craiu had separated from CDP prior to the investigation, and OPS administratively dismissed the allegation against him under Manual Section 703(a) due to lack of jurisdiction

Board Discussion Summary: Board members did not raise any further questions or concerns. Immediately promoted CPRB recommendation motions.

Case Findings:

P.O. Adrian Crain, #1922

Allegation A: Excessive Force (GPO 2.01.01, 2.01.02)

OPS Action: ADMINISTRATIVELY DISMISSED – CDP Separated 7/27/2022

CPRB Recommendation: ADMINISTRATIVELY DISMISSED

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 7/27/2022. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

P.O. Anthony Lee, #255

Allegation A: Excessive Force (GPO 2.01.01, 2.01.02)

The preponderance of the evidence, including WCS footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Member Willis Second by: Member Moore



Motion Status: Carried

OPS2022-0253 Complainant: John Hicks (Not-Present)

Presented by: Joseph Szymanski

P.O. Sean Mandzak, #1235 P.O. Thomas Pavlik, #2395

Allegation A: Improper Procedure

Allegation A: Improper Procedure

Allegation B:Improper Tow Allegation B:Improper Tow

Summary of Case Presentation: On 10/14/2022, John Hicks alleged officers unlawfully entered his property, broke into a vehicle, and improperly towed another. Officers Thomas Pavick (#2395) and Shawn Manzac (#1235) responded to a radio assignment related to a stolen vehicle involved in an aggravated robbery. They lawfully seized a white Honda Civic after verifying its VIN with the help of a tow operator, in compliance with CDP policies.

A second vehicle, a black Jeep Patriot registered to Sierra Mason, was parked in a no-parking zone and obstructed access. Officers initiated a tow but canceled it after Mason provided proof of ownership and moved the vehicle; only a citation was issued. Body-worn camera footage confirmed officers followed procedures, remained professional, and did not use force or remove personal property.mr,

OPS recommended exoneration for both officers on allegations of improper procedure and improper tow, citing full compliance with CDP General Police Orders and lack of supporting evidence for the complaint.

Board Discussion Summary: The board had no questions for the investigator and did not express any concerns or comments regarding the evidence presented. Members appeared satisfied with the investigation and findings, and moved directly to the motion phase without further discussion.

Case Findings:

P.O. Sean Mandzak, #1235

Allegation A: Improper Procedure (GPO 4.08.01, 6.03.01, 6.03.02)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

4.08.01, 6.03.01, and 6.03.02.

Motion by: Vice Chair Mountcastle

Second by: Member Gatian Motion Status: Carried

P.O Sean Mandzak, #1235

Allegation B: Improper Tow (GPO 6.03.01)



OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in GPO 6.03.01.

Motion by: Member Mountcastle

Second by: Member Gatian Motion Status: Carried

P.O. Thomas Pavlik, #2395

Allegation A: Improper procedure (GPO 4.08.01, 6.03.01, 6.03.02)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in GPO 4.08.01, 6.03.01, and 6.03.02.

Motion by: Member Mountcastle

Second by: Member Gatian Motion Status: Carried

P.O. Thomas Pavlik

Allegation B: Improper Tow (GPO 6.03.01)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in GPO 6.03.01.

Motion by: Member Mountcastle

Second by: Member Gatian Motion Status: Carried

OPS2023-0169

Presented by: L.J. Green

P.O. Troy White, #1914

Allegation A - 7/7/2023: Biased Policing

Allegation B - 7/7/2023: Lack of Service:

Insufficient Service

Allegation C - 7/7/2023: Unprofessional

Behavior/Conduct

Sgt. George Roberts, #9296

Complainant: Daniel Moore (Not-Present)

P.O. Carlos Robles, #2283

Allegation A – 07/11/2023: Unprofessional

Behavior/Conduct

Allegation B – 07/11/2023: Lack of Service:

Insufficient Service



Allegation C - 7/7/2023: Unprofessional

Behavior/Conduct

Summary of Case Presentation: Daniel Moore filed complaints regarding two separate incidents involving Cleveland Division of Police officers. On 07/07/2023 Moore alleged bias policing, lack of service, and unprofessional conduct by Patrol Officer Troy White (#1914) and Sergeant George Roberts (#9296) during a dispute where he felt his neighbor should have been arrested. Mr. Moore alleged the officers seemed racist because he was Hispanic & White while his neighbor is mixed-race black male. Also alleging on 07/07/2023, officers included untruthful information on police report stating he was intoxicated. OPS reviewed body-worn camera footage and reports, finding that both parties appeared intoxicated, and officers followed protocol by documenting injuries, facilitating property exchange, and advising both individuals to pursue charges through the prosecutor's office.

