

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

June 8, 2021

MEETING MINUTES

I. CALL TO ORDER – 10:05

Michael Graham, Chairperson

II. ROLL CALL

Chairperson Graham

CPRB MEMBERS

ATTENDANCE

Michael Graham, Chair
Michael Hess
Mary Clark
Ken Mountcastle
Ashley Mostella
Roslyn Quarto
David Gatian
Chenoa Miller
Gerri Butler, Staff Counsel
LeeAnn Hanlon, Secretary

OPS STAFF

ATTENDANCE

Roger Smith, Administrator
Art Bowker, investigator
Julie Delaney, Investigator
David Hammons, Investigator
Keith Oliver, Investigator
Barbara Williams-Bennett, Investigator
Anitra Merritt, Investigator
Kevin Wynne, Investigator

III. APPROVAL OF MINUTES

IV. PUBLIC COMMENT

V. FOR BOARD VOTE ONLY – NO PRESENTATION

Administrator Smith

VI. ADMINISTRATIVE DISMISSAL APPEAL

Administrator Smith

VII. PRESENTATION OF INVESTIGATIONS

Administrator Smith

VII. ANNOUNCEMENTS AND COMMUNICATIONS

Administrator Smith

IX. OPS REPORT

Administrator Smith

A. REVIEW OF CHIEF DISCIPLINARY DECISIONS

B. REVIEW OF DIRECTOR DISCIPLINARY DECISIONS

X. POLICY UPDATES

XI. COMMITTEE REPORTS

XII. UNFINISHED BUSINESS

XIII. NEW BUSINESS

XIV. ADJOURNMENT

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

III. APPROVAL OF MINUTES

Mr. Gatian made a motion to approve the minutes. Motion seconded by Mr. Mountcastle and the motion to approve the minutes passed.

IV. PUBLIC COMMENT –

Michael Graham, CPRB Chair –

I have to announce that the Board suffered an immense loss last week when one of our members, Ernest Turner, passed away. I know I speak for all of the Board members who reached out to me personally to express their grief over losing Mr. Turner. He was quite the accomplished man during his life. He served over three decades in the Cleveland Municipal School District, dedicating his life to helping Cleveland schools' young people. He was not only in the classroom, but was also a coach in many ways – a basketball coach, a football coach, track coach. He was a man who was dedicated to his craft.

Mr. Turner earned a Master's degree in diagnoses and remediation of learning disorders in his effort to be the best in his profession that he could be. After that life of service for more than 30 years, Mr. Turner was not content to simply "take it easy." He remained active in the community, in numerous community groups, including the Buckeye Ministers and Mission Alliance. He was president of his street club, and of course he served for a number of years on this Board in a very vital capacity. I found him to be a thoughtful and fully committed member of this Board, and brought so much to our mission.

I think we can all agree that he took his duty here very seriously. He always deeply considered each and every one of our cases. He was very interested in seeking the truth in each matter. His voice was meaningful to our deliberations, he brought a lot of insight, and he always had a different perspective for us to consider and weigh. He will be duly missed. He was a sincerely kind person and a true gentleman. I would like to extend the Board's condolences to Mr. Turner's family, and to keep his family in our thoughts and prayers. I know they must be devastated.

Mr. Graham to made a motion to adopt a resolution on his legacy to present to his family, on behalf of the Board and the Office of Professional Standards. Motion seconded by Mr. Gatian, and the motion passed.

Mr. Graham asked for a moment of silence to remember Mr. Turner.

Mr. Graham welcome the newest CPRB Member, Ms. Chenoa Miller. She is an appointee from City Council. She is a CSU student and has a keen interest in criminal justice. We are excited to add her voice to the Board!

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

V. FOR BOARD VOTE ONLY – NO PRESENTATION

a. 21-011: Jones

P.O. Varkonyi #680

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Graham

Second: Quarto

Motion passed

VI. ADMINISTRATIVE DISMISSAL APPEAL

- a. 20-215: Boone. Complainant's case worker, Ms. Jade Berry, was present and spoke on the Complainant's behalf. Ms. Berry stated that despite her client's disabilities, he was very clear in his descriptions of the officers and how they interacted with him. Ms. Berry speculated that due to her client's injuries, it was apparent to her that her client's citation was never turned in so that the officers involved didn't get questioned.**

Allegation: Excessive Force

Recommendation: Uphold the appeal and have the OPS investigator re-open the investigation

