I. CALL TO ORDER – 10:04

Michael Graham, Chairperson

II. ROLL CALL

Chairperson Graham

CPRB MEMBERS

ATTENDANCE
Michael Graham, Former Chair
Michael Hess, New Chair
Ashley Mostella, Former Vice-Chair
David Gatian, New Vice-Chair
Mary Clark
Ken Mountcastle
Chenoa Miller
Gerri Butler, Staff Counsel
LeeAnn Hanlon, Secretary

OPS STAFF

ATTENDANCE
Spyridon Kodellas, Research Analyst
David Hammons, investigator
Julie Delaney, Investigator
Art Bowker, Investigator
Keith Oliver, Investigator
Kevin Wynne, Investigator
Art Bowker, Investigator
Anitra Merritt, Investigator
Eric Richardson, 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

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, September 14, 2021, 10:00 am
III. APPROVAL OF MINUTES

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

Congratulations to Mr. Hess and Mr. Gatian. Thanks a lot to Mr. Graham and Ms. Mostella for your work for the past couple of years. I am actually on vacation currently and have not prepared any written comments, and I did not prepare a proper congratulations to the change in leadership. But I am at this juncture really quite impressed with the work of the Board, and I have a great deal of confidence and trust in the past years that I have been attending Board meetings that we will move forward, continue to have some challenges, and approach these challenges in a reasonable, rational, and with a preponderance of evidence of perspective.

I did want to say that the Citizens for a Safer Cleveland are beginning their campaign effort. As most of you are aware, the charter amendment has achieved enough signatures to put it on the ballot this fall, and should this issue pass, it will provide expanded authority and independence to the Civilian Police Review Board and provide overall police oversight to the Cleveland Community Police Commission, as well as other elements of this charter amendment. So, we are looking forward to a successful campaign and are looking forward to having this issue passed, and then getting to work on getting it implemented once that happens. Thank you for having me.
V. PRESENTATION OF INVESTIGATIONS

a. 20-021: Wang. Complainant was present. Complainant stated that she called the police that night for help but Officers Mitchell and Flannery did everything possible to avoid taking a report. Complainant worries that other women and minorities will face similar barriers getting their stories recorded by members of the Cleveland Police. After a year in which we have witnessed rampant anti-Asian hate throughout the country, the Complainant does not feel equally protected by the Cleveland Police. Indeed, how could she, when a member of the once referred to the Complainant with the derogatory term “oriental” on a traffic ticket? When the Complainant publicly commented on this to union president Steve Loomis, he did nothing. After explaining her history with her landlord, the officers, instead of making a report as the Complainant requested, spent nearly an hour trying to minimize and explain away every harassing action taken by her landlord. The officers told the Complainant that sexual harassment really only applies to the workplace, and that it did not apply to her situation. It was only when a sergeant was called out that the officers finally generated a report. This ordeal took nearly an hour and was witnessed by her boyfriend, a union firefighter. Sometime later, the Complainant followed up to get the body camera footage and ended up speaking with Sgt. Ross. Instead of helping her, Sgt. Ross sarcastically stated to her that “you think everyone has wronged you; you think there is a conspiracy against you.” Sgt. Ross then claimed that the DoJ Consent Decree was unfair to him and the police, because no police department is perfect. Sgt. Ross did to the Complainant what Officers Mitchell and Flannery did to the Complainant. There appears to be culture of not listening to the public, especially women and minorities, and not taking their suffering and fear seriously. This type of culture needs to change for the people of Cleveland to feel safe.

P.O. Flannery #1296

Allegation: Lack of Service  Recommendation: Sustained
Motion: Hess  Second: Clark
Motion passed

Allegation: Unprofessional Conduct  Recommendation: Sustained
Motion: Gatian  Second: Hess
Motion passed with Ms. Clark opposed

Allegation: Biased Policing  Recommendation: Unfounded
Motion: Clark  Second: Gatian
Motion passed with Mr. Graham, Ms. Mostella, and Mr. Mountcastle opposed
P.O. Mitchell #724

Allegation: Lack of Service
Recommendation: Sustained
Motion: Hess
Second: Clark
Motion passed

Allegation: Unprofessional Conduct
Recommendation: Sustained
Motion: Gatian
Second: Hess
Motion passed with Ms. Clark opposed

Allegation: Biased Policing
Recommendation: Unfounded
Motion: Clark
Second: Gatian
Motion passed with Mr. Graham, Ms. Mostella, and Mr. Mountcastle opposed.

Sgt. Ross #9024

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

Allegation: Biased Policing
Recommendation: Insufficient Evidence
Motion: Graham
Second: Mountcastle
Motion passed

b. 20-087: Mustafa

P.O. McCoy #531

Allegation: Improper Stop/Detention
Recommendation: Exonerated
Motion: Graham
Second: Clark
Motion passed
Sgt. Katynski #932

Allegation: Improper Stop/Detention
Recommendation: Exonerated
Motion: Graham
Second: Clark
Motion passed

c. 20-099: Sheets

P.O. Johnson #305

Allegation: Lack of Service
Recommendation: Sustained
Motion: Graham
Second: Mostella
Motion passed

Allegation: Unprofessional Conduct
Recommendation: Sustained
Motion: Hess
Second: Miller
Motion passed with Mr. Gatian abstaining

