



CIVILIAN POLICE REVIEW BOARD

October 14, 2025

MEETING MINUTES

CIVILIAN POLICE REVIEW BOARD MEMBERS

Brandon Brown, Chair
Diana Cyganovich
David Gatian
Chenoa Miller
Edwin Moore
Glenn Parker III
Billy Sharp
Waverly Willis

OFFICE OF PROFESSIONAL STANDARDS

Kristen Traxler, Interim Administrator
Jessyca Watson, Interim General Manager
Art Bowker, Investigator
LJ Green, Investigator
Tammi Lampkin, Investigator
James Ouk, Investigator
Joseph Szymanski, Investigator

LEGAL COUNSEL

Michael Hess, Asst. Director of Law
Dalya Oprian, Asst. Director of Law

MEETING AGENDA

I. Call to Order

Brandon Brown, Chair

1. Chair Brown called October 14, 2025 hearing to order at 9:16 am EST.
2. Roll Call
 - a. Vice Chair Kenneth Mountcastle had an excused absence
 - b. Member Sharp arrived to meeting after roll call @ 9:33 am EST

II. Approval of Minutes

CPRB

1. September 9th Meeting Minutes – City Hall
 - No edits were proposed for the meeting minutes. A motion was made to accept the September 9th meeting minutes as presented.
 - Motion: Member Willis
 - Second by: Member Miller
 - Motion Status: Carried



2. September 24th Meeting Minutes – Special Virtual Meeting

- No edits were proposed for the meeting minutes. A motion was made to accept the September 24th meeting minutes as presented.
 - Motion: Member Willis
 - Second By: Member Moore
 - Motion Status: Carried
 - Abstention: Member Cyganovich; due to not being present for the special virtual meeting

III. Public Comment

Brandon Brown, Chair

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

IV. Training Session

Lt. Michael Schwebs

- Search and Seizure Training

Sgt. Jake Simonelli

Bureau of Support Services –
Academy Unit

Lt. Michael Schwebs gave a presentation on General Police Order 2.02.02 -Search and Seizure

i. Purpose & Policy: The Division is committed to conducting all searches and seizures lawfully, respectfully, and without bias. Officers must uphold constitutional rights and reflect procedural justice and community trust in every interaction.

ii. General Procedures: While searches typically require a warrant, exceptions include consent, exigent circumstances, pat downs, custodial searches, and more. Officers must explain procedures clearly, document legal justifications, and use unbiased language. Supervisors review all searches for compliance.

iii. Open & Plain View: Officers may observe and use evidence visible from public areas (open view). Seizure under plain view is allowed only after lawful entry, and the item must be immediately recognizable as contraband or evidence.

iv. Consent Searches: Consent must be voluntary and informed, with individuals advised of their right to refuse. Documentation via WCS or signed form is required. Third-party consent is limited to specific conditions and excludes landlords or cohabitants who object.



v. Exigent Circumstances Searches: Warrantless searches are allowed in emergencies where delay risks harm or evidence loss. Officers must not create exigent circumstances to bypass legal requirements and must give subjects a chance to surrender when feasible.

vi. Pat Downs/Frisks: Permitted only when officers reasonably suspect someone is armed and dangerous. Searches must be limited to outer clothing and end once the person is deemed unarmed. Frisking during consensual encounters is prohibited.

vii. Custodial & Incident-to-Arrest Searches: After a lawful arrest, officers may search the arrestee and immediate area for weapons or evidence. Searches must be respectful, especially regarding religious or gender identity, and documented via WCS. Warrants are often required for personal items and devices.

viii. Protective Sweeps: Brief, focused sweeps may be conducted during arrests to ensure safety. Officers may inspect adjacent areas or, with reasonable suspicion, conduct a limited sweep of the premises. Sweeps must end once the threat is resolved.

ix. Vehicle Inventory Searches: Required when a vehicle is towed, these searches protect property and prevent liability. Officers must record the search with a 360-degree WCS walkaround and inspect all accessible compartments. These are not for evidence collection.

x. Open Fields: Open fields are not protected by the Fourth Amendment and may be searched without a warrant. However, areas within the curtilage of a home are protected and require careful evaluation to determine if a warrant is needed.

xi. Documentation & Review: Officers must clearly document the legal basis for all searches using specific, unbiased facts. Supervisors must review reports within seven days and initiate corrective actions or investigations for any deficiencies.

xii. Training: Annual training ensures officers understand legal standards and community expectations. Training must be thorough and tailored to reinforce lawful, respectful, and effective search procedures.



Board Member & Scenario Questions	Lt. Schwebs & Sgt. Simonelli Response
Is this information accessible to the general public, such as on the City of Cleveland’s website?	The presentation was created specifically for this session and for internal training purposes therefore it is not posted online, but the presentation can be shared directly to CPRB Board members and OPS Staff.
What should the general public know to better understand when searches are legal, especially regarding marijuana?	Citizens should review Ohio’s marijuana laws, particularly those related to vehicles. Officers must articulate specific facts—such as observing a driver smoking marijuana—to justify a search.
Can officers walk onto someone’s property and look around if told to leave?	Wherever a mail carrier is permitted on your property an officer is allowed to search or look around such as: Front porch and Front Lawn. If they have no legal reason to be there and are told to leave, they must comply. However, if responding to a dispatch call (e.g., domestic violence or burglary), they are lawfully permitted to investigate and cannot be ordered off the property.
Can officers search a vehicle or home without consent if they suspect something?	If consent is denied and no exigent circumstances exist, officers must obtain a warrant. Consent simplifies legal justification and is preferred when possible.
Can officers enter a home if a door is kicked in or open during a burglary call?	If officers may reasonably believe that a suspect could still be inside, a victim may be injured or in danger, or the scene needs to be secured to prevent further harm or loss. These conditions create exigent circumstances that justify warrantless entry under both federal and Ohio law. However, officers must still follow “ <i>knock and announce</i> ” procedures unless doing so would endanger lives or compromise the investigation. If no exigent circumstances exist and no warrant is obtained, any evidence discovered during the entry may be challenged in court as unlawfully obtained.



Board Member & Scenario Questions	Lt. Schwebs & Sgt. Simonelli Response
Can officers search someone just because they're acting up or being detained at a scene?	Officers are not permitted to search an individual solely because they are acting out or being detained at a scene. A lawful search must be based on specific legal grounds such as consent, probable cause, or reasonable suspicion that the person is armed and dangerous. The policy outlines that warrantless searches are only justified under clearly defined circumstances, including consent, exigent circumstances, search incident to arrest, or a protective frisk under a Terry stop. Without one of these legal justifications, conducting a search may violate constitutional protections and could result in suppression of evidence or disciplinary consequences. A stop form is required for detentions during direct responses (e.g., domestic violence). Pat downs must be justified by observable facts, not behavior alone.
If a suspect is outside a vehicle, can officers still search inside?	Officers must justify the search—such as seeing contraband in plain view or confirming the suspect was recently inside. Otherwise, a warrant is required.
How do officers justify finding contraband in a trunk after an arrest?	Even when an individual is detained officers cannot search through the vehicle with a warrant. Only if the vehicle is towed, the trunk may be searched as part of the inventory process—not as a criminal search. Officers must document this distinction clearly.
If marijuana plants are visible in a backyard, can officers enter to seize them?	No. Even if visible, the backyard is considered curtilage and protected. Officers must obtain a warrant before entering.



