

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

March 8, 2022

**MEETING MINUTES**

**I. CALL TO ORDER – 9:10 am**

**Michael Hess, Chairperson**

**II. ROLL CALL**

Chairperson Hess

**CPRB MEMBERS**

**OPS STAFF**

**ATTENDANCE**

Michael Hess, Chair  
Dave Gatian, Vice Chair  
Ken Mountcastle  
Roslyn Quarto  
Sherall Hardy  
Ashley Mostella

**ATTENDANCE**

Henry Roney, Acting Administrator  
Julie Delaney, Investigator  
Barbara Williams-Bennett, Investigator  
Keith Oliver, Investigator  
Kevin Wynne, Investigator  
Art Bowker, Investigator  
Anitra Merritt, Investigator  
Eric Richardson, Investigator  
Hercules Harris, Investigator

Gerri Butler, Staff Counsel  
LeeAnn Hanlon, Secretary

**III. APPROVAL OF MINUTES**

**IV. PUBLIC COMMENT**

**V. NEW BUSINESS**

Administrator Roney

**VI. PRESENTATION OF INVESTIGATIONS**

Administrator Roney

**VII. ANNOUNCEMENTS AND COMMUNICATIONS**

Administrator Roney

**VIII. OPS REPORT**

Administrator Roney

**A. REVIEW OF CHIEF DISCIPLINARY DECISIONS**

**IX. POLICY UPDATES**

**X. COMMITTEE REPORTS**

**XI. UNFINISHED BUSINESS**

**XII. ADJOURNMENT**

Next Meeting: Tuesday, April 12, 2022, at 9:00 am

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

Ms. Hardy requested that an adjustment be made in the minutes under OPS2020-0085 to reflect that both she and Ms. Miller opposed the allegation. Mr. Hess, with the adoption of that adjustment, made a motion to approve the minutes. Ms. Quarto seconded and the motion to approve the minutes passed.

### **IV. PUBLIC COMMENT**

David Lima, SURJ

I'm sorry that I missed last month's meeting. I forgot the meeting time had been changed to 9 am.

It is my understanding that city attorneys are actively working on the incorporation of the new charter amendment within the consent decree. This is a critical first step in the implementation of Issue 24 which, of course, has significant impact and implications for this Board.

My comments at the January meeting focused on the new organizational structure affecting OPS and the Board and the significant funding increase to cover the expanded activities enumerated in the charter amendment.

In the past I've commented on the elements necessary for a police review board to be effective and gain the trust of the community that it serves - authority, independence and funding. The independence of this Board has been secured in the charter amendment's Section 115-3, Board's powers and duties. In addition to the requirement the Board consider citizens' complaints filed with it, as it does now, it also provides for the Board to investigate on its own, complaints based on information that comes to its attention. It does not require a citizen complaint. In addition, this section prohibits the Board from not considering to investigate allegations of police misconduct just because another investigative agency, including Internal Affairs or any other non-federal law enforcement agency, is investigating, has already investigated, arrived at a conclusion and closed the case. The Board can no longer be prevented from directing OPS to investigate, should it choose to do so, simply by the police chief or safety director claiming jurisdiction over the investigation. Now that's independence.

Section 115-4 further provides for the Board to expand its investigation beyond those set forth in the complaint based on facts and allegations uncovered in the investigation.

These provisions and other elements of the new charter amendment providing for greater independence will go far in strengthening the effectiveness of the Board and gaining the community's trust as a fair and impartial arbitrator of alleged police misconduct complaints.

Next Meeting: Tuesday, April 12, 2022, at 9:00 am

LaTonya Goldsby, President and Co-Found of Black Lives Matter Cleveland and Board Member of Citizens for a Safer Cleveland, author of the new Charter 115 amendment.

I have two questions: One, because of the mandate of charter amendment and implementation 115, when will you be hiring an administrator or general manager? OPS is understaffed, which will lead to further backlog and unsuccessful implementation of charter amendment 115. Do you have a general timeframe on when you'll have those hires completed?

Chair Hess: I think Henry is more prepared to speak to that, but I believe that the hiring process is supposed to be or is tied to the City's budget period, which is just coming to a close. I think that is really gearing up in the next couple of weeks or so. Henry, do you have anything to add to that?

Administrator Roney: Yes, you and I went before the Council last week and sat and talked about a budget. I think that nothing is going to move forward until after March 17. That's when Judge Oliver, the Federal judge that oversees the Consent Decree, has the hearing regarding 115. Until that is resolved, I don't think we are going to be able to move forward. But shortly after that, we plan on moving as quickly as possible to fill all of our vacancies.

