



CIVILIAN POLICE REVIEW BOARD

OFFICE OF PROFESSIONAL STANDARDS

January 17, 2018

MEETING MINUTES

- | | |
|---|---|
| I. CALL TO ORDER – 10:07 | Roslyn Quarto, Chair |
| II. ROLL CALL | Chairperson Quarto |
| <u>CPRB MEMBERS</u> | <u>OPS STAFF</u> |
| ATTENDANCE
Roslyn Quarto
Thomas Jones
Michael Graham
Michael Walker
Ernest Turner
Michael Hess
Mary Clark
LeeAnn Hanlon, Secretary
Gerri Butler, Staff Counsel
Graig Kluge, Staff Counsel
<i>Stephanie Scalise, excused absence</i>
<i>Edwin Santos, excused absence</i> | ATTENDANCE
Tony Scott, General Manager
Dave Hammons Investigator
Anitra Merritt, Investigator
Vincent Funari, Investigator
Julie Delaney, Investigator
Eric Richardson, Investigator
Barbara Williams-Bennett, Invst
Keith Oliver, Investigator
Marisella Leone, Investigator
Shaunita Lee, Investigator |
| III. PUBLIC COMMENT | |
| IV. PRESENTATION OF INVESTIGATIONS | Tony Scott, General Manager
OPS Investigative Staff |
| V. ANNOUNCEMENTS AND COMMUNICATIONS | |
| VI. OPS REPORT
a. REVIEW OF CDP DISCIPLINARY DECISIONS | General Manager Scott |
| VII. COMMITTEE REPORTS | |
| VIII. NEW BUSINESS | |
| IX. ADJOURNMENT | |

Next Meeting Date: Wednesday, February 21, 2018



III. Public Comment

Mr. Dave Lima, representing Showing Up for Racial Justice (SURJ), stated that it was good to see that there are 18 cases being presented to the Board; however according the numbers, he feels that it's going to take 51 cases a month to eliminate the backlog and become current by 2018 . Mr. Lima further stated that Judge White indicated that there are 75 cases that are ready to be adjudicated by the Board, and that the public should see some action on those numbers. Mr. Lima also mentioned that the he knows that the Monitoring Team has been screening the cases, and he is concerned that the bureaucratic aspect of that is preventing things from moving forward. Mr. Lima wanted to know what criteria the Monitoring Team was using to determine if cases were fit to be presented to the Board.

- Ms. Quarto stated that the Board is committed to meeting on Saturdays to help reduce the back log, but that it's going to be up the Monitoring Team to allow OPS to release the cases to the Board
- Judge White said that Monitoring Team was bogging down the process, and that a recent development allowed OPS to do the evaluation from this point on, hence the increase in the number in today's hearing. The question about what criteria the Monitoring Team was utilizing mainly concerned whether markers from the OPS manual were being met, primarily notification to the complainant.

Mr. Lima ended by stating that the legitimacy of OPS is going to be hard to establish until backlog is taken care of, and that dealing with the backlog is a way to increase the legitimacy of the organizations involved.



IV. Vote

- a. **17-080: West** – complainant was present at meeting. Ms. Quarto explained to Ms. West that since the officer retired, no discipline could be enacted against the officer, and that due the retirement, OPS could not compel the officer to provide a statement. Ms. West stated that she understood, but was frustrated by the length of time the investigation took. She further stated that since her interaction with police, she has felt uncomfortable with the police, and felt that her Rights had been violated.

P.O. Brown #105 (retired)

Allegation: Lack of Service

Recommendation: ***CPRB refused to adjudicate on this case, citing that the officer involved in this investigation has retired, and the CPRB has no jurisdiction***

Motion: Quarto

Second: Clark

Motion passes, one opposed

- b. **15-032: Ahmad**

P.O. Magyar #2350

Allegation: Unprofessional Conduct (1st Encounter)

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Jones

Motion passes

Allegation: Improper Tow

Recommendation: Exonerate

Motion: Quarto

Second: Jones

Motion passes

Allegation: Unprofessional Conduct (2nd Encounter)

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Clark

Motion passes



c. 15-044: Moore

P.O. Rodriguez #1880

Allegation: Harassment

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Jones

Motion passes

Allegation: Improper Citation

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Jones

Motion passes

P.O. Sistik #1395

Allegation: Harassment

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Walker

Motion passes

Allegation: Improper Citation

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Jones

Motion passes

d. 15-082: King

P.O. Cox #163

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Clark

Motion passes



- e. **15-115: Morales – complainant present at meeting. Ms. Morales wanted to know why if three (3) people fight, only two (2) are arrested. Ms. Morales further stated that it was her belief that Mr. Cansler was on parole at the time, wasn't arrested, and was never charged with assault. The investigator explained that at that time WCS had not been issued to CDP officers, so officers had to go by the tangible evidence on scene, which included Mr. Cansler's bruise and the cell phone videos provided by witnesses. The investigator stated that at that time, there was no evidence that Mr. Cansler was involved in criminal activity.**

