

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

March 9, 2021

MEETING MINUTES

I. CALL TO ORDER – 10:06

Michael Graham, Chairperson

II. ROLL CALL

Chairperson Graham

CPRB MEMBERS

ATTENDANCE

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

OPS STAFF

ATTENDANCE

Roger Smith, Administrator
Art Bowker, investigator
Julie Delaney, Investigator
David Hammons, Investigator
Anitra Merritt, Investigator
Eric Richardson, Investigator
Barbara Williams-Bennett, 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, April 13, 2021 at 10:00 am

III. APPROVAL OF MINUTES

Ms. Clark made a motion to approve the minutes. Motion seconded by Mr. Mountcastle 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 –

I decided to comment on police high-speed vehicle pursuit policy after becoming aware via OPS social media posts that the Board was going to consider the complaint filed with OPS regarding the tragic death of Tamia Chappman. She was killed December 20, 2019 as a result of a high-speed vehicle pursuit engaged in by members of the CDP.

I reviewed the CDPs General Police Order, Emergency Response Driving and the National Institute of Justice's issues and practices policy entitled "Restrictive Policies for High-Speed Pursuits". The National Institute of Justice is part of the Office of Justice Programs, Department of Justice.

CDP's policy clearly states "no assignment shall be of such importance ... that the principles of safety become secondary". It goes on to say "when engaging in emergency driving, officers shall not unnecessarily endanger the public, their fellow officers or themselves". Besides requiring consideration of such things as road, weather and traffic conditions, officers shall consider the nature of the surrounding area and familiarity with the area.

The 14 page federal policy (4.18) referred to previously provides in detail restrictive pursuit practices that every police department should review before adopting local policy. They conclude that high-speed vehicle pursuits are possibly the most dangerous of all ordinary police activities. Far more police vehicle chases occur each year than police shootings. However, development of legally sound police vehicle pursuit policies lags behind development of deadly force policies involving firearms. While potential liability from high-speed pursuit is significant, the law does provide protection where agencies have made their best efforts to draft and implement specific pursuit directives; adequately train officers in the policy and techniques of pursuit driving; and closely supervise, review, and evaluate implementation of pursuit policies. But the most important reason for effective pursuit policies is not minimization of liability. It is to protect life and property-the basic police mission.

Cleveland.com reported in May, 2020 that the CDP had determined that the chase resulting in the death of Tamia Chappman was conducted properly within department protocol after a thorough and comprehensive investigation. Of course, internal investigations done behind closed doors by members of an organization about members of the same organization, without the benefit of transparency, is less than satisfying. This must change.

Fortunately, a complaint filed with OPS provides us, the public, with the opportunity to have access to an impartial investigation, an investigation conducted by an organization outside the organization being investigated. I look forward to the presentation of evidence by the OPS investigation and the deliberation of this Board. The transparent public process conducted by OPS and the CPRB where all voices are heard has the benefit and advantage of shining a light on critical incidents with fairness and impartiality enhancing public trust in procedural justice.

V. PRESENTATION OF INVESTIGATIONS

a. 20-007: Wojanowski

P.O. Dooley #1595

Allegation: Improper Tow
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passed

P.O. Howard #921

Allegation: Improper Tow
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passed

b. 20-028: Mason. While OPS was prepared to present the investigation, the CPRB requested that this investigation be moved to the April agenda due to the amount of information and the gravity of the case.

Sgt. Chapman #9232

Allegation: Vehicle Pursuit Violation
Recommendation: *****Investigation moved to the April meeting*****

Allegation: Emergency Response Driving
Recommendation: *****Investigation moved to the April meeting*****

Allegation: AVL System Violation
Recommendation: *****Investigation moved to the April meeting*****

P.O. Stipkovich #40

Allegation: Vehicle Pursuit Violation

Recommendation: ****Investigation moved to the April meeting****

Allegation: Emergency Response Driving

Recommendation: ****Investigation moved to the April meeting****

P.O. Singh #1381

Allegation: Vehicle Pursuit Violation

Recommendation: ****Investigation moved to the April meeting****

Allegation: Emergency Response Driving

Recommendation: ****Investigation moved to the April meeting****

P.O. Miller #1583

Allegation: Vehicle Pursuit Violation

Recommendation: ****Investigation moved to the April meeting****

Allegation: Emergency Response Driving

Recommendation: ****Investigation moved to the April meeting****

P.O. Sabolik #1021

Allegation: Self-Dispatch Violation

Recommendation: ****Investigation moved to the April meeting****

Det. Warnock #1719

Allegation: Self-Dispatch Violation

Recommendation: ****Investigation moved to the April meeting****

Det. Crivel #1767

Allegation: Self-Dispatch Violation

Recommendation: ****Investigation moved to the April meeting****

P.O. Dunn #1583

Allegation: Self-Dispatch Violation

Recommendation: ****Investigation moved to the April meeting****

Next Meeting: Tuesday, April 13, 2021 at 10:00 am

P.O. Staskevich #942

Allegation: Self-Dispatch Violation

Recommendation: ****Investigation moved to the April meeting****

Lt. Farmer #8487

Allegation: Failure to Terminate Pursuit

Recommendation: ****Investigation moved to the April meeting****

Allegation: Failure to Monitor AVL

Recommendation: ****Investigation moved to the April meeting****

c. 20-051: Slembarski

Traffic Controller Longar #7100

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Clark

Motion passed

d. 20-135: Anonymous/Petterson

Det. Loomis #2416

Allegation: Social Media Policy Violation

Recommendation: Sustained

Motion: Quarto

Second: Graham

Motion passed

e. 20-150: Price

P.O. Hayden #600

Allegation: Unprofessional Conduct

Recommendation: Insufficient Evidence

Motion: Graham

Second: Turner

Motion passed

Next Meeting: Tuesday, April 13, 2021 at 10:00 am

Allegation: Failure to Investigate
Recommendation: Unfounded
Motion: Graham
Second: Quarto
Motion passed

Allegation: WCS Violation
Recommendation: Sustained
Motion: Graham
Second: Mountcastle
Motion passed

f. 20-184: Hawthorne

P.O. Howard #921

Allegation: Missing Property
Recommendation: Unfounded
Motion: Quarto
Second: Graham
Motion passed

P.O. Leon #2468

Allegation: Missing Property
Recommendation: Unfounded
Motion: Quarto
Second: Graham
Motion passed

g. 20-192: Thomas

Dispatcher Hollinger #104

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Graham
Second: Mountcastle
Motion passed

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

h. 20-227: Dukes

P.O. Jones #210

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

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

P.O. Brill #200

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

i. 20-263: Sanders

Sgt. Pirinelli #9046

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

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

j. 21-013: Lulow

P.O. Dang #1729

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Quarto

Second: Mountcastle

Motion passed

VII (A). REVIEW OF CHIEF DECISIONS

17-128: CPRB accepted the Chief's decision.

19-173: CPRB accepted the Chief's decision.

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

VII (B). REVIEW OF DIRECTOR'S DECISION

17-209: Director Howard reversed the Chief's decision and issued Det. Hourihan a written reprimand with retraining in Search and Seizure.

19-047: Director Howard upheld the Chief's dismissal. The CPRB declined to vote for a resolution on this case.

XII. ADJOURNMENT

Motion to adjourn the meeting made by Mr. Graham and Ms. Clark seconded. Meeting adjourned at 11:47 am.

Next Meeting: Tuesday, April 13, 2021 at 10:00 am