Board Member & Scenario Questions	Lt. Schwebs & Sgt. Simonelli Response
What do supervisors look at when they get the stop form to determine if the stop was done consistent with the requirements? And how many stop forms are found non-compliant?	Stop forms are required during investigatory stops and traffic stops. Officers must document the reason for the stop, including articulable reasonable suspicion or probable cause, and demographic information. Once submitted, the form is reviewed by a supervisor who ensures the stop was legally justified. If the explanation is insufficient or the stop appears unlawful, it may be kicked back for clarification or referred to Internal Affairs. Lt. Simonelli noted that during his time in Internal Affairs, only one case involving a stop form was referred and investigated. Clarification: Lt. Schwebs added that stop forms are not required for detentions during direct responses to calls (e.g., domestic violence), as those are not considered investigatory stops.
Can civilians, CPRB Members, and OPS Staff attend academy training sessions to better understand officer decision-making?	Can civilians, CPRB Members, and OPS Staff attend academy training sessions to better understand officer decision-making?

**V. Presentation of Investigations with Citizen
Or CDP Subject Employee Present**

Kristen Traxler
Interim Administrator

- No officers or complainants were present for their case presentation.



VI. Presentation of Investigations

Kristen Traxler
Interim Administrator

OPS2023-0110

Complainant: Karen Wukela

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

Summary of Case Presentation: The OPS investigation into case 2023-0110 involved Patrol Officer Chan Jr. and Detective Tatiana Bartell, focusing on allegations of unprofessional conduct and a violation of the Wearable Camera System (WCS) policy. The incident occurred during a missing person follow-up call made by Bartell to the complainant, Ms. Karen Wukela, at 3:36 a.m. Bartell allegedly made an inappropriate remark about calling whenever she wanted, which raised concerns about professionalism and proper contact timing.

After reviewing the evidence, OPS found insufficient evidence to sustain the unprofessional conduct allegation against Bartell. She denied making the statement and explained her intent was to confirm the missing person's status. No WCS footage or audio recordings were available to verify the exchange. Regarding the WCS violation, OPS exonerated Bartell, citing that GPO 4.06.04 does not require WCS activation for phone calls, only for in-person interactions "while in the field." No divisional notices contradicted this interpretation.

Officer Chan Jr. was not investigated due to his inactive status, and the allegations against him were administratively dismissed. In response to broader confusion over WCS policy, the Office of Professional Integrity and Oversight (OPIO) submitted a recommendation in January 2025 to revise GPO 4.06.04. The proposed changes aim to clarify when WCS should be activated during phone contacts, addressing ambiguity that has led to inconsistent practices among officers.

Board Discussion Summary: Board members raised concerns about the timing and professionalism of Det. Bartell's 3:36 a.m. phone call to Ms. Wukela during a missing person follow-up. Investigator Szymanski confirmed the call was documented and Bartell cited urgency, aligning with GPO 6.2.10, which requires prompt action in such cases without specifying contact restrictions.

The board also questioned whether Bartell had used Wukela's personal or business number. Wukela claimed it was her personal line, while Bartell was unsure. Given that the report originated from Wukela's workplace, members felt contacting a personal number at that hour for a business matter was questionable.



Additionally, Wukela had previously told Officer Chan she would only share information with proper documentation due to HIPAA rules. It was unclear if Bartell was aware of this, prompting the board to question the lack of coordination and awareness of Wukela's stated boundaries.

Additional Information to Note:

- ***Motion to Split Allegations:*** The board voted to divide the original Allegation A (unprofessional conduct) into two separate allegations:
 - ***Allegation A:*** Unprofessional conduct related to the timing of the phone call at 3:36 a.m.
 - ***Allegation B:*** Unprofessional conduct related to the alleged statement: "I know exactly what time it is and I will call you whenever I want."
 - ***Allegation C:*** WCS violation (original Allegation B, renumbered)
 - ***Motion By:*** Chair Brown
 - ***Seconded By:*** Member Cyganovich
 - ***Motion Status:*** Motion Carried
- ***Policy Recommendation Follow-Up:*** Board members discussed the need for a formal process to track and follow up on policy recommendations submitted to the Cleveland Police Commission (CPC). They proposed a 60-day follow-up window and designated CPRB Secretary Administrative Assistant Jalecia Fair to manage this process. Responsibilities include maintaining communication with CPC to request updates on the status of policy recommendations, initiating follow-up at 60-day intervals after each submission to align with CPC's monthly meeting schedule, and including a 60-day follow-up notice in the initial communication when submitting new recommendations. Additionally, Ms. Fair is directed to add updates on outstanding policy recommendations to the CPRB meeting agenda, beginning with the next meeting—specifically including the policy recommendation related to GPO 4.06.04 discussed in Case 2023-0110. Investigators were also reminded to check the status of relevant policy recommendations before presenting cases to the board.
- ***Interpretation of Policy Language:*** Members noted that GPO 6.2.10 does not restrict the timing or method of contact for missing person follow-ups. This interpretation supported the finding that the 3:36 a.m. phone call did not violate policy.
- ***Discussion of Tone and Context:*** Several members expressed that even if the alleged statement had been made, it may not rise to the level of unprofessional conduct given the context of a missing person investigation. The absence of WCS or audio recordings made it impossible to verify tone, leading to a finding of insufficient evidence.



- **Member Gatian** raised a procedural concern about the inclusion of a WCS violation allegation in the case. He noted that WCS violations are typically identified by OPS investigators—not by complainants—and that in this instance, the absence of WCS footage was observed during the investigation. However, given that current policy does not explicitly require WCS activation for phone calls, he questioned why an allegation was made at all. Gatian expressed skepticism about the validity of the allegation, suggesting it was unlikely to hold up without a governing policy.
- **Investigator Szymanski** responded by explaining that the allegation was included primarily to document the issue and potentially use the report as a reference point for future policy clarification. He noted that, similar to how previous reports have supported policy recommendations, this case could serve as an example to inform ongoing discussions about WCS requirements for telephonic communications.

Case Findings:

Det. Tatiana Bartell, #584

Allegation A – Call Time: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.08, 5.09)

OPS Recommendation: Insufficient Evidence CPRB Recommendation: Exonerated

The preponderance of the evidence, including interviews and written reports, supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in Manual Rules 5.01, 5.08, and 5.09. The call was made during the officer's shift as part of a missing person follow-up, and GPO 6.2.10 does not restrict the time of contact. The policy emphasizes prompt action in locating missing persons and does not require that such follow-ups occur during business hours.

Motion by: Brown

Second by: Miller

Motion Status: Carried

Det. Tatiana Bartell, #584

Allegation A- Statement Made during Call: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.08, 5.09)

OPS Recommendation: Insufficient Evidence CPRB Recommendation: Insufficient Evidence

The preponderance of the evidence, including interviews and written documentation, fails to establish whether the alleged conduct did or did not occur. The complainant alleged the statement was made, while the officer denied it. No body-worn camera or audio recordings were available to verify the content or tone of the



conversation. As a result, the board could not determine whether the statement occurred or whether it constituted a violation of Manual Rules 5.01, 5.08, or 5.09.

Motion by: Brown

Second by: Moore

Motion Status: Carried

Det. Tatiana Bartell, #584

Allegation B: WCS Violation (GPO 4.06.04)

OPS Recommendation: Exonerated

CPRB Recommendation: Exonerated

The preponderance of the evidence supports that the alleged conduct did occur but was carried out in alignment with the standards outlined in GPO 4.06.04

Motion by: Brown

Second by: Sharp

Motion Status: Carried

P.O. Chan Elston Jr., #797

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

OPS Action: ADMINISTRATIVELY

CPRB Recommendation: ADMINISTRATIVELY

DISMISSED – CDP Separately 08/10/2023

DISMISSED – CDP Separately 08/10/2023

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 8/10/2023. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

OPS2022-0196

Complainant: Lana Henderson-Austin

Presented by: Joseph Szymanski

P.O. Brooklyn Barnes, #383

Allegation A: Lack of Service: Insufficient Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

Allegation D: Improper Procedure

Det. Robert Farren, #1866

Allegation A: Lack of Service: Insufficient Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

Allegation D: Improper Procedure

P.O. Joseph Fitchwell, #134

Allegation A: Lack of Service: Insufficient Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

Allegation D: Improper Procedure

P.O. Jeremiah Johns, #194

Allegation A: Lack of Service: Insufficient Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

Allegation D: Improper Procedure



P.O. Neil Pesta, #981

Allegation A: Lack of Service: Insufficient Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

Allegation D: Improper Procedure

P.O. Jeffery Simko, #629

Allegation A: Lack of Service: Insufficient Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

Allegation D: Improper Procedure

P.O. Heather Thomas, #1822

Allegation A: Lack of Service: Insufficient Service

Allegation B: Unprofessional Behavior/Conduct

Allegation C: Biased Policing

Allegation D: Improper Procedure

Summary of Case Presentation: OPS Case #2022-0196 stemmed from a complaint by Lana Henderson Austin involving multiple incidents at her residence and several CDP officers. Her allegations included delayed police responses, failure to remove unauthorized individuals, threats of citation for calling police, biased treatment, and an unaddressed firearm discharge near her home. She claimed a bullet entered her wall and was retrieved by an officer without follow-up.