In a second incident on July 11, 2023, Moore accused Patrol Officer Carlos Robles (#2283) of being rude and unprofessional, and failing to investigate properly. OPS found that Robles and his partner conducted interviews, explained legal procedures, and referred the matter to the prosecutor's office. Although Moore was upset by a misunderstanding during the conversation, there was no evidence of misconduct.

Board Discussion Summary: Chair Brown emphasized that officers are granted significant discretion when deciding whether to make arrests, and cautioned against second-guessing those decisions without clear evidence of misconduct. The board agreed this was a straightforward case and reiterated their stance on respecting officer discretion in service-related complaints. No further questions or concerns were raised before moving to motions.

Additional Information to Note: Board members acknowledged the complexity of the case and praised Investigator Green for her thorough work.

Case Findings:

P.O. Troy White, #1914

Allegation A: 7/7/2023: Biased Policing (GPO 1.07.08)

OPS Recommendation: Unfounded CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Moore Second by: Willis Motion Status: Carried

P.O. Troy White, #1914

Allegation B: 7/7/2023: Lack of Service: Insufficient Service (Manual Rule 4.03)



The preponderance of the evidence, including WCS footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Willis

Motion Status: Carried

P.O. Troy White, #1914

Allegation C: 7/7/2023: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.02, 5.09)
OPS Recommendation: Unfounded
CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Moore

Motion Status: Carried

Sgt. George Roberts, #9296

Allegation C: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.02, 5.09)

OPS Recommendation: Unfounded CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Willis

Motion Status: Carried

P.O. Carlos Robles, #2283

Allegation A: 07/11/2023: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.02, 5.09)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Moore Motion Status: Carried

P.O. Carlos Robles, #2283

Allegation B: 07/11/2023: Lack of Service: Insufficient Service (Manual Rule 4.03)
OPS Recommendation: Unfounded
CPRB Recommendation: Unfounded



The preponderance of the evidence, including WCS footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Moore

Motion Status: Carried

Brief Recess: A brief recess was proposed by Chair Brown during the CPRB meeting. The break was scheduled to begin at 11:59 a.m. and last for 12 minutes, with members expected to return by 12:10 p.m. The meeting resumed at 12:11 p.m. once quorum was confirmed, and the board proceeded with the remaining six cases on the agenda.



OPS2023-0061 Complainant: Aaron Hershey (Not-Present)

Presented by: Joseph Szymanski

Sgt. Michael Donegan, #9064

Allegation A: Lack of Service: No Service

Allegation B: Unprofessional Behavior/Conduct

Summary of Case Presentation: Aaron Hershey submitted a complaint against Sergeant Michael Donegan (#9064), alleging miscommunication, insufficient follow-up, and procedural delays obstructed his ability to recover a 2014 Chrysler 200 that had been impounded. He contended that these issues ultimately led to the vehicle's disposal, and alleged that the handling of the situation reflected both a lack of service and unprofessional conduct on the part of the sergeant. The vehicle was lawfully impounded following a hit-skip incident and placed on investigative hold. Certified notices were issued per Ohio law, and Sergeant Donegan informed the lienholder on 03/01/2023 that the vehicle could be retrieved. The lienholder claimed confusion about the release status, but no evidence showed improper denial or misconduct. OPS found that Sergeant Donegan followed all applicable procedures and policies, acted professionally, and did not engage in any disrespectful behavior.

Board Discussion Summary: During deliberation, board members had no questions for the investigator and focused on the classification of "insufficient evidence." Chair Brown noted that this case exemplifies the challenges of making a clear determination when conflicting accounts and misaligned timelines obscure the facts. While certified mail confirmed the vehicle's impoundment and notification procedures were followed, uncertainty remained about whether the lienholder was improperly told the vehicle couldn't be retrieved. The board acknowledged that, despite procedural compliance, the lack of clarity and conflicting narratives justified the finding of insufficient evidence.

Case Findings:

Sgt. Michael Donegan, #9064

Allegation A: Lack of Service: No Service (Manual Rules 4.01, 4.08)

The preponderance of the evidence fails to establish whether the alleged conduct did or did not occur

Motion by: Chair Brown

Second by: Vice Chair Mountcastle

Motion Status: Carried

Sgt. Michael Donegan, #9064



Allegation B: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.09) OPS Recommendation: Unfounded CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS footage and reports show support a finding that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Vice Chair Mountcastle

Motion Status: Carried

OPS2023-0075 Complainant: Joshua Gaitan (Not-Present)

Presented by: Joseph Szymanski

LT. Kenneth Koney, #8575

Allegation A: Lack of Service: No Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

P.O. Raul Moyano, #2085

Allegation A: Lack of Service: No Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

P.O. Sebastian Luongo,#761

Allegation A: Lack of Service: No Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

