CIVILIAN POLICE REVIEW BOARD
OFFICE OF PROFESSIONAL STANDARDS
May 14, 2019
MEETING MINUTES

I. CALL TO ORDER – 10:11
   Stephanie Scalise, Acting Chair

II. ROLL CALL
   Vice-Chairperson Scalise

CPRB MEMBERS

ATTENDANCE
Stephanie Scalise
Michael Graham
Ken Mountcastle
Mary Clark
Michael Hess
Ashley Mostella
Ernest Turner
Gerri Butler, Staff Counsel
LeeAnn Hanlon, Secretary

OPS STAFF

ATTENDANCE
Roger Smith, Administrator
Henry Reney, Senior Investigator
Spyridon Kodellas, Research Analyst
Kevin Wynne, Investigator
Keith Oliver, Investigator
David Hammons, Investigator
Vincent Funari, Investigator
Art Bowker, Investigator
Eric Richardson, Investigator
Julie Delaney, Investigator
Anitra Merritt, Investigator
George Coulter, General Manager

III. APPROVAL OF MINUTES

IV. PUBLIC COMMENT

V. PRESENTATION OF INVESTIGATIONS

VI. CPRB TRAINING – NO TRAINING

VII. HILLARD HEINTZE CASES
   Roger Smith

VIII. ANNOUNCEMENTS AND COMMUNICATIONS

IX. OPS REPORT
   A. REVIEW OF CDP DISCIPLINARY DECISIONS
   B. REVIEW OF DIRECTOR DECISIONS

X. POLICY UPDATES

XI. COMMITTEE REPORTS

XIII. NEW BUSINESS

XIV. ADJOURNMENT

Next Meeting Date: Tuesday, June 11, 2019 at 10:00 am
III. APPROVAL OF MINUTES

Ms. Scalise made a motion to approve the minutes. Motion was seconded by Mr. Clark. Motion passes.

IV. PUBLIC COMMENT – Ms. Scalise reminds every one of the three (3) minute time limit

Reverend Pamela Pinkney-Butts

Reverend Pinkney-Butts wanted to be on record today and say that she was not properly notified in a timely fashion about her case, 2018-0168. Reverend Pinkney-Butts stated that her mail is still being tampered with, and she is concerned about her safety with the Cleveland Division of Police. Reverend Pinkney-Butts stated that she has been put into a federal database, and that she is unsafe where she lives. Reverend Pinkney-Butts further stated that the Cleveland Division of Police has destroyed her credibility, and that the Cleveland Division of Police has a lot of work to do to repair the damage done to her character. Reverend Pinkney-Butts stated that she is happy that a platform like this exists.

Dave Lima, SURJ

I hope that the rest of the hearing with Council’s Safety Committee went well. I was pleased that Michael Zone permitted me to make my comments before I had to leave. We believe that the 2018 Annual Report and the information contained within it and shared with the Committee documented the need for civilian oversight of the Police Department.

One of our recommendations is that the oversight system be strengthened. This can be done in a number of ways – increasing the budget, increasing staff, continuing education and training, engaging the community, and providing the oversight system with the authority to implement its sustained findings. As we strengthen the system, we should expect resistance as the current “culture” experiences change. Push-back will come from within the department, the City, and the unions. We believe our most powerful allies in all this will be the City Council and the community. We must do all we can do develop solid working relationships with these two critical groups.
V. PRESENTATION OF INVESTIGATIONS

a. 15-286: Allen

P.O. Shields #1192

Allegation: Improper Stop
Recommendation: Exonerated
Motion: Scalise
Second: Graham
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Scalise
Second: Clark
Motion passes

Allegation: Dispatch Violation
Recommendation: Sustained
Motion: Scalise
Second: Graham
Motion passes

P.O. Johnson #2169

Allegation: Improper Stop
Recommendation: Exonerated
Motion: Scalise
Second: Clark
Motion passes

Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Scalise
Second: Turner
Motion passes

Allegation: Dispatch Violation
Recommendation: Sustained
Motion: Scalise
Second: Clark
Motion passes

Next Meeting Date: Tuesday, June 11, 2019 at 10:00 am
b. 16-194: Boyd

P.O. McCoy #531

Allegation: Biased Policing
Recommendation: Insufficient Evidence
Motion: Scalise
Second: Hess
Motion passes

Allegation: Improper Stop
Recommendation: Insufficient Evidence
Motion: Scalise
Second: Graham
Motion passes

Allegation: Improper Search
Recommendation: Sustained
Motion: Scalise
Second: Clark
Motion passes

c. 18-043: Troff

Det. Williams #547

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Scalise
Second: Turner
Motion passes

Allegation: Damaged Property
Recommendation: Exonerated
Motion: Scalise
Second: Mostella
Motion passes

Next Meeting Date: Tuesday, June 11, 2019 at 10:00 am
d. 18-086: Haynes

P.O. Moore #1952

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

Sgt. Smith #9200

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

P.O. Dean #2524

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

P.O. Posante #2019

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

P.O. Clark #1048

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

Next Meeting Date: Tuesday, June 11, 2019 at 10:00 am
P.O. Goshen #742

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

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

e. 18-102: Williams – Complainant was present. Complainant stated that she felt like her case was opened for nine months and that filing the report was a waste of time. Complainant made it clear to the detective that she and the suspect were both underage at the time.

