

**CIVILIAN POLICE REVIEW BOARD  
OFFICE OF PROFESSIONAL STANDARDS**

December 8, 2020

**MEETING MINUTES**

**I. CALL TO ORDER – 10:15**

**Michael Graham, Chair**

**II. ROLL CALL**

Chair Graham

**CPRB MEMBERS**

**ATTENDANCE**

Michael Graham, Chair  
Ashley Mostella, Vice Chair  
Ken Mountcastle  
Mary Clark  
Michael Hess  
Ernest Turner  
Gerri Butler, Staff Counsel  
LeeAnn Hanlon, Secretary

**OPS STAFF**

**ATTENDANCE**

Roger Smith, Administrator  
Barbara Williams-Bennett, Investigator  
Art Bowker, Investigator  
Dave Hammons, Investigator  
Julie Delaney, Investigator  
Julie Delaney, Investigator  
Eric Richardson, Investigator  
Anitra Merritt, Investigator

**III. APPROVAL OF MINUTES**

**IV. PUBLIC COMMENT**

**V. PRESENTATION OF INVESTIGATIONS**

Administrator Smith

**VI. ANNOUNCEMENTS AND COMMUNICATIONS**

**VII. OPS REPORT**

Administrator Smith

**A. REVIEW OF CHIEF DISCIPLINARY DECISIONS**

**VIII. POLICY UPDATES**

**IX. COMMITTEE REPORTS**

**X. UNFINISHED BUSINESS**

**XI. NEW BUSINESS**

**XII. ADJOURNMENT**

**Next Meeting: January 12, 2021 at 10:00 am**

### **III. APPROVAL OF MINUTES**

Mr. Graham made a motion to approve the minutes. Motion seconded by Mr. Hess and the motion to approve the minutes passed.

### **IV. PUBLIC COMMENT – Mr. Graham reminded everyone of the three (3) minute time limit.**

Dave Lima, SURJ –

There are some stirrings in Columbus proposing a Policing Bill that would create a statewide Police Oversight Board. This Board would adjudicate formal complaints brought against peace officers and troopers by the Peace Officer Disciplinary Committee. It would have the authority to impose sanctions when peace officers and troopers violate professionalism standards set by statute and rule. If an officer's or trooper's certificate was suspended or revoked by the Board, that officer or trooper would not be permitted to exercise the authority set forth in Chapters 2935 and 5503 of the Ohio Revised Code (ORC) – Power to arrest and issue citations.

The Oversight Board's authority would be to review complaints that involve the following: the inability of an officer to perform the functions of a peace officer, or if an officer committed a criminal offense, made misleading representations, violated a condition of the Board, failed to cooperate, engaged in fraudulent conduct, been suspended, demoted, discharged or resigned when engaging in conduct subject to Board sanctions, was engaged in civil rights misconduct, failed to report misconduct, or violated the promulgated rules.

The Ohio Peace Officer Training Committee (OPOTC) Disciplinary Committee would have the authority to investigate and prosecute allegations of professional misconduct and violations of OPOTC professionalism standards. Allegations referred by the officer's employing agency would be required when the agency is aware of the misconduct. The agency would be permitted to conduct an "internal" investigation, but only by officer trained to conduct those investigations, and the results would have to be transmitted to the OPOTC Disciplinary Committee to determine whether the investigation was adequate. If not, they could take it on.

Allegations of misconduct could also be made directly to the OPOTC Disciplinary Committee. If the Oversight Board determined the allegation to be true, they could issue a reprimand, require training/counseling, suspend the officer's certificate for a definite or indefinite period of time, or permanently revoke the certificate. Officer appeal would be permitted. The complaint and the adjudication results would become part of the public record.

This all sounds good. However, in my opinion, there are at least two significant flaws in the proposal. The first is the composition of the Board, made up to include seven police officers, three troopers, and only three members of the public with no law enforcement experience. The Board would certainly have a bias in favor of law enforcement and have a direct impact on adjudication decisions. Members of the public should make up the majority of the Board. The second is the Attorney General, who would be the appointing authority. The appointment authority should be expanded to include a selection committee that would include concerned community groups.

**V. PRESENTATION OF INVESTIGATIONS**

**a. 19-150: Hayes**

P.O. Santoferraro #2458

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Graham  
Second: Turner  
*Motion passed*

P.O. Boyle #716

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Graham  
Second: Clark  
*Motion passed*

**b. 19-59: Curry**

P.O. Manns #1170

Allegation: Lack of Service  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: WCS Violation  
Recommendation: Sustained  
Motion: Graham  
Second: Hess  
*Motion passed*

P.O. Boyle #716

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Hess  
*Motion passed*

**c. 19-168: Thomas**

P.O. Graves #1635

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Clark  
*Motion passed*

Allegation: Unprofessional Conduct – Conversation Not Private  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Unprofessional Conduct – Statement about Moving  
Recommendation: Unfounded  
Motion: Graham  
Second: Mostella  
*Motion passed*

P.O. Petitti #1932

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Unprofessional Conduct – Conversation Not Private  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passed*

Sgt. Pirinelli #9046

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Mountcastle  
*Motion passed*

**d. 19-177: Williams**

P.O. Florjancic #792

Allegation: Lack of Service  
Recommendation: Insufficient Evidence  
Motion: Graham  
Second: Turner  
*Motion passed*