OPS conducted a thorough review using body-worn camera footage, CAD records, reports, and an Internal Affairs investigation. The evidence showed that officers responded appropriately during the reported incidents, provided civil remedies, and followed CDP policies. Allegations of unprofessional conduct and biased policing were deemed unsubstantiated, and officers' actions were found consistent with departmental rules and procedures.

Regarding the bullet recovery and a separate allegation involving Officer Willie Peterson, OPS found no documentation or evidence of misconduct. Allegations against Officers Thomas and Barnes were administratively dismissed due to their inactive status. OPS recommended exoneration or unfounded findings for the remaining officers based on comprehensive evidence review.

Board Discussion Summary: During the board's review of OPS Case #2022-0196, Member Sharp questioned the basis for the biased policing allegation, emphasizing that substantiation requires specific discriminatory actions or language. Investigator Szymanski explained that the complainant, Ms. Henderson Austin, described a general pattern of mistreatment but did not cite any clear incidents of bias. OPS ultimately recommended the allegation be classified as "unfounded" due to lack of supporting evidence.

Other board members noted that the complainant may have implied racial or gender bias, referencing her written statements about "white cops" and "racist people with guns and badges." However, the board agreed that such broad generalizations do not meet the threshold for substantiating biased policing in the specific incidents reviewed.



The board concluded that even vague or unsupported allegations must be investigated thoroughly, and cautioned against prematurely dismissing complaints without full review, reinforcing the importance of due process.

Additional Information to Note:

- ***Clarification of Allegation Basis:*** Board members emphasized the need for clear, articulable evidence when evaluating bias policing allegations. They noted that generalized statements or perceptions, without specific incidents, are insufficient to support a finding.
- ***Affirmation of Investigative Standards:*** Members reiterated that OPS must investigate all submitted allegations, even those lacking strong initial evidence, to preserve the integrity of the review process.
- ***Motion to Change Allegation Finding:*** Chair Brown moved to change the CPRB finding of Allegation A as it relates to Det. Robert Farren, #1866 from previously voted Exonerated to Unfounded.

Motion By: Chair Brown

Seconded By: Member Sharp

Motion Status: Motion Carried

Case Findings:

P.O. Brooklyn Barnes, #383

Allegation A: Lack of Service: Insufficient Service (Manual Rules 4.01, 4.11, 4.18)

OPS Action: ADMINISTRATIVELY

CPRB Recommendation: ADMINISTRATIVELY

DISMISSED – CDP Separately 02/09/2024

DISMISSED – CDP Separately 02/09/2024

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 2/09/2024. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

P.O. Brooklyn Barnes, #383

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

OPS Action: ADMINISTRATIVELY

CPRB Recommendation: ADMINISTRATIVELY

DISMISSED – CDP Separately 02/09/2024

DISMISSED – CDP Separately 02/09/2024

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 2/09/2024. As such, the matter falls outside the



jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

P.O. Brooklyn Barnes, #383

Allegation C: Biased Policing (GPO 1.07.08)

OPS Action: ADMINISTRATIVELY

CPRB Recommendation: ADMINISTRATIVELY

DISMISSED – CDP Separately 02/09/2024

DISMISSED – CDP Separately 02/09/2024

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 2/09/2024. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

P.O. Brooklyn Barnes, #383

Allegation D: Improper Procedure (Manual Rule 9.04)

OPS Action: ADMINISTRATIVELY

CPRB Recommendation: ADMINISTRATIVELY

DISMISSED – CDP Separately 02/09/2024

DISMISSED – CDP Separately 02/09/2024

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 2/09/2024. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

Det. Robert Farren, #1866

Allegation A: Lack of Service: Insufficient Service (Manual Rules 4.01, 4.11, 4.18)

OPS Recommendation: Exonerated

CPRB Recommendation: Unfounded

The preponderance of the evidence, including body-worn camera footage and written reports, supports a finding that the alleged conduct did not occur. Officers responded appropriately and referred the matter to the prosecutor.

Motion by: Chair Brown

Second by: Sharp

Motion Status: Carried

Det. Robert Farren, #1866

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

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried



Det. Robert Farren, #1866

Allegation C: Biased Policing (GPO 1.07.08)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

Det. Robert Farren, #1866

Allegation D: Improper Procedure (Manual Rule 9.04)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

P.O. Joseph Fitchwell, #134

Allegation A: Lack of Service: Insufficient Service (Manual Rules 4.01, 4.11, 4.18)

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 Rules 4.01, 4.11, 4.18)

Motion by: Chair Brown

Second by: Sharp

Motion Status: Carried

P.O. Joseph Fitchwell, #134

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

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

P.O. Joseph Fitchwell, #134

Allegation C: Biased Policing (GPO 1.07.08)



OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Brown

Second by: Sharp

Motion Status: Carried

P.O. Joseph Fitchwell, #134

Allegation D: Improper Procedure (Manual Rule 9.04)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

P.O. Jeremiah Johns, #194

Allegation A: Lack of Service: Insufficient Service (Manual Rules 4.01, 4.11, 4.18)

OPS Recommendation: Exonerated

CPRB Recommendation: Unfounded

The preponderance of the evidence, including body-worn camera footage, supports that the alleged conduct did not occur. The officer completed reports and advised follow-up with the prosecutor.

Motion by: Chair Brown

Second by: Sharp

Motion Status: Carried

Abstention: Member Gatian- stepped out of room

P.O. Jeremiah Johns, #194

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

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

P.O. Jeremiah Johns, #194

Allegation C: Biased Policing (GPO 1.07.08)



OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

P.O. Jeremiah Johns, #194

Allegation D: Improper Procedure (Manual Rule 9.04)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

P.O. Neil Pesta, #981

Allegation A: Lack of Service: Insufficient Service (Manual Rules 4.01, 4.11, 4.18)

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 Rules 4.01, 4.11, 4.18. The delay was due to unavoidable call volume.

Motion by: Chair Brown

Second by: Sharp

Motion Status: Carried

P.O. Neil Pesta, #981

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

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

P.O. Neil Pesta, #981

Allegation C: Biased Policing (GPO 1.07.08)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded



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: Sharp

Motion Status: Carried

P.O. Neil Pesta, #981

Allegation D: Improper Procedure (Manual Rule 9.04)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

P.O. Jeffery Simko, #629

Allegation A: Lack of Service: Insufficient Service (Manual Rules 4.01, 4.11, 4.18)

OPS Recommendation: Exonerated

CPRB Recommendation: Unfounded

The preponderance of the evidence, including body-worn camera footage and reports show support a finding that the alleged conduct did not occur. Officers responded appropriately and referred the matter to the prosecutor.

