

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

February 8, 2022
MEETING MINUTES

I. CALL TO ORDER – 9:06 am

Michael Hess, Chairperson

II. ROLL CALL

Chairperson Hess

CPRB MEMBERS

ATTENDANCE

Michael Hess, Chair
Dave Gatian, Vice Chair
Ken Mountcastle
Michael Graham
Roslyn Quarto
Chenoa Miller
Sherall Hardy
Gerri Butler, Staff Counsel
LeeAnn Hanlon, Secretary

OPS STAFF

ATTENDANCE

Henry Roney, Acting Administrator
Vincent Funari, Investigator
Barbara Williams-Bennett, Investigator
David Hammons, Investigator
Kevin Wynne, Investigator
Keith Oliver, Investigator
Art Bowker, Investigator
Julie Delaney, Investigator
Anitra Merritt, Investigator

III. APPROVAL OF MINUTES

IV. PUBLIC COMMENT

V. PRESENTATION OF INVESTIGATIONS

Administrator Roney

VI. CPRB INITIATED INVESTIGATION – VOTE ONLY

Administrator Roney

VII. ANNOUNCEMENTS AND COMMUNICATIONS

Administrator Roney

VIII. OPS REPORT

Administrator Roney

A. REVIEW OF CHIEF DISCIPLINARY DECISIONS

B. REVIEW OF DIRECTOR DISCIPLINARY DECISIONS

IX. POLICY UPDATES

X. COMMITTEE REPORTS

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. ADJOURNMENT

Next Meeting: Tuesday, March 8, 2022, at 9:00 am

III. APPROVAL OF MINUTES

Ms. Quarto made the motion to approve the minutes. Motion seconded by Mr. Mountcastle and the motion to approve the minutes passed.

IV. PUBLIC COMMENT – No Public Comment.

V. CPRB INITIATED INVESTIGATION – VOTE ONLY

a. 20-030: O’Toole

Dispatcher Randolph #124

Allegation: Improper Procedure

Recommendation: Sustained

Motion: Hess

Second: Hardy

Motion passed

VI. PRESENTATION OF INVESTIGATIONS

a. 19-131: Thomas

P.O. Lipscomb #2430

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Graham

Second: Gatian

Motion passed with Ms. Hardy opposing

Sgt. Beitel #9014

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Graham

Second: Gatian

Motion passed

- b. **19-154: Alabsi.** Complainant was present. Complainant stated that the two officers violated his Rights, treated him horribly for no reason, pushed and shoved him, and charged him with trespassing. Complainant stated that the trespassing charges were dropped in court because he did nothing wrong. Complainant stated he had no idea why the officers even approached him. Complainant stated that the officers threatened him with arrest when he refused to sign the citation, and he still has no idea why the officers treated him this way.

P.O. Taylor #1090

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Gatian
Second: Hardy
Motion passed

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Gatian
Second: Hardy
Motion passed

P.O. Sains #497

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Gatian
Second: Hardy
Motion passed

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Gatian
Second: Hardy
Motion passed

- c. **19-172: Rhodes**

P.O. Hategan #1879

Allegation: Improper Tow
Recommendation: Sustained
Motion: Graham
Second: Mountcastle
Motion passed

d. 19-194: Watson

Det. Smith #882

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Hess

Second: Quarto

Motion passed

- e. 19-199: Hopper. Complainant was present. Complainant stated she did not know why the officers broke into her house and took her vehicle. The police still can't tell her why they kicked her door down, and couldn't tell her why they took her coin collection, the only thing she had that was given to her by her mother.**

Commander Johnson #6135

Allegation: Harassment

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Mountcastle

Motion passed

Allegation: Lack of Service

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Mountcastle

Motion passed

- f. 20-085: McCree-Wilson. Complainant was present. Complainant stated there were way more than the two incidents she reported, but that Officer Stuhm and Officer Derry are not the officers that she had the problem with. The lack of ability to discern between a victim of trauma and mental illness concerned her. The officers treated her like she was crazy – she learned that there was note in the system that she suffered from mental illness. Complainant stated that this must be a pattern in the City of Cleveland where officers respond to domestic violence complaints and don't make reports as directed by CDP policy. Being on medication doesn't mean that you can't also be a victim of crime.**

P.O. Derry #2319

Allegation: Lack of Service

Recommendation: Exonerated

Motion: Hess

Second: Mountcastle

Motion passed with Ms. Hardy and Ms. Miller opposed

P.O. Stuhm #425

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Hess
Second: Mountcastle
Motion passed with Ms. Hardy opposed

P.O. Claudio #1563

Allegation: Lack of Service
Recommendation: Sustained
Motion: Hess
Second: Miller
Motion passed

Allegation: Biased Policing
Recommendation: Insufficient Evidence
Motion: Hess
Second: Graham
Motion passed with Ms. Hardy and Ms. Miller opposed

g. 20-115: Boswell

P.O. Readinger #1328

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Gatian
Second: Mountcastle
Motion passed

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Gatian
Second: Mountcastle
Motion passed

Allegation: No Report Generated
Recommendation: Unfounded
Motion: Gatian
Second: Mountcastle
Motion passed

h. 20-131: Miller

P.O. Yuhas #2559

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Quarto
Second: Gatian
Motion passed

P.O. Staskevich #942

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Quarto
Second: Gatian
Motion passed

i. 20-203: Gonzalez

P.O. Marquard #1760

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

Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Hess
Second: Graham
Motion passed

P.O. Connole #1902

Allegation: Harassment
Recommendation: Unfounded
Motion: Hess
Second: Graham
Motion passed

P.O. Collins #82

Allegation: Harassment
Recommendation: Unfounded
Motion: Hess
Second: Graham
Motion passed

