CIVILIAN POLICE REVIEW BOARD
OFFICE OF PROFESSIONAL STANDARDS
May 12, 2020
MEETING MINUTES

I. CALL TO ORDER – 10:15
   Michael Graham, Chairperson

II. ROLL CALL
   Chairperson Graham

CPRB MEMBERS
   ATTENDANCE
   Michael Graham, Chair
   Ashley Mostella, Vice Chair
   Ernest Turner
   Mary Clark
   Ken Mountcastle
   David Gatian
   Mylonne Sullivan
   Gerri Butler, Staff Counsel
   LeeAnn Hanlon, Secretary

OPS STAFF
   ATTENDANCE
   Roger Smith, Administrator
   Julie Delaney, investigator
   Art Bowker, Investigator
   Vincent Funari, Investigator
   Keith Oliver, Investigator
   David Hammons, Investigator
   Kevin Wynne, Investigator
   Eric Richardson, Investigator
   Anitra Merritt, 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
    A. PROPOSED AMENDMENT TO CPRB MANUAL AND PROCEDURES

IX. COMMITTEE REPORTS

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. ADJOURNMENT
III. APPROVAL OF MINUTES

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

We are pleased that during this very unusual time the Office of Professional Standards and the Civilian Police Review Board will continue to meet to carry out its role and responsibility within the police oversight system virtually. One advantage of doing this remotely is not having to look for a parking spot in the Willard Garage. Thanks for the providing the link to today’s meeting.

Rest assured that those of us who are concerned about having an effective and vital police oversight system have not lessened our efforts. We meet virtually and on a regular basis and will continue to do so as long as the virus remains a threat.

Various aspects of the oversight system not currently open to the public are being reviewed by us, including the Chief’s hearings where decisions are made whether to concur, change or dismiss the Board’s sustained findings. We are committed to ensuring that the Cleveland police oversight system is independent, has authority and adequate funding, is transparent, and permanent.
V. PRESENTATION OF INVESTIGATIONS

a. 18-133: Harris.

P.O. Russo #231
Allegation: Lack of Service
Recommendation: **Tabled for next meeting**

P.O. Halkiadakis #2583
Allegation: Lack of Service
Recommendation: **Tabled for next meeting**

Sgt. Ross #9024
Allegation: Lack of Service
Recommendation: **Tabled for next meeting**

Det. Habeeb #381
Allegation: Retaliation
Recommendation: **Tabled for next meeting**

Lt. Cutlip #8476
Allegation: Retaliation
Recommendation: **Tabled for next meeting**

b. 18-134: Becker-Kogler

Sgt. Ezzo #9084
Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Graham
Second: Clark
Motion passes with one abstention

Allegation: Improper Arrest
Recommendation: Exonerated
Motion: Graham
Second: Gatian
Motion passes with one abstention
c. 18-213: Leftwich

P.O. Kilnapp #775

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Graham
Second: Mostella
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Mostella
Motion passes

Sgt. Todd #9129

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Graham
Second: Turner
Motion passes

P.O. Trivett #335

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Sullivan
Motion passes

d. 18-226: Murray

P.O. Rice #1886

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Graham
Second: Mountcastle
Motion passes

Allegation: Failure to Provide Name/Badge
Recommendation: Insufficient Evidence
Motion: Graham
Second: Mountcastle
Motion passes
P.O. Wells #1330

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Graham
Second: Sullivan
Motion passes

Allegation: Failure to Provide Name/Badge
Recommendation: Insufficient Evidence
Motion: Graham
Second: Gatian
Motion passes

e. 19-019: Rodriguez de Lena

P.O. Gallagher #422

Allegation: Lack of Service
Recommendation: **Investigation returned for further investigation**

Allegation: Improper Search
Recommendation: **Investigation returned for further investigation**

Allegation: WCS Violation
Recommendation: **Investigation returned for further investigation**

f. 19-021: Martin

Lt. Skrletts #8550

Allegation: Bias Policing
Recommendation: Unfounded
Motion: Graham
Second: Mountcastle
Motion passes with one abstention

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Mountcastle
Motion passes with one abstention
P.O. Horvat #2491

Allegation: Bias Policing
Recommendation: Unfounded
Motion: Graham
Second: Gatian
*Motion passes with one abstention*