Motion by: Chair Brown

Second by: Sharp

Motion Status: Carried

P.O. Jeffery Simko, #629

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

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Motion Status: Carried

P.O. Jeffery Simko, #629

Allegation C: Biased Policing (GPO 1.07.08)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded



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: Sharp

Motion Status: Carried

P.O. Jeffery Simko, #629

Allegation D: Improper Procedure (Manual Rule 9.04)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Cahir Brown

Second by: Sharp

Motion Status: Carried

P.O. Heather Thomas, #1822

Allegation A: Lack of Service: Insufficient Service (Manual Rules 4.01, 4.11, 4.18)

OPS Action: ADMINISTRATIVELY

CPRB Recommendation: ADMINISTRATIVELY

DISMISSED – CDP Separately 02/01/2024

DISMISSED – CDP Separately 02/01/2024

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 2/01/2024. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

P.O. Heather Thomas, #1822

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

OPS Action: ADMINISTRATIVELY

CPRB Recommendation: ADMINISTRATIVELY

DISMISSED – CDP Separately 02/01/2024

DISMISSED – CDP Separately 02/01/2024

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 2/01/2024. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

P.O. Heather Thomas, #1822

Allegation C: Biased Policing (GPO 1.07.08)

OPS Action: ADMINISTRATIVELY

CPRB Recommendation: ADMINISTRATIVELY

DISMISSED – CDP Separately 02/01/2024

DISMISSED – CDP Separately 02/01/2024

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 2/01/2024. As such, the matter falls outside the



jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

P.O. Heather Thomas, #1822

Allegation D: Improper Procedure (Manual Rule 9.04)

OPS Action: ADMINISTRATIVELY

DISMISSED – CDP Separately 02/01/2024

CPRB Recommendation: ADMINISTRATIVELY

DISMISSED – CDP Separately 02/01/2024

Administratively dismissed due to the individual no longer being employed by the Cleveland Division of Police (CDP) as of 2/01/2024. As such, the matter falls outside the jurisdiction of the Civilian Police Review Board's Office of Professional Standards (OPS).

OPS2022-0306

Complainant: Ciarra Spates

Presented by: Tammi Lampkin

P.O. Albert Buccini, #2130

Allegation A: Lack of Service: No Service

P.O. Jerome Chasar, #2397

Allegation A: Lack of Service: No Service

Summary of Case Presentation: Complainant Ciarra Spates alleged that Patrol Officers Albert Buccini and Jerome Chasar failed to provide her daughter with a police report following an incident on December 4, 2022. However, body-worn camera footage showed Officer Buccini giving Ms. Spates a quick response card containing the incident number, officer names, and badge numbers, in accordance with CDP policy.

OPS attempted to contact Ms. Spates for further information, but her phone number was inactive and no email was available. A certified letter was sent with a final notice, noting the complaint was outside the scope of the CPPA agreement.

After reviewing the evidence, OPS recommended a finding of unfounded for the allegation, concluding that the officers acted appropriately and in compliance with departmental procedures.

Board Discussion Summary: During the board's review of OPS Case #2022-0306, members examined a lack of service allegation filed by Ciarra Spates, who claimed officers failed to provide her daughter with a police report. Investigator Tammi Lampkin clarified that body-worn camera footage showed officers giving a quick response card with incident details and offering guidance on how to obtain further documentation.



Board members noted that the officers acted with professionalism and compassion, especially considering the complainant's emotional state and logistical difficulties. They also confirmed that the officers followed proper procedures, including three documented attempts to contact the complainant—via phone, certified letter, and in person—though none were successful.

Additional Information to Note:

- ***Case Assignment Delay:*** Board members raised concerns about the timeline, noting that the case was received by OPS in December 2022 but reassigned to Investigator Lampkin in July 2025. OPS leadership explained that the delay was due to investigator turnover and historical backlog, which has since been cleared. Cases were reassigned based on urgency and age, with older cases prioritized for reassignment.
- ***Public Transparency Concern:*** Members emphasized the importance of explaining such delays to the public, especially when complainants may be unaware their case is under review years later. They acknowledged that while OPS has made significant progress in clearing the backlog, timely investigations remain critical to maintaining public trust.
- ***Investigator Commendation:*** The board commended Investigator Lampkin for her thoroughness in reviewing the case, implementing multiple contact attempts, and compiling a cohesive report despite the reassignment history.
- ***Report Formatting Correction:*** It was noted that the internal report listed the allegation as "B," while the board's agenda correctly listed it as "A." Members requested that the report be updated to reflect the correct labeling for consistency.

Case Findings:

P.O. Albert Buccini, #2130

Allegation A: Lack of Service: No Service (Manual Rules 4.13 and GPO 1.07.11)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

The preponderance of the evidence, including body-worn camera footage and reports show support a finding that the alleged conduct did not occur. The officer acted in accordance with Manual Rule 4.13 and GPO 1.07.11 by providing the complainant with a business quick response card containing the incident number, badge numbers, and officer names. The officer went above and beyond in sharing information with the complainant regarding her daughter's arrest.

Motion by: Sharp

Second by: Parker III



Motion Status: Carried

P.O. Jerome Chasar, #2397

Allegation A: Lack of Service: No Service (Manual Rules 4.13 and GPO 1.07.11)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Parker III

Motion Status: Carried

OPS2022-0311

Complainant: Shannon Nieves

Presented by: James Ouk

P.O. Cody Ratliff, #375

Allegation A: Unprofessional Behavior/Conduct

Summary of Case Presentation: On December 14, 2022, Shannon Nieves filed a complaint against Patrol Officer Cody Ratliff, alleging lack of service and unprofessional behavior during an incident involving her son, who had threatened self-harm. Ms. Nieves was upset that her son was being taken to the hospital instead of juvenile detention and became distressed during a phone call with Officer Ratliff.

When Officer Ratliff arrived, he attempted to de-escalate the situation, but a brief chuckle in response to Ms. Nieves' frustration was interpreted by her as disrespectful. However, the investigation determined that the reaction was spontaneous and not intended to demean.

Body-worn camera footage confirmed that Officer Ratliff remained professional throughout the interaction. OPS recommended a finding of exonerated, concluding that while the conduct occurred, it was consistent with CDP policies and did not violate departmental rules.

Board Discussion Summary: Board members noted that similar cases have demonstrated that officers are allowed to have human reactions, particularly in emotionally charged situations. They commended Officer Ratliff for recognizing the tension and removing himself momentarily from the interaction, which they viewed as a sign of professionalism and self-awareness.



Member Sharp initiated the motion without questions, and other members echoed support based on precedent and the officer's conduct.

Additional Information to Note:

- ***Board Commentary on Officer Conduct:*** Board members made a point to emphasize that officers are human and allowed to have spontaneous, non-malicious reactions in emotionally charged situations. They noted that Officer Ratliff's decision to momentarily remove himself from the interaction demonstrated self-awareness and professionalism.
- ***Validation of Investigator Framing:*** Members specifically praised Investigator James Ouk's description of Officer Ratliff's chuckle as an "excited utterance," stating that this framing helped clarify the officer's intent for those unable to view the body-worn camera footage. They found this explanation beneficial and well-articulated.

Case Findings:

P.O. Cody Ratliff, #275

Allegation A: Unprofessional Behavior/Conduct (Manual Rules 5.01, 5.08, 5.09, GPO 5.12.01)

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 Rules 5.01, 5.08, 5.09, and GPO 5.12.01.

Motion by: Member Sharp

Second by: Moore

Motion Status: Carried

OPS2023-0059

Complainant: Anna Johnson

Presented by: Art Bowker

P.O. Cody Ratliff, #375

Allegation A – 3/23/2023: Unprofessional Behavior/Conduct

Allegation B – 3/24/2023: Unprofessional Behavior/Conduct

Allegation C: Improper Procedure

Allegation D: WCS Violation



Summary of Case Presentation: Complainant Anna Johnson filed a complaint against Patrol Officer Paul Beckwith alleging unprofessional conduct, improper citation, and a possible violation of the body-worn camera (WCS) policy during two interactions in March 2023. On March 23, Beckwith briefly advised Johnson from his patrol car about a vehicle parked improperly on her property. The interaction was not recorded, and OPS found no evidence of misconduct, recommending exoneration.