Motion: Graham

Second: Mountcastle

Motion passed

VII. PRESENTATION OF INVESTIGATIONS

a. 19-203: Gottschalt

P.O. Leyva #2415

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

b. 19-217: Ruiz Velez

P.O. Leonardi #1965

Allegation: Improper Search
Recommendation: *****This case has been tabled and scheduled to be re-presented at a future CPRB meeting.*****

Allegation: Improper Stop
Recommendation: *****This case has been tabled and scheduled to be re-presented at a future CPRB meeting.*****

P.O. Smiley #1138

Allegation: Improper Search
Recommendation: *****This case has been tabled and scheduled to be re-presented at a future CPRB meeting.*****

Allegation: Improper Stop
Recommendation: *****This case has been tabled and scheduled to be re-presented at a future CPRB meeting.*****

Det. Soros #1852

Allegation: Excessive Force
Recommendation: *****This case has been tabled and scheduled to be re-presented at a future CPRB meeting.*****

P.O. Gonzalez #2001

Allegation: Excessive Force
Recommendation: *****This case has been tabled and scheduled to be re-presented at a future CPRB meeting.*****

c. 20-205: Karim

Traffic Controller Shaw #7060

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Graham

Second: Clark

Motion passed

Allegation: Racial Discrimination

Recommendation: Unfounded

Motion: Graham

Second: Clark

Motion passed

d. 20-057: Elder

P.O. Tylka #1772

Allegation: Improper Citation

Recommendation: Exonerated

Motion: Graham

Second: Quarto

Motion passed

Allegation: Unprofessional Conduct

Recommendation: Sustained

Motion: Graham

Second: Quarto

Motion passed

Allegation: Biased Policing

Recommendation: Insufficient Evidence

Motion: Quarto

Second: Graham

Motion passed

- e. **20-149: Cook. Complainant was present. Complainant stated that P.O. Longer wouldn't let him speak to the sergeant, and that P.O. Longer was very rude and did not display compassion to his situation.**

P.O. Longer #2452

Allegation: Lack of Service

Recommendation: Unfounded

Motion: Quarto

Second: Graham

Motion passes with Ms. Mostella and Ms. Clark abstaining due to technical difficulties

- f. **20-224: Blatt**

P.O. Rakovec #1695

Allegation: Unprofessional Conduct

Recommendation: Sustained

Motion: Graham

Second: Mouncastle

Motion passed with Mr. Gatian abstaining

- g. **20-265: Hayes**

Sgt. Newton #9233

Allegation: Unprofessional Conduct

Recommendation: Unfounded

Motion: Quarto

Second: Graham

Motion passed

Dispatcher Washko #105

Allegation: Unprofessional Conduct

Recommendation: Sustained

Motion: Quarto

Second: Graham

Motion passed

h. 21-014: Jewell

P.O. Sheets #1276

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

i. 21-040: McIntyre

P.O. Dwulat #581

Allegation: Lack of Service – 1st Encounter
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passed

Allegation: Lack of Service – 2nd Encounter
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passed

P.O. Cole #517

Allegation: Lack of Service – 1st Encounter
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passed

Allegation: Lack of Service – 2nd Encounter
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passed

Sgt. Lower #9248

Allegation: Lack of Service – 1st Encounter
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passed

Allegation: Lack of Service – 2nd Encounter
Recommendation: Unfounded
Motion: Quarto
Second: Graham
Motion passed

j. 21-058: Blochowiak

Det. Cunningham #1724

Allegation: Unprofessional Conduct
Recommendation: Exonerated
Motion: Quarto
Second: Mountcastle
Motion passed with Mr. Graham abstaining

XI (A). REVIEW OF CHIEF DECISIONS

20-056: The CPRB accepted the Chief's decision and discipline.
20-150: The CPRB accepted the Chief's decision and discipline.
20-168: The CPRB accepted the Chief's decision and discipline.

XI (B). REVIEW OF DIRECTOR DECISIONS

19-209: Director Howard **concurred** with the CPRB recommendation and issued P.O. Santillo a **twenty-day suspension**.

20-016: Director Howard **upheld** the Chief's dismissal. The Board declined a resolution.

20-111: Director Howard **upheld** the Chief's dismissal. The Board declined a resolution.

XII. ADJOURNMENT

Motion to adjourn the meeting made by Mr. Graham and it was seconded by all. Meeting adjourned at 12:40 pm.

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