

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

July 13, 2021

MEETING MINUTES

I. CALL TO ORDER – 10:34

Michael Graham, Chairperson

II. ROLL CALL

Chairperson Graham

CPRB MEMBERS

ATTENDANCE

Michael Graham, Chair
Roz Quarto
Dave Gatian
Michael Hess
Chenoa Miller
Dennis Matejka, Staff Counsel
LeeAnn Hanon, Secretary

OPS STAFF

ATTENDANCE

Roger Smith, Administrator
Henry Roney, Senior Investigator
Vincent Funari, Investigator
Julie Delaney, Investigator
Keith Oliver, Investigator
Kevin Wynne, Investigator
Art Bowker, Investigator
Anitra Merritt, Investigator
David Hammons, 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

VIII. POLICY UPDATES

IX. COMMITTEE REPORTS

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

A. CPRB CHARTER AMENDMENT

B. OFFICER ELECTIONS

XII. ADJOURNMENT

Next Meeting Date: Tuesday, August 10, 2021, 10:00 am

III. APPROVAL OF MINUTES

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

In the May meeting of the Board a decision was made to not consider a complaint against an officer who had been transferred to the Operation Legend federal task force. The rationale for that decision, as I recall, was that the officer was no longer a member of Cleveland Division of Police and therefore not within the jurisdiction of the Civilian Police Review Board.

When Operation Relentless Pursuit, later named Operation Legend, was first announced in May of 2020 by then US Attorney for the Northern District of Ohio, Justin Herdman, concerns about jurisdictional control of police misconduct were raised. In addition, issues related to the Consent Decree and its implementation were shared by many. Would CDP officers be held to the Consent Decree's reform measures or would they be considered to be under federal control and therefore operate under federal standards and practices. Would the 30 federal task force members recruited from the Cleveland Division of Police adhere to the local mandate, for example, and be required to wear body cameras. What good is the consent decree mandate for the City of Cleveland police, when other law enforcement agencies who operate within the City of Cleveland are not required to follow the mandates of the consent decree? These questions and concerns were responded to by Justin Herdman, Chief Williams and Director Howard in a press conference held in 2020. All agreed and reassured concerned citizens that local control, local investigations and local standards would apply to the 30 transferred officers to Operation Legend.

My question – was the Board decision not to consider a complaint made about one of those transferred officers a misunderstanding or have guidelines been provided to the Board not to do so? If the Board has been instructed not to consider those complaints, who issued those guidelines and by what authority?

V. PRESENTATION OF INVESTIGATIONS

a. 19-093: Perez-Gordon

P.O. Matis #2022

Allegation: Excessive Force
Recommendation: Unfounded
Motion: Gatian
Second: Hess
Motion passed with Mr. Graham abstaining

Det. Smith #882

Allegation: Improper Search
Recommendation: Exonerated
Motion: Gatian
Second: Quarto
Motion passed with Mr. Graham abstaining

Sgt. Woyma #9157

Allegation: Improper Search
Recommendation: Exonerated
Motion: Gatian
Second: Quarto
Motion passed with Mr. Graham abstaining

Det. Santiago #1904

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Gatian
Second: Hess
Motion passed with Mr. Graham abstaining

b. 19-186: Murray. Complainant was present and declined to make an additional statement.

P.O. Zubek #1391

Allegation: Improper Arrest
Recommendation: Sustained
Motion: Quarto
Second: Graham
Motion passed

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

Allegation: Biased Policing
Recommendation: Sustained
Motion: Quarto
Second: Graham
Motion passed

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

Allegation: Improper Procedure
Recommendation: Sustained
Motion: Quarto
Second: Graham
Motion passed

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

Allegation: WCS Violation
Recommendation: Insufficient Evidence
Motion: Graham
Second: Quarto
Motion passed

c. 20-013: Boyd

P.O. Gera #1131

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

Allegation: Improper Search – Groping
Recommendation: Unfounded
Motion: Quarto
Second: Graham
Motion passed