Summary of Case Presentation: Joshua Gaitan filed a complaint against Lieutenant Kenneth Koney, Patrol Officer Raul Moyano, and Patrol Officer Sebastian Luongo, alleging lack of service, unprofessional conduct, and biased policing during a property dispute on 04/08/2023. The complaint alleges on 04/08/2023, officers took several hours to respond to a call regarding entry into a property reportedly occupied by squatters. The complaint further alleges despite being informed of the situation, the officers expressed discomfort with entering the property, displayed a negative attitude, and refused to proceed. Additionally, the complaint alleges officers warned Mr, Gaitan could be arrested for burglary if he attempts to enter the property himself. Officers explained they could not enforce eviction without a court order, as legal ownership had not yet transferred to Gaitan and no writ of restitution was issued. Body-worn camera footage showed officers acted professionally, deescalated tensions, and provided accurate legal guidance. A comment made by Sergeant Koney was found to be light-hearted and not inappropriate. The officers' conduct complied with CDP policies and legal standards. OPS recommended exoneration for lack of service and unfounded findings for unprofessional conduct and biased policing.



Board Discussion Summary: Board members had no questions or comments regarding the case presentation. With no further discussion, they proceeded directly to the motion phase, indicating consensus and no objections to the investigative findings.

Additional Information to Note: Before proceeding, Member Gatian clarified for the record that although the complainant's name closely resembles his own, they are not related. He noted the spelling difference—"Gaitan" versus "Gatian"—and affirmed that he does not know the complainant personally.

Case Findings:

Lt. Kenneth Koney, #8575

Allegation A: Lack of Service: No Service (Manual Rules 4.01, 4.11)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in CDP Manual Rules 4.01 and 4.11.

Motion by: Chair Brown

Second by: Moore

Motion Status: Carried

Lt. Kenneth Koney, #8575

Allegation B: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.08, 5.09)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Gatian Motion Status: Carried

Lt. Kenneth Koney, #8575

Allegation C: Biased Policing (GPO 1.07.08)

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Vice Chair Mountcastle

Motion Status: Carried



P.O. Sebastian Luongo, #761

Allegation A: Lack of Service: No Service (Manual Rules 4.01, 4.11)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in CDP Manual Rules 4.01 and 4.11.

Motion by: Chair Brown

Second by: Gatian Motion Status: Carried

P.O. Sebastian Luongo, #761

Allegation B: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.08, 5.09) OPS Recommendation: Unfounded CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Willis

Motion Status: Carried

P.O. Sebastian Luongo, #761

Allegation C: Biased Policing (GPO 1.07.08)

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Gatian
Motion Status: Carried

P.O. Raul Moyano, #2085

Allegation A: Lack of Service: No Service (Manual Rules 4.01, 4.11)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in CDP Manual Rules 4.01 and 4.11.

Motion by: Chair Brown

Second by: Willis Motion Status: Carried



P.O. Raul Moyano, #2085

Allegation B: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.08, 5.09)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Moore

Motion Status: Carried

P.O. Raul Moyano, #2085

Allegation C: Biased Policing (GPO 1.07.08)

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Gatian Motion Status: Carried

OPS202-03189

Complainant: Joy Poindexter Not-Present)

Presented by: Adam Eisen P.O. Kenneth Potchatek, #2016

Allegation A: Unprofessional Behavior/Conduct

Summary of Case Presentation: The complaint alleges on 08/04/2023 Joy Poindexter was involved in a car accident with an off-duty officer who was not affiliated with the Cleveland Division of Police. Patrol Officer Kenneth Potchatek (#2016) was dispatched to the scene and engaged in unprofessional conduct and did not provide adequate service. The complaint also alleges Officer Potchatek was rude and inaccurately listed her as the driver in the incident report, despite not witnessing the accident firsthand. OPS found both Officer Potchatek and the off-duty officer stated that Potchatek acted professionally and followed all applicable CDP manual rules. Additionally, OPS found no evidence of misconduct and recommended exoneration for unprofessional conduct and an unfounded finding for lack of service, citing compliance with relevant ordinances and state law.

Board Discussion Summary: Board members had no questions or comments regarding the case presentation. With no further discussion, they proceeded directly to the motion phase, indicating consensus and no objections to the investigative findings.

Case Findings:



P.O. Kenneth Potchatek, #2016

Allegation A: Unprofessional Behavior/Conduct (Manual Rules 5.08)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in CDP

Manual Rules 5.08.

Motion by: Chair Brown

Second by: Willis

Motion Status: Carried

P.O. Kenneth Potchatek, #2016

Allegation B: Lack of Service: Insufficient Service (ORC 4549.02)

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did not occur.