P.O. Neagu #1205

Allegation: Bias Policing
Recommendation: Unfounded
Motion: Graham
Second: Clark
*Motion passes with one abstention*

Det. Charney #1700

Allegation: Bias Policing
Recommendation: Unfounded
Motion: Graham
Second: Turner
*Motion passes with one abstention*

Allegation: Unprofessional Conduct
Recommendation: Sustained
Motion: Graham
Second: Mountcastle
*Motion passes with one abstention*

g. **19-072: Scales**

P.O. Lopez #1859

Allegation: Unprofessional Conduct
Recommendation: **Tabled for next meeting due to audio problems**

P.O. Smiley #1138

Allegation: Unprofessional Conduct
Recommendation: **Tabled for next meeting due to audio problems**

P.O. McGervey #2352

Allegation: Unprofessional Conduct
Recommendation: **Tabled for next meeting due to audio problems**
P.O. Garcia #2168
Allegation: Unprofessional Conduct
Recommendation: **Tabled for next meeting due to audio problems**

P.O. Leonardi #1965
Allegation: Unprofessional Conduct
Recommendation: **Tabled for next meeting due to audio problems**

P.O. Domnori #233
Allegation: Unprofessional Conduct
Recommendation: **Tabled for next meeting due to audio problems**

h. 19-085: Rainey

P.O. Majid #777
Allegation: Improper Detainment
Recommendation: Sustained
Motion: Graham
Second: Clark
Motion passes

Allegation: Improper Search
Recommendation: Sustained
Motion: Graham
Second: Mostella
Motion passes

P.O. Domnori #233
Allegation: Improper Search
Recommendation: Unfounded
Motion: Graham
Second: Sullivan
Motion passes

Sgt. Moran #9072
Allegation: Unprofessional Conduct
Recommendation: Sustained
Motion: Graham
Second: Sullivan
Motion passes
i. 19-167: Parish

P.O. White #437

Allegation: Lack of Service
Recommendation: **Tabled for next meeting due to audio problems**

P.O. Villafuerte #1608

Allegation: Lack of Service
Recommendation: **Tabled for next meeting due to audio problems**

j. 19-171: Schoch

P.O. Beckwith #1047

Allegation: Improper Citation
Recommendation: Exonerated
Motion: Graham
Second: Turner
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Graham
Second: Gatian
Motion passes

k. 19-187: Wilson

P.O. Yasenchack #2362

Allegation: Improper Search
Recommendation: Sustained
Motion: Turner
Second: Sullivan
Motion passes with one opposed
I. 19-202: Gray

P.O. Beach #1948

Allegation: Improper Arrest
Recommendation: Exonerated
Motion: Graham
Second: Gatian
Motion passes

P.O. Paridon #938

Allegation: Improper Arrest
Recommendation: Exonerated
Motion: Graham
Second: Clark
Motion passes

m. 19-211: Ulrich

P.O. Corrigan #2572

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Graham
Second: Mountcastle
Motion passes

P.O. Robles #2283

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Graham
Second: Mountcastle
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Exonerated
Motion: Graham
Second: Clark
Motion passes
n. 19-214: Anderson

P.O. Wells #1330

Allegation: Lack of Service
Recommendation: Insufficient Evidence
Motion: Graham
Second: Gatian
Motion passes

Allegation: Bias Policing
Recommendation: Insufficient Evidence
Motion: Graham
Second: Sullivan
Motion passes

VII (A). REVIEW OF CHIEF DECISIONS

16-008: CPRB accepted the Chief’s decision.

16-159: CPRB accepted the Chief’s decision.

16-174: CPRB accepted the Chief’s decision.

17-071: CPRB accepted the Chief’s decision.

18-086: CPRB accepted the Chief’s decision.

19-107: CPRB accepted the Chief’s decision.

19-178: CPRB accepted the Chief’s decision.

VII (B). REVIEW OF DIRECTOR’S DECISION

18-181: Director McGrath reversed the dismissal of the Chief and issued P.O. Levert a two-day suspension.

VIII. POLICY UPDATES

Mr. Graham moves that the proposed amendment to the CPRB manual and procedures be accepted, and Mr. Gatian seconded. Proposed amendment will be forwarded for consideration.

XII. ADJOURNMENT

Motion to adjourn the meeting made by Mr. Graham and Ms. Mostella seconded. Meeting adjourned at 14:20 hours.