My next question is are those City Council picks the CPRB members, will this leadership here insist on a more reflective group of ethnic communities? Particularly black men?

Administrator Roney: If I can, the City Council does not pick any of our employees as it is written. The administrator will be selected by the CPRB members.

Okay, so the CPRB members will select the people?

Administrator Roney: Yes, under the current charter, yes.

Those were my two questions. Thank you.

## **V. NEW BUSINESS**

Mr. Hess made the motion to send the policy recommendations to the Chief of Police. Ms. Quarto seconded the motion, and the motion passed. The policy recommendations will be sent to Interim Chief of Police, Dornat Drummond.

Next Meeting: Tuesday, April 12, 2022, at 9:00 am

**VI. PRESENTATION OF INVESTIGATIONS**

**a. 20-082: Burrage**

**Det. Hourihan #250**

Allegation: Improper Stop

Recommendation: ***\*\*Due to gridlocked vote, this case has been tabled for next month\*\****

Allegation: Improper Citation

Recommendation: ***\*\*Due to gridlocked vote, this case has been tabled for next month\*\****

Allegation: Improper Search

Recommendation: ***\*\*Due to gridlocked vote, this case has been tabled for next month\*\****

**Det. Hess #4**

Allegation: Improper Search

Recommendation: ***\*\*Due to gridlocked vote, this case has been tabled for next month\*\****

**P.O. Walter #1683**

Allegation: WCS Violation

Recommendation: ***\*\*Due to gridlocked vote, this case has been tabled for next month\*\****

**b. 20-093: Chowdhury-Quazi**

**Dispatcher Blevins #52**

Allegation: Unprofessional Conduct

Recommendation: Sustained

Motion: Gatian

Second: Hardy

*Motion passed*

**c. 20-183: Dancy**

**Det. Johnson #2169**

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Quarto

Second: Hardy

*Motion passed*

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Quarto  
Second: Hardy  
*Motion passed*

**P.O. Luther #2185**

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Quarto  
Second: Hardy  
*Motion passed*

**d. 20-186: Davis**

**P.O. Kirk #572**

Allegation: Improper Arrest  
Recommendation: Unfounded  
Motion: Hess  
Second: Quarto  
*Motion passed*

**e. 20-275: Stewart**

**Det. Hourihan #250**

Allegation: Improper Stop  
Recommendation: Insufficient Evidence  
Motion: Quarto  
Second: Mountcastle  
*Motion passed*

**Det. Pollack #769**

Allegation: Improper Stop  
Recommendation: Insufficient Evidence  
Motion: Quarto  
Second: Mountcastle  
*Motion passed*

Allegation: Improper Search  
Recommendation: Sustained  
Motion: Quarto  
Second: Hardy  
*Motion passed*

**Sgt. Durichko #9193**

Allegation: Improper Search  
Recommendation: Sustained  
Motion: Quarto  
Second: Hardy  
*Motion passed*

**f. 21-088: Pinkney-Butts**

**P.O. Barnes #383**

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Hess  
Second: Quarto  
*Motion passed*

**Sgt. Koney #9231**

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Hess  
Second: Quarto  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Quarto  
*Motion passed*

**g. 21-093: Foye**

**P.O. Beckwith #1047**

Allegation: Unprofessional Conduct  
Recommendation: ***\*\*This case was tabled as the CPRB asked the investigator for more information regarding CDP policy on traffic stops when citizens feel they are in an unsafe area.\*\****

**h. 21-103: Hughes**

**P.O. Bolivar #55**

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Hess

Second: Quarto

*Motion passed*

Allegation: Harassment

Recommendation: Insufficient Evidence

Motion: Hess

Second: Quarto

*Motion passed*

**P.O. Midlik #452**

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Hess

Second: Quarto

*Motion passed*

Allegation: Harassment

Second: Insufficient Evidence

Motion: Hess

Second: Quarto

*Motion passed*

**i. 21-110: Anonymous**

**P.O. VonMayhem #2366**

Allegation: Unprofessional Conduct

Recommendation: Sustained

Motion: Quarto

Second: Mountcastle

*Motion passed*

**j. 21-117: Manley**

**P.O. Farren #1866**

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Hess  
Second: Hardy  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Hardy  
*Motion passed*

**k. 21-194: Baker**

**P.O. Torres #2493**

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Hess  
Second: Quarto  
*Motion passed with Ms. Mostella abstaining*

