

**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.