On March 24, Beckwith returned and issued a citation for the same vehicle, which was still parked in the grass—a violation of city code. He activated his WCS during the interaction with Johnson’s children’s father, and OPS found no unprofessional behavior, again recommending exoneration.

Regarding the WCS policy, OPS reviewed whether Beckwith should have activated his camera during the March 23 contact. Due to conflicting accounts and no footage, OPS recommended a finding of insufficient evidence for a policy violation.

Board Discussion Summary: Board members reviewed three allegations against Officer Paul Beckwith: unprofessional conduct, improper citation, and a potential violation of the body-worn camera (WCS) policy. They agreed the complainant’s description did not meet the threshold for misconduct, and the officer’s citation was consistent with enforcement duties and policy.

The board accepted OPS’s finding that the citation was appropriate, as the vehicle was parked in the grass, which is prohibited. Most discussion centered on the WCS policy violation, where conflicting accounts about the March 23 interaction created uncertainty.

Due to the absence of WCS footage and ambiguity in the policy language regarding adversarial interactions, the board supported OPS’s recommendation of insufficient evidence, concluding that a clear violation could not be determined.

Additional Information to Note:

- ***Board Commentary on WCS Activation Standards:*** Multiple board members emphasized that officers should err on the side of activating their body-worn cameras, especially when giving directives that could reasonably become adversarial. They noted that the officer’s failure to activate WCS during the initial interaction prevented the board from fully evaluating the conduct and created a gap in evidence.
- ***Discussion on Credibility and Evidence Gaps:*** Members debated how to weigh conflicting statements between the complainant and the officer in the absence of WCS footage. Some



expressed concern that insufficient evidence resulting from a lack of camera activation should not automatically favor the officer's account.

- **Discussion of Policy Language and Interpretation:** *Members discussed the language of GPO 4.06.06, which requires WCS activation if an interaction may become adversarial. They acknowledged the difficulty of assessing intent and tone without footage and noted that the phrase itself is vague and difficult to apply consistently.*
- **Suggestion for Departmental Guidance:** *A board member suggested that CPRB formally recommend the department reinforce WCS activation expectations, encouraging officers to activate their cameras whenever there is even a possibility of adversarial contact. This was proposed as a protective measure for both officers and the public.*
- **Clarification of Abstention Rules:** *The Chair reminded members that those intending to abstain from a vote must refrain from participating in deliberation. This was reiterated to ensure procedural integrity.*

Case Findings:

P.O. Paul Beckwith, #1047

Allegation A – 3/23/2023: Unprofessional Behavior/Conduct (Manual Rule 5.01)

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 Rules 5.01. The officer's interaction did not include language or behavior that would reasonably diminish the esteem of the department.

Motion by: Cyganovich

Second by: Gatian

Motion Status: Carried

Abstentions: Member Sharp: Stepped out during case presentation

P.O. Paul Beckwith, #1047

Allegation B – 3/24/2023: Unprofessional Behavior/Conduct (Manual Rule 5.01)

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 Rules 5.01. The officer's interaction with the complainant's children's father was professional and did not violate department policy.

Motion by: Cyganovich



Second by: Moore

Motion Status: Carried

Abstentions: Member Sharp-Stepped out during case presentation

P.O. Paul Beckwith, #1047

Allegation C: Improper Procedure (Manual Rule 4.01)

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 Rules 5.01.

Motion by: Cyganovich

Second by: Gatian

Motion Status: Carried

Abstentions: Member Sharp- Stepped out during case presentation

P.O. Paul Beckwith, #1047

Allegation D: WCS Violation (GPO 4.06.04, 4.06.06, and 4.06.07)

OPS Recommendation: Insufficient Evidence

CPRB Recommendation: Insufficient Evidence

The officer stated the interaction was brief and non-adversarial, while the complainant described it as a five-minute contentious exchange. Due to the absence of body-worn camera footage and conflicting accounts, the board could not determine whether the officer violated GPO 4.06.04, 4.06.06, or 4.06.07.

Motion by: Cyganovich

Second by: Moore

Motion Status: Carried (4 in favor, 3 opposed)

Abstentions: Member Sharp- Stepped out during case presentation

Opposed: Member Willis, Member Gatian, Member Miller

OPS2023-0157

Complainant: Amanda Santiago

Presented by: Art Bowker

Det. Robert Kowza, #1368

Allegation A : Lack of Service

Summary of Case Presentation: Amanda Santiago filed a complaint alleging lack of service by Detective Robert Kowza following the death of her father on June 10, 2023. She claimed that the



Cleveland Division of Police had confiscated her father's cell phone and failed to return it despite her repeated attempts to retrieve it.

The investigation, originally initiated by former Investigator Kimberly Maxwell, found that Detective Kowza did return the phone to Ms. Santiago on July 19, 2023. Although he was not wearing his body-worn camera (WCS) during the exchange, documentation logs confirmed the return. Detective Kowza was assigned to a plainclothes detail at the time, and the nature of the interaction did not require WCS activation under department policy.

Based on the evidence, OPS recommended a finding of exonerated, concluding that the alleged conduct did occur but was consistent with applicable policies and procedures, including CDP General Police Orders 5.10.01, 6.02.01, 6.22.03, and Manual Rule 1.08.

Board Discussion Summary: Board members discussed whether Detective Kowza should have activated his body-worn camera when returning a confiscated phone. The exchange occurred during a plainclothes assignment, and no recording was made since he wasn't wearing a WCS.

Some members felt the officer should have anticipated possible tension and used a camera or waited until he was in uniform. Others noted WCS isn't required during plainclothes duties and the interaction was prearranged without signs of conflict.

The board concluded the situation didn't merit disciplinary action, recognizing that the main concern was the delay in property return, not the officer's behavior, which was deemed reasonable.

Additional Information to Note:

- ***Debate over WCS Activation Standards:*** Board members debated whether the officer should have anticipated the potential for a contentious interaction and taken steps to ensure WCS coverage. Some felt that prior complaints warranted caution, while others emphasized that the officer was not equipped with a camera and acted in good faith.
- ***Discussion of Policy Ambiguity and Enforcement Limits:*** Members acknowledged that the phrase "may become adversarial" in GPO language is vague and difficult to enforce consistently. They also noted that the officer was not issued a body camera for his plainclothes assignment, raising questions about whether he could reasonably be expected to retrieve one for this task.
- ***Clarification on Complaint Scope:*** The board clarified that the complainant's grievance was about the delay in receiving her property, not the officer's behavior during the



exchange. This distinction influenced their view on whether WCS activation would have been necessary or relevant.

Case Findings:

Det. Robert Kowza, #1368

Allegation A: Lack of Service: No Service (Manual Rule 1.08, GPO 5.10.01, 6.02.02, 6.02.03)

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 Rules 1.08, GPO 5.10.01, 6.02.02, 6.02.03. The complainant's father's cell phone was preserved and processed as part of a crime scene investigation. Detective Kowza returned the phone after it was properly logged and released from evidence, and his actions were consistent with departmental procedures.

Motion by: Cyganovich

Second by: Sharp

Motion Status: Carried

Meeting Recess:

Chair Brown called for a 20- minute meeting recess starting at 12:30pm EST.

Meeting Resumed promptly at 12:50 pm EST.

OPS2023-0172

Complainant: Brenton Sample

Presented by: LJ Green

P.O. Ismail Quran, #641

Allegation A : Biased Policing

Allegation B : Property: Missing

Allegation A : Excessive Force

P.O. Joshua Howe, #1190

Allegation A : Biased Policing

Allegation B : Property: Missing

Allegation A : Excessive Force

P.O. Russell May, #2124

Allegation A : Biased Policing

Allegation B : Property: Missing

Allegation A : Excessive Force

P.O. Logan Weber, #2425

Allegation A : Biased Policing

Allegation B : Property: Missing

Allegation A : Excessive Force

Sgt. Kevin Walker, #9234



Allegation A : Biased Policing

Allegation B : Property: Missing

Allegation A : Excessive Force

Summary of Case Presentation: Brenton Sample filed a complaint alleging biased policing, missing property, and excessive force during the execution of a probate warrant at his home. He claimed officers beat him, took him to the hospital against his will, and that \$500 was missing from his belongings.