P.O. Greear #965

Allegation: Biased Policing
Recommendation: Insufficient Evidence
Motion: Graham
Second: Quarto
Motion passes

P.O. Carrucini #371

Allegation: Biased Policing
Recommendation: Insufficient Evidence
Motion: Graham
Second: Quarto
Motion passes

- f. **15-223: Adkins**

Det. Cline #740

Allegation: Harassment
Recommendation: Unfounded
Motion: Quarto
Second: Jones
Motion passes



g. 15-239: Kears

Sgt. Allen #9167

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Quarto
Second: Jones
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Exonerate
Motion: Quarto
Second: Jones
Motion passes

Allegation: Improper Citation
Recommendation: Exonerate
Motion: Quarto
Second: Jones
Motion passes

h. 15-259: McMillian

P.O. Beckman #2250

Allegation: Unprofessional Conduct
Recommendation: Exonerate
Motion: Quarto
Second: Clark
Motion passes

i. 15-283: Smith

Sgt. Ross #9024

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Quarto
Second: Turner
Motion passes



Allegation: Excessive Force
Recommendation: Insufficient Evidence
Motion: Quarto
Seconded: Jones
Motion passes

j. 16-094: Sprachmann

Lt. Strong

Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Quarto
Second: Jones
Motion passes

Allegation: Improper Procedure
Recommendation: Exonerated
Motion: Quarto
Second: Jones
Motion passes

P.O. Pedro #441

Allegation: Improper Procedure
Recommendation: Exonerated
Motion: Quarto
Second: Jones
Motion passes

P.O. Haggerty #2044

Allegation: Improper Procedure
Recommendation: Exonerated
Motion: Quarto
Second: Clark
Motion passes



k. 17-013: Adams

P.O. McMullen #2305

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Graham
Second: Clark
Motion passes, one abstention

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Quarto
Motion passes, one abstention

P.O. Wright #1731

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Graham
Second: Quarto
Motion passes, one abstention

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Jones
Motion passes, one abstention

Sgt. Ricketti #9175

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Graham
Second: Quarto
Motion passes, one abstention

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Jones



Motion passes, one abstention

I. 17-045: Ortiz

P.O. Correa #2585

Allegation: Improper Stop
Recommendation: Exonerated
Motion: Quarto
Second: Walker
Motion passes

P.O. Cavett #2399

Allegation: Improper Stop
Recommendation: Exonerated
Motion: Quarto
Second: Jones
Motion passes

P.O. Demas #1701

Allegation: Improper Search
Recommendation: Exonerated
Motion: Quarto
Second: Jones
Motion passes

P.O. Lyons #1958

Allegation: Improper Search
Recommendation: Exonerated
Motion: Quarto
Second: Jones
Motion passes

P.O. Schramm #2344

Allegation: Improper Search
Recommendation: Exonerated
Motion: Quarto
Second: Jones
Motion passes

Next Meeting Date: Wednesday, February 21, 2018



m. 17-068: Labuda

P.O. Sauto #107

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Quarto
Second: Graham
Motion passes

P.O. Guerra #569

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Quarto
Second: Graham
Motion passes

n. 17-092: Tarver

P.O. Boddy #1095

Allegation: Harassment
Recommendation: Unfounded
Motion: Quarto
Second: Jones
Motion passes

P.O. Mays #368

Allegation: Harassment
Recommendation: Unfounded
Motion: Quarto
Second: Jones
Motion passes



- o. 17-099: Kushlak – complainant present at meeting. Mr. Kushlak, after hearing the investigator’s presentation, felt that the WCS video that the investigator based the recommendation was missing footage.**

P.O. Cavett

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Quarto
Second: Jones
Motion passes

- p. 17-129: Marko**

P.O. Marti #793

Allegation: Harassment
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passes

P.O. Collier #237

Allegation: Harassment
Recommendation: Exonerated
Motion: Quarto
Second: Clark
Motion passes



q. 17-138: O'Reilly

P.O. Sanderson #733

Allegation: Unprofessional/Improper Handling of a Firearm

Recommendation: Exonerated

Motion: Quarto

Second: Clark

Motion passes, one abstention

r. 17-168: Farmer

P.O. Cruz #772

Allegation: Improper Detention

Recommendation: Exonerated

Motion: Quarto

Second: Jones

Motion passes

Allegation: Improper Search

Recommendation: Exonerated

Motion: Quarto

Second: Clark

Motion passes

P.O. Oravec #2497

Allegation: Improper Detention

Recommendation: Exonerated

Motion: Quarto

Second: Jones

Motion passes

Allegation: Improper Search

Recommendation: Exonerated

Motion: Quarto

Second: Graham

Motion passes



VI. OPS REPORT

- a. **15-058: Aniton** – CPRB declined to request to move this case forward to the Safety Director
- b. **15-142: Grant** – CPRB declined to request to move this case forward to the Safety Director
- c. **15-174: Green** – CPRB declined to request to move this case forward to the Safety Director
- d. **15-256: Shamp** – CPRB declined to request to move this case forward to the Safety Director

VII. ADJOURNMENT – 13:12