Motion by: Chair Brown

Second by: Willis

Motion Status: Carried

OPS2023-0143 Complainant: Jermaine Reid

Presented by: James Ouk P.O. Albert Buccini, #2130

P.O. Albert Buccini, #2130 Det.William Fien, #1839

Allegation A: Improper Procedure: Arrest

Allegation A: Improper Procedure: Arrest

Allegation B: Excessive Force Allegation B: Excessive Force

Summary of Case Presentation: Mr. Reed filed a complaint alleging excessive force and improper arrest stemming from a 12/21/2017 incident, where he called 911 for help during a domestic dispute involving his mother where his mother threatened him with two knives. The complaint also alleges he was improperly arrested and ripped up his wallet. Officers Albert Buccini and William Fien responded to the scene and determined Reed was the primary aggressor based on victim statements. Reed became combative, resisted arrest, and assaulted both officers, including biting off part of Officer Fien's ear, prompting a taser deployment and physical response. The officers had probable cause to arrest Reed for domestic violence, resisting arrest, and assault on a police officer. Their use of force was consistent with CDP policies, and no evidence supported Reed's claim that his wallet was damaged. OPS recommended exoneration for both officers on allegations of improper arrest and excessive force.



Board Discussion Summary: Board members had no questions or comments regarding the case presentation. With no further discussion, they proceeded directly to the motion phase, indicating consensus and no objections to the investigative findings.

Case Findings:

P.O. Albert Buccini, #2130

Allegation A: Improper Procedure: Arrest (ORC 2903.13, 2921.33, COC 609.07)

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in ORC 2903.13, 2921.33, COC 609.07.

Motion by: Chair Brown

Second by: Vice Chair Mountcastle

Motion Status: Carried

P.O. Albert Buccini, #2130

Allegation B: Excessive Force (Manual Rule 4.05, GPO 2.01.01)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in CDP Manual Rule 4.05, and GPO 2.01.01.

Motion by: Chair Brown

Second by: Vice Chair Mountcastle

Motion Status: Carried

Det.William Fien, #1839

Allegation A: Improper Procedure: Arrest (ORC 2903.13, 2921.33, COC 609.07)

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in ORC 2903.13, 2921.33, COC 609.07.

Motion by: Chair Brown

Second by: Vice Chair Mountcastle

Motion Status: Carried

Det.William Fien, #1839

Allegation B: Excessive Force (Manual Rule 4.05, GPO 2.01.01)

OPS Recommendation: Exonerated CPRB Recommendation: Exonerated



The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in CDP Manual Rule 4.05, and GPO 2.01.01.

Motion by: Chair Brown

Second by: Vice Chair Mountcastle

Motion Status: Carried

OPS2022-0225 Complainant: Blaise Festini Not-Present)

Presented by: L.J. Green

P.O. Rochelle Gamble, #170

P.O. Brittan Jackson, #824

Allegation A: Lack of Service

Allegation A: Lack of Service

Summary of Case Presentation: Blaise Festini filed a complaint alleging that Patrol Officers Rochelle Gamble (#170) and Brittan Jackson (#824) failed to respond promptly to his home after he was assaulted and robbed at a nearby gas station on 09/07/2022. Mr. Festini claimed a delay in service, but dispatch records and body-worn camera footage showed officers arrived at his residence at 5:28 a.m., shortly after the call was received at 5:14 a.m. and dispatched at 5:21 a.m. The investigation found no evidence of misconduct or unreasonable delay. OPS concluded that the officers acted within policy and recommended the allegation be classified as unfounded.

Board Discussion Summary: Board members had no questions or comments regarding the case presentation. With no further discussion, they proceeded directly to the motion phase, indicating consensus and no objections to the investigative findings.

Case Findings:

P.O. Rochelle Gamble, #170

Allegation A: Lack of Service: No Service (Manual Rules 4.07, 4.18, 5.01, GPO 1.1.18)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did not occur.

Motion by: Vice Chair Mountcastle

Second by: Willis

Motion Status: Carried

P.O. Brittan Jackson, #824

Allegation A: Lack of Service: No Service (Manual Rules 4.07, 4.18, 5.01, GPO 1.1.18)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded



The preponderance of the evidence, including WCS camera footage, supports that the alleged conduct did not occur.

Motion by: Vice Chair Mountcastle

Second by: Willis Motion Status: Carried

OPS2023-0110 Complainant: Karen Wukela Not-Present)

Presented by: Joseph Szymanski

Det. Tatiana Bartell, #584 P.O. Chan Elston Jr., #797

Allegation A: Unprofessional Behavior/Conduct Allegation A: Unprofessional Behavior/Conduct

Allegation B: WCS Violation

Motion: Due to time constraints, a motion was made to table Case 2023-0110 until the next board meeting.

Motion by: Chair Brown

Second by: Willis

Motion Status: Carried

V. EXECUTIVE SESSION

CPRB

A. No Executive Session was held.

VI. Adjournment

Kenneth Mountcastle, Vice Chair

- A. Member Gatian moved to adjourn the hearing.
 - a. Seconded by: Vice Chair Mountcastle
 - b. Motion Status: Carried
- B. Meeting officially adjourned at 12:58 pm.