The investigation showed the warrant was initiated by his stepmother, and officers encountered resistance during the arrest. A pocket knife was recovered, and Sample was transported to the hospital after spitting on an officer, triggering bodily fluid protocols.

OPS reviewed body-worn camera footage and police records, finding no evidence to support any of the allegations. All three claims—bias, missing property, and excessive force—were recommended as unfounded.

Board Discussion Summary: Board members reviewed the OPS findings and discussed the complainant's allegations in detail. Regarding the missing property claim, members raised questions about the alleged \$500 that Mr. Sample said was missing. They noted that the investigative report made limited mention of this claim and asked whether any evidence supported the existence of a wallet or cash at the time of the incident.

The investigator clarified that body-worn camera footage showed officers retrieving only a small pocket knife from Mr. Sample. There was no wallet or money listed in the police report, and no property was transferred with Mr. Sample when he was taken to the hospital under a mental health hold. The knife was logged as property, and the hospital would have assumed custody of any personal items thereafter.

Board members acknowledged that, based on the available evidence, there was no indication that officers mishandled or failed to document any property. They also discussed the limitations of their purview, noting that follow-up with hospital staff regarding the wallet claim would fall outside the scope of their investigation, which is focused on officer conduct.

Additional Information to Note:

- ***Board Inquiry into Missing Property Claim:*** Members specifically questioned the absence of documentation regarding the alleged \$500 and wallet. They asked whether any follow-up was conducted with hospital staff, given the complainant's claim that he showed the



wallet to them. The investigator confirmed that no wallet was listed in the police report or observed in WCS footage, and that OPS did not extend its inquiry to hospital personnel due to this action is out of OPS jurisdiction.

- **Clarification of Investigative Scope:** The investigator clarified that OPS investigations are limited to evaluating the conduct of CDP officers and do not include external entities such as hospital staff. This helped frame the board's understanding of the limits of their review.

Case Findings:

P.O. Ismail Quran, #641

Allegation A: Biased Policing (GPO 1.07.08)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

P.O. Joshua Howe, #1190

Allegation A: Biased Policing (GPO 1.07.08)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

P.O. Russell May, #2129

Allegation A: Biased Policing (GPO 1.07.08)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

P.O. Logan Weber, #2425



Allegation A: Biased Policing (GPO 1.07.08)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

Sgt. Kevin Walker, #9224

Allegation A: Biased Policing (GPO 1.07.08)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

P.O. Ismail Quran, #641

Allegation B: Property: Missing (Manual Rules 2, 3, 4, and 5)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

P.O. Joshua Howe, #1190

Allegation B: Property: Missing (Manual Rules 2, 3, 4, and 5)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

P.O. Russell May, #2129

Allegation B: Property: Missing (Manual Rules 2, 3, 4, and 5)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded



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: Sharp

Second by: Moore

Motion Status: Carried

P.O. Logan Weber, #2425

Allegation B: Property: Missing (Manual Rules 2, 3, 4, and 5)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

Sgt. Kevin Walker, #9224

Allegation B: Property: Missing (Manual Rules 2, 3, 4, and 5)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

P.O. Ismail Quran, #641

Allegation C: Excessive Force (GPO 2.01.01, 2.01.03, and 2.01.05)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp

Second by: Moore

Motion Status: Carried

P.O. Joshua Howe, #1190

Allegation C: Excessive Force (GPO 2.01.01, 2.01.03, and 2.01.05)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp
Second by: Moore
Motion Status: Carried

P.O. Russell May, #2129

Allegation C: Excessive Force (GPO 2.01.01, 2.01.03, and 2.01.05)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp
Second by: Moore
Motion Status: Carried

P.O. Logan Weber, #2425

Allegation C: Excessive Force (GPO 2.01.01, 2.01.03, and 2.01.05)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp
Second by: Moore
Motion Status: Carried

Sgt. Kevin Walker, #9224

Allegation C: Excessive Force (GPO 2.01.01, 2.01.03, and 2.01.05)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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: Sharp
Second by: Moore
Motion Status: Carried

OPS2023-0278

Complainant: Kansas Jones

Presented by: Joseph Szymanski

P.O. Jesse Chapman, #1040

Allegation A : Lack of Service

P.O. Brenden Hunt, #1201

Allegation A : Lack of Service



Summary of Case Presentation: Kansas Jones filed a complaint alleging lack of service by Patrol Officers Jesse Chapman and Brenden Hunt, who responded to her call for assistance on November 29, 2023. Ms. Jones reported that her ex-boyfriend had come to her residence, caused damage, and refused to leave. She claimed that when officers arrived, they failed to take meaningful action, and her ex-boyfriend ultimately left on his own.

The investigation reviewed body-worn camera footage and found that the officers assessed the situation, ensured Ms. Jones's safety, escorted the male from the premises, and cleared the area. They also offered to file a report, which Ms. Jones declined. OPS concluded that the officers provided appropriate service in compliance with CDP policies, including Manual Rule 4.01.

Based on the evidence, OPS recommended that the allegation of lack of service be classified as unfounded, as the officers' actions did not support the claim that they failed to provide service.

Board Discussion Summary: The Board did not have further deliberation on case.

Case Findings:

P.O. Jesse Chapman, #1040

Allegation A: Lack of Service: No Service (Manual Rule 4.01)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

The preponderance of the evidence, including body-worn camera footage and reports show support a finding that the alleged conduct did not occur. The officers responded to the complainant's call, assessed the situation, ensured her safety, and escorted the involved individual off the property. They offered to file a report, which the complainant declined.

Motion by: Willis

Second by: Sharp

Motion Status: Carried

P.O. Brenden Hunt, #1201

Allegation A: Lack of Service: No Service (Manual Rule 4.01)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

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



participated in the response to the complainant's call, helped ensure her safety, and contributed to the resolution of the incident in accordance with CDP Manual Rule 4.01.

Motion by: Willis

Second by: Sharp

Motion Status: Carried

OPS2024-0204

Complainant: Gregory Yearout

Presented by: James Ouk

P.O. Thomas Tohati, #1140

Allegation A : Improper Procedure

Summary of Case Presentation: On August 23, 2024, Gregory Yearout filed a complaint alleging that Patrol Officer Thomas Tohati was responsible for his son Michael's death during a motor vehicle accident while fleeing a police stop. He also claimed he was improperly notified and received no follow-up from investigators.

The Cleveland Division of Police Internal Affairs determined the fatal crash occurred in Lindale, outside CDP jurisdiction, and was investigated by Lindale Police and the Ohio State Highway Patrol. While Officer Tohati was not found responsible for the death, he did violate several CDP policies during the incident.

OPS reviewed the case and recommended administrative dismissal of unrelated allegations but confirmed that Officer Tohati engaged in an unauthorized pursuit, failed to document the traffic stop, did not notify dispatch, and committed body-worn camera violations. OPS concluded his actions were inconsistent with departmental procedures.

Board Discussion Summary: The board reviewed the OPS and Internal Affairs findings and confirmed that eight of the nine specifications were sustained, with one unfounded. Members emphasized the importance of procedural compliance, especially in pursuit-related incidents, which are a matter of public concern in Cleveland.

They discussed Officer Tohati's failure to activate his body-worn camera during pursuits and traffic stops, failure to notify dispatch, and failure to document stops. Members clarified that WCS activation is required during pursuits, particularly when vehicle cameras are nonfunctional.



Officer Tohati failed to verify the status of his vehicle's cameras and did not activate his WCS, which was deemed a clear violation.

