

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

February 9, 2021

**MEETING MINUTES**

**I. CALL TO ORDER – 10:17**

**Michael Graham, Chairperson**

**II. ROLL CALL**

Chairperson Graham

**CPRB MEMBERS**

**ATTENDANCE**

Michael Graham, Chair  
Michael Hess  
Mary Clark  
Ken Mountcastle  
David Gatian  
Ashley Mostella  
Gerri Butler, Staff Counsel  
LeeAnn Hanlon, Secretary

**OPS STAFF**

**ATTENDANCE**

Roger Smith, Administrator  
Julie Delaney, investigator  
Art Bowker, Investigator  
Keith Oliver, Investigator  
Barbara Williams-Bennett, Investigator  
David Hammons, Investigator  
Kevin Wynne, 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**

**B. REVIEW OF DIRECTOR DISCIPLINARY DECISIONS**

**VIII. POLICY UPDATES**

**IX. COMMITTEE REPORTS**

**X. UNFINISHED BUSINESS**

**XI. NEW BUSINESS**

**XII. ADJOURNMENT**

Next Meeting: Tuesday, March 9, 2021 at 10:00 am

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

Mr. Hess made a motion to approve the minutes. Motion seconded by Mr. Gatian 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 –

Bias-Free policing, along with other major components of the Consent Decree, is central to creating community trust when it comes to policing in Cleveland. Of course policies that are written that clearly articulate the parameters of police behavior in the use of force, crisis intervention, and search and seizure are also critical in the establishment of trust, but its bias free policing that may be the cornerstone in the reform effort and the development of trust.

The Consent Decree's Bias Free Policing section requires the Division of Police to “deliver police services with the goal of ensuring that they are equitable, respectful, and free of unlawful bias, in a manner that promotes broad community engagement and confidence in CDP. Bias-free policing principles must be integrated into CDP’s various “management, policies and procedures, job descriptions, recruitment, training, personnel evaluations, resource deployment, tactics, and accountability systems. The goal is “to ensure policing and law enforcement outcomes that are as free from the effects of all bias to the greatest extent possible.”

Nowhere is this goal more important than in the oversight system. Cleveland's system which includes OPS, the CPRB, the Cleveland Community Police Commission, an Inspector General and IA, Internal Affairs. The composition of these organizations is critical to providing bias free deliberations and decisions concerning officer behavior as well as the review and creation of bias free policy. The goal of being bias free can more easily be accomplished when the composition of these organizations is made up of individuals who are free of any conflicts of interest. Review, investigative and adjudicatory actions can best be bias free when based on facts, a preponderance of evidence as we so often hear from this Board with limited discretion. I believe this is true for OPS, CPRB, and the Cleveland CPC. I have concerns about oversight that occurs within organizations by members of the organization about members of the organization. The potential bias free decision making is reduced under such circumstances. This is exacerbated when they are done privately in closed meetings without transparency and the public's ability to observe.

Internal Affairs, despite having a civilian administrator and the Chief's disciplinary meetings, if open to the public, would go a long way toward enhancing community trust. We need to know that these meetings, the investigations and the decisions that are made there are bias free. Transparency needs to be made part of each and every component of oversight.

**V. PRESENTATION OF INVESTIGATIONS**

**a. 18-157: Randall**

P.O. Hoover #2107

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

P.O. Ziegler #2330

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

Sgt. Guerra #9144

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

**b. 19-068: Sims**

P.O. Golston #919

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

**c. 19-201: Williams**

P.O. Kaloczi #276

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

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

**d. 20-034: Sims**

P.O. Cavanaugh #2123

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

Allegation: Discrimination  
Recommendation: Unfounded  
Motion: Graham  
Second: Clark  
*Motion passed*

**e. 20-073: Walker**

P.O. Strehle #658

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

Allegation: Biased Policing  
Recommendation: Sustained  
Motion: Gatian  
Second: Mostella  
*Motion passed with two opposed*

**f. 20-135: Petterson/Anonymous**

Det. Loomis #2416

Allegation: Social Media Policy Violation

Recommendation: **\*\*Case moved to March meeting\*\***

**g. 20-136: Vance**

P.O. Connole #1902

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Graham

Second: Mostella

*Motion passed*

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Graham

Second: Clark

*Motion passed*

**h. 20-204: Weiskittel**

Det. Ratti #1968

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Graham

Second: Gatian

*Motion passed*

**i. 20-214: Davis**

P.O. Stevens #2345

Allegation: Lack of Service

Recommendation: Sustained

Motion: Graham

Second: Mostella

*Motion passed*

**j. 20-222: Donathan**

Sgt. Chapman #9232

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Graham  
Second: Gatian  
*Motion passed*

**k. 20-241: Anderson**

P.O. Dugan #1250

Allegation: Unprofessional Conduct  
Recommendation: Insufficient Evidence  
Motion: Graham  
Second: Mountcastle  
*Motion passed*

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

**19-130:** CPRB accepted the Chief's decision.

**19-137:** CPRB accepted the Chief's decision.

**19-159:** CPRB accepted the Chief's decision.

**19-189:** CPRB accepted the Chief's decision.

**19-219:** CPRB accepted the Chief's decision.

**20-015:** CPRB voted to appeal this case to the Safety Director.

**20-061:** CPRB accepted the Chief's decision.

**20-090:** CPRB accepted the Chief's decision.

## **VII (B). REVIEW OF DIRECTOR'S DECISION**

**16-216:** Director Howard upheld the Chief's decision. The CPRB declined to vote for a resolution on this case.

## **XII. ADJOURNMENT**

Motion to adjourn the meeting made by Mr. Mouncastle and Mr. Gatian seconded. Meeting adjourned at 12:43 pm.