- e. 19-181: Jackson. Complainant was present. Complainant stated she felt violated by the entire situation. The officers should be held accountable for their extreme neglect in their failure to protect the rights of the victim. Complainant stated that it is not up to the officers to make discretionary decisions regarding a civil matter, and believed that the officers should be held fiscally responsible for assisting the contractor in allowing him to enter her home and remove property. Complainant stated she felt that the officers compromised her position in this civil matter. Complainant further stated the fact that officers allowed someone to enter her home and remove property has caused her an immense amount of stress and anxiety.**

P.O. Thierrin #2587

Allegation: Improper Procedure  
Recommendation: Unfounded  
Motion: Graham  
Second: Hess  
*Motion passed with one abstention*

P.O. Hutchison #2238

Allegation: Improper Procedure  
Recommendation: Sustained  
Motion: Graham  
Second: Mountcastle  
*Motion passed with one abstention*

P.O. Boyle #716

Allegation: Improper Procedure  
Recommendation: Unfounded  
Motion: Graham  
Second: Mostella  
*Motion passed with one abstention*

P.O. Choat #1916

Allegation: Improper Procedure  
Recommendation: Unfounded  
Motion: Graham  
Second: Clark  
*Motion passed with one abstention*

**f. 19-184: Nieves/Santiago**

P.O. Wagner #1802

Allegation: Improper Stop/Detainment  
Recommendation: Sustained  
Motion: Graham  
Second: Clark  
*Motion passed with one opposed*

Allegation: Improper Frisk  
Recommendation: Sustained  
Motion: Graham  
Second: Hess  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Sustained  
Motion: Graham  
Second: Mostella  
*Motion passed*

Allegation: WCS Violation  
Recommendation: Sustained  
Motion: Graham  
Second: Hess  
*Motion passed*

P.O. Madej #2078

Allegation: WCS Violation  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed*

**g. 19-209: Black**

P.O. Santillo #309

Allegation: Excessive Force  
Recommendation: Sustained  
Motion: Graham  
Second: Mostella  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Improper Stop/Detention  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Improper Search  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Improper Citation  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Failure to De-Escalate  
Recommendation: Sustained  
Motion: Graham  
Second: Mountcastle  
*Motion passed*

Allegation: Failure to Provide Name/Badge  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed*



P.O. Trinh #505

Allegation: Improper Citation  
Recommendation: Exonerated  
Motion: Graham  
Second: Mountcastle  
*Motion passed*

**h. 20-059: Hall**

P.O. Ellenberger #1331

Allegation: Improper Arrest  
Recommendation: Exonerated  
Motion: Graham  
Second: Hess  
*Motion passed*

Allegation: Improper Search  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Improper Stop  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passed*

P.O. Miller #2072

Allegation: Improper Arrest  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Improper Search  
Recommendation: Exonerated  
Motion: Graham  
Second: Clark  
*Motion passed*

Allegation: Improper Stop  
Recommendation: Exonerated  
Motion: Graham  
Second: Clark  
*Motion passed*

P.O. Sherlock #1569

Allegation: Improper Arrest  
Recommendation: Unfounded  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Improper Search  
Recommendation: Unfounded  
Motion: Graham  
Second: Turner  
*Motion passed*

Allegation: Improper Stop  
Recommendation: Unfounded  
Motion: Graham  
Second: Turner  
*Motion passed*

**i. 20-094: Heckman**

P.O. Angelone #2333

Allegation: Social Media Policy Violation  
Recommendation: Sustained  
Motion: Graham  
Second: Mostella  
*Motion passed*

**j. 20-137: Hardy**

Det. McNeeley #2217

Allegation: Lack of Service  
Recommendation: Insufficient Evidence  
Motion: Hess  
Second: Clark  
*Motion passed with one opposed and one abstention*

**k. 20-155: Philpott**

P.O. Nezbeth #1850

Allegation: Improper Arrest  
Recommendation: Exonerated  
Motion: Graham  
Second: Mostella  
*Motion passed with one abstention*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Graham  
Second: Turner  
*Motion passed with one abstention*

P.O. Simko #629

Allegation: Improper Arrest  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
*Motion passed with one abstention*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Graham  
Second: Clark  
*Motion passed with one abstention*

**i. 20-162: Childress**

P.O. Orozco #1601

Allegation: Lack of Service  
Recommendation: Sustained  
Motion: Graham  
Second: Clark  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed*

P.O. Crane #2108

Allegation: Lack of Service  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed*

**m. 20-168: Brown**

P.O. Kelley #1242

Allegation: Lack of Service  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed with one abstention*

Allegation: Unprofessional Conduct  
Recommendation: Insufficient Evidence  
Motion: Graham  
Second: Clark  
*Motion passed with one abstention*

Allegation: WCS Violation  
Recommendation: Sustained  
Motion: Graham  
Second: Mostella  
*Motion passed with one abstention*

**n. 20-182: Taylor**

Sgt. Hayes #9188

Allegation: Unprofessional Conduct  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed with one abstention*

Allegation: Failure to Provide Badge Number  
Recommendation: Sustained  
Motion: Graham  
Second: Turner  
*Motion passed with one abstention*

**VII (A). REVIEW OF CHIEF DECISIONS**

**19-187: Wilson:** Mr. Hess made the motion to appeal this decision to the Safety Director. Ms. Mostella seconded the motion, and the motion passed with two opposed.

**XII. ADJOURNMENT**

Motion to adjourn the meeting made by Mr. Graham. Motion seconded by Mr. Turner, and the motion passed. Meeting adjourned at 2:25 pm.