**P.O. Simpson #455**

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Hess  
Second: Hardy  
*Motion passed with Ms. Mostella abstaining*

**P.O. Nagy #1252**

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Hardy  
*Motion passed with Ms. Mostella abstaining*



**P.O. Mejia #867**

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Hardy  
*Motion passed with Ms. Mostella abstaining*

**P.O. Adkins #1504**

Allegation: Unprofessional Conduct  
Recommendation: Exonerated  
Motion: Hess  
Second: Quarto  
*Motion passed with Ms. Mostella abstaining*

**I. 21-224: Balaguer**

**P.O. Gibson #2244**

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

**m. 21-227: Bosko**

**P.O. Lloyd #2098**

Allegation: Unprofessional Conduct  
Recommendation: Sustained  
Motion: Hess  
Second: Hardy  
*Motion passed*

**P.O. Vazquez #1203**

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Hardy  
*Motion passed*

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

**n. 21-231: Anonymous**

**P.O. Brothers #542**

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

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

Allegation: Improper Stop  
Recommendation: Unfounded  
Motion: Gatian  
Second: Hardy  
*Motion passed*

Allegation: Improper Search  
Recommendation: Unfounded  
Motion: Gatian  
Second: Hardy  
*Motion passed*

Allegation: Biased Policing  
Recommendation: Unfounded  
Motion: Gatian  
Second: Hardy  
*Motion passed*

**Sgt. McClain #9153**

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

Next Meeting: Tuesday, April 12, 2022, at 9:00 am

**o. 21-239: Williams**

**P.O. Craddock #702**

Allegation: Unprofessional Conduct  
Recommendation: Sustained  
Motion: Hess  
Second: Quarto  
*Motion passed*

**p. 21-247: Standberry**

**P.O. Pendleton #37**

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Hess  
Second: Quarto  
*Motion passed*

- q. 21-280: Jones. Complainant stated at the time he had a Kentucky license, and that the officer asked for his social. Complainant stated that the officer wouldn't provide him with his name or badge number and wouldn't provide him with a supervisor when he asked. Complainant stated that this officer should be taken off of the streets.**

**P.O. Gasiewski #648**

Allegation: Unprofessional Conduct  
Recommendation: Insufficient Evidence  
Motion: Gatian  
Second: Quarto  
*Motion passed*

**r. 21-283: Toorish**

**P.O. Ehlinger #796**

Allegation: Excessive Force  
Recommendation: Unfounded  
Motion: Hess  
Second: Quarto  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Mostella  
*Motion passed*

**P.O. Smith #2017**

Allegation: Excessive Force  
Recommendation: Unfounded  
Motion: Hess  
Second: Mostella  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Mostella  
*Motion passed*

**s. 21-288: Dennis**

**P.O. Rivera #2336**

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Gatian  
Second: Mostella  
*Motion passed with Mr. Hess opposed*

**t. 21-293: Fisher**

**P.O. Heath #817**

Allegation: Lack of Service  
Recommendation: Insufficient Evidence  
Motion: Hess  
Second: Mountcastle

**u. 21-301: Qasem**

**P.O. Beach #1948**

Allegation: Improper Citation  
Recommendation: Exonerated  
Motion: Gatian  
Second: Quarto  
*Motion passed*

**P.O. Poff #1029**

Allegation: Improper Citation  
Recommendation: Exonerated  
Motion: Gatian  
Second: Quarto  
*Motion passed*

**P.O. Craiu #1922**

Allegation: Unprofessional Conduct/Harassment  
Recommendation: Unfounded  
Motion: Gatian  
Second: Mostella  
*Motion passed*

**P.O. Colon-Feliciano #84**

Allegation: Unprofessional Conduct/Harassment  
Recommendation: Unfounded  
Motion: Gatian  
Second: Quarto  
*Motion passed*

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

- 19-172:** The CPRB accepted the Chief's decision and discipline.
- 20-030:** The CPRB accepted this Chief's decision and discipline.
- 21-111:** The CPRB accepted this Chief's decision and discipline.
- 21-112:** The CPRB declined to forward this Chief's departure to the Safety Director and accepted the Chief's decision/departure.
- 21-204:** The CPRB accepted this Chief's decision and discipline.

**XIII. ADJOURNMENT**

Motion to adjourn the meeting made by Mr. Gatian and seconded by Ms. Quarto. Meeting adjourned at 1:15 pm.

Next Meeting: Tuesday, April 12, 2022, at 9:00 am