The board agreed with OPS's recommendation to administratively dismiss allegations related to death notification and misconduct by a non-CDP private investigator, as those matters fell outside their jurisdiction. Before proceeding to motions, the chair encouraged members to offer friendly amendments to ensure procedural accuracy and completeness.

Additional Information to Note:

- ***Allegation Breakdown by Specification:*** *The board agreed to treat each specification from the Internal Affairs Unit report as a separate allegation under the broader category of improper procedure and WCS Violation. These were labeled alphabetically for clarity:*
 - ***Allegation A:*** *Unauthorized pursuit (Specification 1; violation of GPO 3.2.02)*
 - ***Allegation B:*** *Failure to assist at the scene of a motor vehicle accident (Specification 2; unfounded)*
 - ***Allegation C:*** *Failure to activate body-worn camera during a traffic stop (Specification 3; violation of Manual Rule 4.06.04)*
 - ***Allegation D:*** *Failure to document the attempted traffic stop (Specification 4; violation of Ohio Revised Code 2921.44 – Dereliction of Duty)*
 - ***Allegation E:*** *Failure to notify dispatch of activity (Specification 5; violation of Rule 7.04)*
 - ***Allegation F:*** *WCS violation during traffic stop #1 (Specification 6; violation of Manual Rule 4.06.04)*
 - ***Allegation G:*** *WCS violation during traffic stop #2 (Specification 7; violation of Manual Rule 4.06.04)*
 - ***Allegation H:*** *WCS violation during traffic stop #3 (Specification 8; violation of Manual Rule 4.06.04)*
 - ***Allegation I:*** *WCS violation during traffic stop #4 (Specification 9; violation of Manual Rule 4.06.04)*
- ***Clarification of Specification Mapping:*** *Members cross-referenced multiple pages of the IAU report to accurately match specifications with findings. They used the original specification list and findings summary to guide their decisions.*
- ***Policy References:*** *The board cited GPO 3.2.02 (unauthorized pursuit), Rule 7.04 (failure to notify dispatch), Manual Rule 4.06.04 (WCS violations), and Ohio Revised Code 2921.44 (dereliction of duty) in their deliberations.*



- **Camera Requirements:** *Members confirmed that officers are required to activate body-worn cameras during pursuits, regardless of vehicle camera functionality. Officer Tohati's failure to do so was a key factor in sustaining multiple WCS-related allegations.*

Case Findings:

P.O. Thomas Tohati, #1140

Allegation A – Unauthorized Pursuit: Improper Procedure

(CDP IAU Investigation Specifications 1 – GPO 3.03.02, Division Notice 23-020)

OPS Recommendation: Sustained

CPRB Recommendation: Sustained

The preponderance of the evidence, including written reports, witness interviews, and the Internal Affairs Unit's investigation, supports a finding that the alleged conduct occurred and the officer's actions were inconsistent with General Police Order 3.2.02 and Division Notice 23-020. Officer Tohati initiated a vehicular pursuit without obtaining the required supervisory authorization.

Motion by: Brown

Second by: Moore

Motion Status: Carried

Group Level: Group Level III

Explanation: Classified under vehicular pursuit—unauthorized and improper—resulting in death or serious bodily injury. In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion by: Brown

Second by: Gatian

Motion Status: Carried

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Allegation B – Failure to Assist at Motor Vehicle Accident: Improper Procedure

(CDP IAU Investigation Specifications 2 – Revised Code 2921.44)

OPS Recommendation: Unfounded

CPRB Recommendation: Unfounded

The preponderance of the evidence, including written reports, witness interviews, and the Internal Affairs Unit's investigation, supports a finding that the alleged conduct did not occur. Officer Tohati was not present at the time of the accident.

Motion by: Brown

Second by: Moore

Motion Status: Carried

P.O. Thomas Tohati, #1140



Allegation C – Stop of Mr. Yearout: WCS Violation

(CDP IAU Investigation Specifications 3 – *Manual Rule 4.06.04*)

OPS Recommendation: Sustained

CPRB Recommendation: Sustained

The preponderance of the evidence, including written reports, witness interviews, and the Internal Affairs Unit's investigation, supports a finding that the alleged conduct occurred and the officer's actions were inconsistent with Manual Rule 4.06.04. Officer Tohati failed to activate his body-worn camera during the stop of Mr. Yearout.

Motion by: Brown

Second by: Moore

Motion Status: Carried

Group Level: Group Level II

Explanation: Aggravated by being one of five WCS violations committed on the same day. In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion by: Brown

Second by: Cyganovich

Motion Status: Carried

P.O. Thomas Tohati, #1140

Allegation D – Failure to Document Attempted Traffic Stop: Improper Procedure

(CDP IAU Investigation Specifications 4 – *GPO 4.04.03*)

OPS Recommendation: Sustained

CPRB Recommendation: Sustained

The preponderance of the evidence, including written reports, witness interviews, and the Internal Affairs Unit's investigation, supports a finding that the alleged conduct occurred and the officer's actions were inconsistent with GPO 4.04.03. Officer failed to report attempted Traffic Stop, vehicle fleeing, and his engagement in vehicle pursuit.

Motion by: Brown

Second by: Moore

Motion Status: Carried

Group Level: Group Level I

Explanation: Classified under "Failure to Submit Reports." In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion by: Brown

Second by: Willis

Motion Status: Carried

P.O. Thomas Tohati, #1140



Allegation E – Failure to Notify Dispatch of Activity: Improper Procedure

(CDP IAU Investigation Specifications 5 – *Manual Rule 7.04*)

OPS Recommendation: Sustained

CPRB Recommendation: Sustained

The preponderance of the evidence, including written reports, witness interviews, and the Internal Affairs Unit's investigation, supports a finding that the alleged conduct occurred and the officer's actions were inconsistent with Manual Rule 7.04.

Motion by: Brown

Second by: Willis

Motion Status: Carried

Group Level: Group Level I

Explanation: Classified under “Improper Vehicle Pursuit – Failure to Notify.” In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion by: Brown

Second by: Moore

Motion Status: Carried

P.O. Thomas Tohati, #1140

Allegation F – Traffic Stop (LERMS 2024-045652): WCS Violation

(CDP IAU Investigation Specifications 6 – *Manual Rule 4.06.04*)

OPS Recommendation: Sustained

CPRB Recommendation: Sustained

The preponderance of the evidence supports a finding that the alleged conduct occurred and the officer's actions were inconsistent with Manual Rule 4.06.04.

Motion by: Brown

Second by: Moore

Motion Status: Carried

Group Level: Group Level II

Explanation: One of five WCS violations committed on the same day. In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion by: Brown

Second by: Moore

Motion Status: Carried

P.O. Thomas Tohati, #1140

Allegation G – Traffic Stop (LERMS 2024-05679): WCS Violation

(CDP IAU Investigation Specifications 7 – *Manual Rule 4.06.04*)

OPS Recommendation: Sustained

CPRB Recommendation: Sustained



The preponderance of the evidence supports a finding that the alleged conduct occurred and the officer's actions were inconsistent with Manual Rule 4.06.04.

Motion by: Brown

Second by: Sharp

Motion Status: Carried

Group Level: Group Level II

Explanation: Second of five WCS violations committed on the same day. In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion by: Brown

Second by: Miller

Motion Status: Carried

Opposed: Member Gatian – Rationale: Member Gatian explained that he believed the language in GPO 4.06.04 is open to interpretation, particularly regarding when “contact with the public” begins. He noted that Officer Tohati activated his body-worn camera before making personal contact, which may have aligned with the officer's understanding of the policy. Gatian suggested that if the officer genuinely believed he was in compliance, then classifying the repeated violations as Group II might be excessive for what could be a misinterpretation rather than intentional misconduct.