Det. Kellums #1020

Allegation: Lack of Service  
Recommendation: Sustained  
Motion: Graham  
Second: Scalise  
Motion passes

f. 18-145: Bey

P.O. Connole #1902

Allegation: Biased Policing  
Recommendation: Insufficient Evidence  
Motion: Graham  
Second: Clark  
Motion passes with one abstention

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

Next Meeting Date: Tuesday, June 11, 2019 at 10:00 am
P.O. Ellenberger #1331

Allegation: Lack of Service
Recommendation: Insufficient Evidence
Motion: Hess
Second: Mountcastle
Motion passes with one abstention

g. 18-159: Farmer – Complainant was present. Complainant stated that Det. Gomez called her twice, but that she never heard her voice. Complainant further stated that Det. Cozart was very disrespectful to her and told her that he wasn't interested in her case. Complainant also stated that this all about retaliation because she's reported the building owners to the health department. This is an ongoing problem with the Complainant – she stated that she told the responding officers that her apartment was broken into because her apartment is being entered into by keys.

Det. Sgt. Gomez #9135

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Scalise
Second: Clark
Motion passes

Det. Cozart #457

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Scalise
Second: Mostella
Motion passes

h. 18-166: Radwan

P.O. Haggerty #2494

Allegation: Lack of Service
Recommendation: Sustained
Motion: Graham
Second: Hess
Motion passes

Next Meeting Date: Tuesday, June 11, 2019 at 10:00 am
P.O. Marzan #2132

Allegation: Lack of Service
Recommendation: Sustained
Motion: Graham
Second: Clark
Motion passes

Sgt. Jackson #9952

Allegation: Unprofessional Conduct
Recommendation: Sustained
Motion: Graham
Second: Turner
Motion passes

i. 18-208: Hill — Complainant was present. Complainant thanked the Board and OPS for being heard. Complainant stated he never had animosity toward the police — he's always had good interactions with the police. Complainant stated that he's the president of the Home Owner's Association where he lives in the Fifth District, and that his feelings towards the police are still positive. Complainant stated that he never refused to leave — the officer told him that the casino needed his identification in order for him to be banned. Complainant resents the humiliation this officer put him through, and that officers like him are the kinds of officers that give the Cleveland Police Department a bad name. Complainant stated he felt the officer was trying to goad him into a reaction.

P.O. McManus #1207

Allegation: Excessive Force
Recommendation: Sustained
Motion: Scalise
Second: Clark
Motion passes

Allegation: Failure to Complete a Use of Force Report
Recommendation: Sustained
Motion: Scalise
Second: Mountcastle
Motion passes

Next Meeting Date: Tuesday, June 11, 2019 at 10:00 am
j. 19-018: Collier

P.O. Trivett #335

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

k. 19-028: Williams

FTO P.O. Larkin #1056

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

Allegation: Incorrect OH-1
Recommendation: Exonerated
Motion: Graham
Second: Clark
Motion passes

PPO P.O. Knox #876

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

Allegation: Incorrect OH-1
Recommendation: Exonerated
Motion: Graham
Second: Clark
Motion passes

Next Meeting Date: Tuesday, June 11, 2019 at 10:00 am
l. 19-029: Bryant

Dispatcher Hammond #57

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

m. 19-032: McNeil

Det. O’Neill

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

n. 19-053: Heideman

Unnamed Officers

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Hess
Second: Scalise
Motion passes with one abstention

P.O. Stanard #2059

Allegation: Lack of Service - Waiting
Recommendation: Exonerated
Motion: Hess
Second: Scalise
Motion passes with one abstention
VII. HILLARD HEINTZE CASES

Mr. Graham moves that the CPRB adopt the Hillard Heintze recommendations for the following cases:

- 16-138
- 16-147
- 16-162
- 16-168
- 16-175
- 16-185
- 16-188
- 16-189
- 16-190
- 16-210.
- 16-211
- 16-213
- 16-214
- 16-215
- 16-241
- 17-001
- 17-030
- 17-049
- 17-077
- 17-081
- 17-084
- 17-090
- 17-110
- 17-113

Ms. Clark seconds the motion, motion passes.

**HH case 17-108 was withdrawn and will be placed on a future agenda for presentation to the Board.

XIV. ADJOURNMENT

Meeting adjourned at 13.29 hours.