Allegation: Excessive Force
Recommendation: Exonerated
Motion: Quarto
Second: Graham
Motion passed

d. 20-055: Johnson

P.O. Adkins #910

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

P.O. Woods #2515

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

Sgt. Goines #9215

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

e. 20-067: Vega

P.O. Kelley #1242

Allegation: Improper Arrest/Detention
Recommendation: Sustained
Motion: Quarto
Second: Hess
Motion passed with Mr. Graham opposed

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

f. 20-175: Hall

Sgt. Wells #9281

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

g. 20-236: Perkins

P.O. Crane #2108

Allegation: Lack of Service
Recommendation: *****Case pushed to August meeting due to losing quorum*****

Allegation: Unprofessional Conduct
Recommendation: *****Case pushed to August meeting due to losing quorum*****

P.O. Johnson #595

Allegation: Lack of Service
Recommendation: *****Case pushed to August meeting due to losing quorum*****

Allegation: Unprofessional Conduct
Recommendation: *****Case pushed to August meeting due to losing quorum*****

- h. **21-023: Thornton.** Complainant was present. Complainant stated he was not the one who called 911 for his friend's suicide attempt, and he did not appreciate how the officers approached him or how they asked him for his personal information for the report. Complainant further stated that when the officers and a social worker followed up with his friend a few days later, he was asked to step out of the home and he felt like he was unable to enter the residence while the social worker spoke to his friend. Complainant stated that he did not do anything wrong, and he felt like he was being set up.

Lt. Brown #8523

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Gatian
Motion passed with Ms. Miller abstaining

P.O. Renshaw #413

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Hess
Motion passed with Ms. Miller abstaining

P.O. Smith #484

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Quarto
Motion passed with Ms. Miller abstaining

P.O. Miller #2531

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Quarto
Motion passed with Ms. Miller abstaining

- i. **21-026: Unknown**

P.O. Dunn #2563

Allegation: Unprofessional Conduct
Recommendation: ****Case pushed to August meeting due to losing quorum****

j. 21-060: Klein

P.O. Romain #2409

Allegation: Unprofessional Conduct

Recommendation: *****Case pushed to August meeting due to losing quorum*****

Allegation: Damaged Property

Recommendation: *****Case pushed to August meeting due to losing quorum*****

Allegation: Unauthorized Secondary Employment

Recommendation: *****Case pushed to August meeting due to losing quorum*****

k. 21-068: Reynolds

P.O. Wells #556

Allegation: Improper Procedure

Recommendation: *****Case pushed to August meeting due to losing quorum*****

Allegation: Unprofessional Conduct

Recommendation: *****Case pushed to August meeting due to losing quorum*****

l. 21-069: Clements

P.O. Walter #1683

Allegation: Lack of Service

Recommendation: *****Case pushed to August meeting due to losing quorum*****

m. 21-076: Dix

P.O. Doerner #2182

Allegation: Lack of Service

Recommendation: *****Case pushed to August meeting due to losing quorum*****

n. 21-134

P.O. Pettry #353

Allegation: Improper Arrest

Recommendation: *****Case pushed to August meeting due to losing quorum*****

Allegation: Unprofessional Conduct

Recommendation: *****Case pushed to August meeting due to losing quorum*****

P.O. Castiglione #261

Allegation: Improper Arrest

Recommendation: *****Case pushed to August meeting due to losing quorum*****

Allegation: Unprofessional Conduct

Recommendation: *****Case pushed to August meeting due to losing quorum*****

VII (A). REVIEW OF CHIEF DECISIONS

19-184: CPRB moved to appeal the Chief's departure to Safety Director Howard.

20-028: CPRB moved to appeal the Chief's departure to Safety Director Howard.

20-206: CPRB accepted the Chief's decision.

XI. NEW BUSINESS

(A) Mr. Graham read the proposed Charter amendment into record. The proposed amendment will be up for a vote at the next meeting.

(B) Mr. Graham reminded the CPRB that due to time constraints, the election for the Board Chair and Vice-Chair will be occurring first thing at the August meeting.

XII. ADJOURNMENT

Meeting was adjourned at 2:00 pm when quorum was lost.