P.O. Thomas Tohati, #1140

Allegation H – Traffic Stop (LERMS 2024-045696): WCS Violation

(CDP IAU Investigation Specifications 8 – *Manual Rule 4.06.04*)

OPS Recommendation: Sustained

CPRB Recommendation: Sustained

The preponderance of the evidence supports a finding that the alleged conduct occurred and the officer's actions were inconsistent with Manual Rule 4.06.04.

Motion by: Brown

Second by: Sharp

Motion Status: Carried

Group Level: Group Level II

Explanation: Fourth of five WCS violations committed on the same day. In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion by: Brown

Second by: Miller

Motion Status: Carried

Opposed: Member Gatian – Rationale: Same as Allegation G Rationale



P.O. Thomas Tohati, #1140

Allegation I – Traffic Stop (LERMS 2024-045708): WCS Violation

(CDP IAU Investigation Specifications 9 – *Manual Rule 4.06.04*)

OPS Recommendation: Sustained

CPRB Recommendation: Sustained

The preponderance of the evidence supports a finding that the alleged conduct occurred and the officer's actions were inconsistent with Manual Rule 4.06.04.

Motion by: Brown

Second by: Moore

Motion Status: Carried

Group Level: Group Level II

Explanation: Fifth of five WCS violations committed on the same day. In reaching this recommendation for corrective action, the Board has determined that it is consistent with CDP's disciplinary matrix.

Motion by: Brown

Second by: Moore

Motion Status: Carried

Opposed: Member Gatian – Rationale: Same as Allegation G Rationale

Policy Recommendation Motion – GPO 4.06.04 Clarification

Motion: To instruct OPS to draft a policy recommendation requesting clarification of General Police Order (GPO) 4.06.04, specifically regarding the timing of activating the wearable camera system (WCS) during enforcement contacts. The board seeks clearer language defining what constitutes “contact with the public” in the context of traffic stops—whether activation should occur when observing an infraction, initiating lights and sirens, or making physical contact.

This recommendation is intended for full board review and aims to resolve ambiguity in the current language of Section B, which states that WCS must be placed into event mode “prior to all investigative or enforcement contacts with the public.” Board members debated whether “enforcement contact” begins at the moment of visual observation, activation of lights/sirens, or physical approach. The motion reflects concern that officers may interpret the rule differently, especially in cases where vehicle cameras are nonfunctional and WCS activation becomes the sole documentation method.

Motion by: Chair Brown

Second by: Member Sharp

Motion Status: Carried

Opposed:

Member Cyganovich



Member Moore- Rationale: The current language in the GPO is sufficiently clear and does not require revision. They interpreted “enforcement contact” as beginning when lights and sirens are activated, and believe the policy already reflects that expectation.

OPS2024-0290

Complainant: Alexandra Duffield

Motion: To table this case for next CPRB Meeting due to time restraints.

Motion By: Chair Brown

Seconded By: Miller

Motion Status: Carried

VII. NEW BUSINESS

- Police Accountability Team Update

Brandon Brown, Chair

Dr. Leigh Anderson,

Executive Director of PAT

Presentation Overview

Dr. Leigh Anderson, Executive Director of the Police Accountability Team (PAT), led a presentation alongside Assistant Directors of Law Martin Bea and Carlos Johnson, and Performance Auditor Hannah MSAS. The presentation focused on CPRB’s role in the federal consent decree, current compliance status, recent upgrades, and upcoming expectations.

PAT is responsible for ensuring citywide compliance with the consent decree issued by Judge Solomon Oliver in 2015 following a DOJ investigation into CDP’s pattern of excessive force. The decree mandates reforms across multiple domains, including use of force, bias-free policing, crisis intervention, and accountability. CPRB is explicitly named in the decree and plays a key role in the “Accountability, Transparency, and Oversight” section (paragraphs 230–239).

Key Updates

- **Consent Decree Compliance Phases:** The city is currently in the third and final phase: audit and assessment. The first two phases—policy reform and training—have largely been completed.
- **Recent Progress:** The 17th Semiannual Monitoring Report (Jan–June 2025) showed 20 paragraph upgrades, including several related to CPRB and OPS. These included:
 - Revised manuals for CPRB and OPS
 - Recognition of OPS’s data analyst for improved monthly reporting
 - Evidence-based findings in OPS investigations



- **Growth Opportunities Identified:**
 - **Paragraph 2011:** Requires documented collaboration between CDP, OPS, and the Community Police Commission (CPC). While OPS has demonstrated strong outreach, the monitoring team noted a lack of documentation showing coordination with CPC and CDP.
 - **Training for New Investigators:** OPS has implemented a more formalized training process for new investigators. PAT emphasized the importance of documenting this for the monitoring team.
 - **Backlog Management:** While OPS has reduced its case backlog, the monitoring team cautioned against shifting delays to CPRB. PAT acknowledged CPRB's efforts to increase hearing frequency and encouraged continued documentation of these improvements.
- **Upcoming Assessment:** CPRB and OPS will undergo a formal audit/assessment in 2026. PAT will assist by:
 - Reviewing and refining assessment methodologies
 - Facilitating data transfers to the monitoring team
 - Troubleshooting issues
 - Advocating for upgrades where progress is evident but not yet recognized
- **Advocacy Role:** PAT submits advocacy documents with each semiannual report to ensure the monitoring team and DOJ recognize all progress made by city entities, including CPRB.

Encouragement and Commendations

Dr. Anderson and the PAT team commended CPRB and OPS for their continued efforts, especially in light of the monitoring team's often critical tone. She highlighted that since PAT's formation, the city has received 89 upgrades and only 9 downgrades. OPS was credited with providing timely evidence that prevented downgrades in the most recent report.

Board Member Questions & PAT Responses

Board Member Questions	PAT Response
Why is paragraph 198 (conflict-free legal counsel for OPS) not in full compliance?	There was a misunderstanding about who represented CPRB legally due to a former board member's transition. This has since been clarified, and PAT expects no further issues.
Regarding paragraph 2011, is the issue that CPRB doesn't interact with CPC or CDP enough?	The issue is not lack of interaction but lack of documentation. The monitoring team needs evidence (e.g.,



	meeting notes, photos, emails) showing collaboration between CDP, OPS, and CPC.
Can CPRB share policy recommendations sent to CPC as evidence of collaboration?	Yes. PAT encouraged CPRB to share those communications as documentation of engagement with CPC.
What is CPRB's role after the consent decree ends?	CPRB's role continues post-consent decree because it was established by a citizen vote and is embedded in the city charter. Only a charter amendment could change its authority.
How long will it take to exit the consent decree?	There is no set timeline. The city must complete policy reform, training, and pass assessments. CPRB is currently in the assessment phase, which is like a "final exam" for compliance.
Will PAT attend the upcoming NACOLE conference?	No, PAT will not be attending the NACOLE conference at the end of the month.

Closing Remarks

PAT emphasized their commitment to supporting CPRB and OPS through continued bi-weekly meetings, monthly briefings, and collaborative problem-solving. They encouraged CPRB to become more familiar with the consent decree paragraphs and to reach out for help identifying and documenting compliance opportunities. Dr. Anderson closed by urging CPRB to stay motivated and affirmed that their work is making a measurable difference.

NEW BUSINESS (cont.)

- Community Engagement Vote
Motion: To Hire Samantha Montanez as Community Engagement Officer
 Motion By: Chair Brown
 Seconded By: Willis
 Motion Status: Carried

VIII. Executive Session

CPRB

- Motion for executive session for personnel, Employment and discipline matters will be considered
- Chair Brown invited in Administrator Kristen Traxler and GM Jessyca Watson
- Vote to adjourn back into open session



IX. Old Business

Brandon Brown, Chair

- No old business to discuss at this CPRB Meeting

X. ADJOURNMENT

Motion: To Adorn October 14th CPRB Meeting

Motion By: Chair Brown

Seconded By: Miller

Motion Status: Carried

The CPRB October 14, 2025 meeting was adjourned at 3:25 pm EST.