Allegation: WCS Violation
Recommendation: Sustained
Motion: Hess
Second: Quarto
Motion passed

j. 20-209: Jeffries

P.O. Valencic #2091

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Mountcastle
Motion passed

Allegation: Failure to Provide Medical Assistance
Recommendation: Unfounded
Motion: Graham
Second: Hardy
Motion passed

P.O. Johnson #201

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Mountcastle
Motion passed

Allegation: Failure to Provide Medical Assistance
Recommendation: Unfounded
Motion: Graham
Second: Hardy
Motion passed

k. 20-215: Boone

P.O. Nezbeth #1850

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Gatian
Second: Mountcastle
Motion passed

P.O. Pesta #981

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Gatian
Second: Mountcastle
Motion passed

P.O. Ramey #2201

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Gatian
Second: Mountcastle
Motion passed

P.O. Zagaria #2329

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Gatian
Second: Mountcastle
Motion passed

l. 20-255: Riggins

Det. McNeeley #2217

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Quarto
Second: Mountcastle
Motion passed with Mr. Graham abstaining

Sgt. Ciritovic #9107

Allegation: Improper Procedure
Recommendation: Sustained
Motion: Quarto
Second: Mountcastle
Motion passed with Mr. Graham abstaining

m. 20-257: Wiley

P.O. Brogan #491

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

P.O. Riolo #2375

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

- n. 21-053: Jackson. Complainant was present. Complainant stated he was not allowed to speak in court or represent himself. Complainant stated that he felt that way throughout the whole process – no one would speak to him, no one would listen to him except OPS. Complainant stated it was an embarrassment and disappointment for him to be arrested for something that he did not do.**

Det. Cunningham #1724

Allegation: Unprofessional Conduct
Recommendation: Sustained
Motion: Hess
Second: Hardy
Motion passed with Mr. Gatian opposed

Allegation: Improper Arrest
Recommendation: Unfounded
Motion: Hess
Second: Graham
Motion passed with Ms. Hardy opposed

Allegation: Lack of Service
Recommendation: Sustained
Motion: Hess
Second: Hardy
Motion passed

Allegation: Full Time and Attention
Recommendation: Sustained
Motion: Hess
Second: Hardy
Motion passed with Mr. Graham opposed

o. 21-077: Hurley

P.O. Sheehan #448

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Gatian
Second: Graham
Motion passed

Allegation: Improper Arrest
Recommendation: Unfounded
Motion: Gatian
Second: Quarto
Motion passed

Allegation: Improper Search
Recommendation: Unfounded
Motion: Gatian
Second: Graham
Motion passed

Allegation: Improper Tow
Recommendation: Unfounded
Motion: Gatian
Second: Quarto
Motion passed

P.O. Kovalak #2313

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Gatian
Second: Graham
Motion passed

Allegation: Improper Arrest
Recommendation: Unfounded
Motion: Gatian
Second: Quarto
Motion passed

Allegation: Improper Search
Recommendation: Unfounded
Motion: Gatian
Second: Quarto
Motion passed

Allegation: Improper Tow
Recommendation: Unfounded
Motion: Gatian
Second: Quarto
Motion passed

p. 21-101: Barnes

P.O. Blade #1129

Allegation: Lack of Service
Recommendation: Sustained
Motion: Quarto
Second: Graham
Motion passed

Allegation: Improper Tow
Recommendation: Sustained
Motion: Quarto
Second: Hardy
Motion passed

q. 21-103: Hughes

P.O. Midlik #453

Allegation: Unprofessional Conduct

Recommendation: ****Case tabled for next month due to missing WCS footage****

Allegation: Harassment

Recommendation: ****Case tabled for next month due to missing WCS footage****

P.O. Bolivar #55

Allegation: Unprofessional Conduct

Recommendation: ****Case tabled for next month due to missing WCS footage****

Allegation: Harassment

Recommendation: ****Case tabled for next month due to missing WCS footage****

r. 21-141: Muniz

Dispatcher Kelley #112

Allegation: Unprofessional Conduct

Recommendation: Sustained

Motion: Hess

Second: Quarto

Motion passed

Dispatcher Cabaniss #222

Allegation: Lack of Service

Recommendation: Insufficient Evidence

Motion: Hess

Second: Quarto

Motion passed

s. 21-196: Hurley

P.O. Longer #2452

Allegation: Unprofessional Conduct

Recommendation: Exonerated

Motion: Quarto

Second: Mountcastle

Motion passed

t. 21-226: Kormos

P.O. Asp #622

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Hess
Second: Quarto
Motion passed with Mr. Gatian abstaining

P.O. Borders #1780

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Hess
Second: Quarto
Motion passed with Mr. Gatian abstaining

u. 21-227: Bosko

P.O. Lloyd #2098

Allegation: Unprofessional Conduct
Recommendation: ****Case tabled for next month due to loss of quorum****

P.O. Vazquez #1283

Allegation: Unprofessional Conduct
Recommendation: ****Case tabled for next month due to loss of quorum****

Allegation: Lack of Service
Recommendation: ****Case tabled for next month due to loss of quorum****

Sgt. Lane #9060

Allegation: Unprofessional Conduct
Recommendation: ****Case tabled for next month due to loss of quorum****

VIII (A). REVIEW OF CHIEF DECISIONS

20-218: The CPRB accepted the Chief's decision and discipline.

21-070: The CPRB appealed this Chief's decision and discipline.

21-197: The CPRB appealed this Chief's decision and discipline.

XIII. ADJOURNMENT

Meeting ended at 1:58 pm due to a loss of quorum.

Next Meeting: Tuesday, March 8, 2022, at 9:00 am