Sgt. Walker #9234

Allegation: Lack of Service
Recommendation: Sustained
Motion: Graham
Second: Mountcastle
Motion passed

d. 20-207: White

P.O. Sherlock #1569

Allegation: Lack of Service
Recommendation: Exonerated
Motion: Hess
Second: Gatian
Motion passed with Ms. Mostella opposing
P.O. Januszewski #807

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Hess  
Second: Gatian  
Motion passed with Ms. Mostella opposing

---

e. 20-236: Perkins

P.O. Crane #2108

Allegation: Lack of Service  
Recommendation: Sustained  
Motion: Hess  
Second: Miller  
Motion passed

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Miller  
Motion passed

P.O. Johnson #595

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

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

f. 20-268: Brown

P.O. Rees #193

Allegation: Lack of Service  
Recommendation: Unfounded  
Motion: Graham  
Second: Clark  
Motion passed with Mr. Hess abstaining
P.O. Andrekovic #1929

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Graham
Second: Clark
Motion passed with Mr. Hess abstaining

Allegation: Unprofessional Conduct
Recommendation: Sustained
Motion: Graham
Second: Mountcastle
Motion passed with Mr. Hess abstaining

g. 21-026: Anonymous

P.O. Dunn #2563

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

h. 21-056: Savacool

Det. Randolph #2372

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

i. 21-060: Klein

P.O. Romain #2409

Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Hess
Second: Mostella
Motion passed
Allegation: Damaged Property
Recommendation: Insufficient Evidence
Motion: Hess
Second: Gatian
Motion passed

Allegation: Unauthorized Secondary Employment
Recommendation: Sustained
Motion: Hess
Second: Graham
Motion passed

j. 21-065: Jones. Complainant was present. Complainant is an officer with the City of Cleveland. Complainant was on his way to Gateway Animal Clinic – his dog was having a medical emergency. Complainant was coming down West 19th Street along Abbey Avenue when – the officer said he didn’t stop, but the Complainant did stop at the stop sign – the officer was facing in a different direction than the Complainant at the time. Complainant stated the officer decided to turn around, walk to his vehicle, block him in – the Complainant wasn’t free to leave and wasn’t free to get out of his car – while his dog was in the back and he was trying to get his dog to the clinic. At this time, the officer approached the Complainant’s vehicle and was very unprofessional – he never introduced who he was, and never even told him what the violation was. Upon being there, the Complainant observed that the officer did not have a WCS – that’s one of the policy violations of the Cleveland Division of Police – Complainant personally knows that you are to wear your body camera, and the officer failed to do that. While the on the stop, the officer asked him for his driver’s license, and the Complainant presented his license to him. The officer asked the Complainant why he was doing this and asking questions that did not pertain to the traffic stop. The Complainant advised the officer that he was a Cleveland police officer as well, this officer told him that he had 27 years of experience and his years of experience didn’t mean anything. The Complainant’s spouse was also in the vehicle and very irate as to what was going on and by how the officer was treating them. Complainant explained to the officer that this was an improper stop, and the officer proceeded to ask the Complainant what district he was in, and the Complainant asked him why it mattered what district he was in. Complainant stated that the officer threw his driver’s license into the vehicle, and he looked in his rearview mirror and noticed that the officer had not activated his emergency beacons. The officer did not call radio. Once the encounter was over, the Complainant immediately went to the Second District and spoke with the OIC there, and the OIC called Lt. Mike Bentley downstairs for him to speak with him. Complainant met with Lt. Betley, and he wasn’t wearing his WCS. There was no letting the Complainant know what to do in this case, it was more kind of trying to talk him out of it, but the Complainant told him that officers needed more accountability and that the behavior was completely unacceptable for members of the department.

P.O. Burkhardt #69

Allegation: Improper Stop
Recommendation: **Case tabled due to jurisdiction concerns**
Allegation: WCS Violation
Recommendation: **Case tabled due to jurisdiction concerns**

Allegation: Unprofessional Conduct
Recommendation: **Case tabled due to jurisdiction concerns**

Lt. Betley #8513

Allegation: WCS Violation
Recommendation: **Case tabled due to jurisdiction concerns**

k. 21-068: Reynolds

P.O. Wells #556

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

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

l. 21-069: Clements

P.O. Walter #1683

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

m. 21-075: Dix

P.O. Doerner #2181

Allegation: Lack of Service
Recommendation: Sustained
Motion: Hess
Second: Miller
Motion passed
n. 21-084: Strickland

P.O. Kozma #566

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

P.O. Simmerly #1062

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

o. 21-124: Harris

P.O. Smith #1615

Allegation: Unprofessional Conduct
Recommendation: Sustained
Motion: Hess
Second: Mountcastle
Motion passed with Mr. Graham abstaining

Allegation: Improper Stop
Recommendation: Sustained
Motion: Hess
Second: Miller
Motion passed with Mr. Graham abstaining

Allegation: Improper Citation
Recommendation: Sustained
Motion: Hess
Second: Miller
Motion passed with Mr. Graham abstaining
p. 21-134: Bringht

P.O. Pettry #353

Allegation: Improper Arrest  
Recommendation: Exonerated  
Motion: Hess  
Second: Graham  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Graham  
*Motion passed*

P.O. Castiglione #261

Allegation: Improper Arrest  
Recommendation: Exonerated  
Motion: Hess  
Second: Graham  
*Motion passed*

Allegation: Unprofessional Conduct  
Recommendation: Unfounded  
Motion: Hess  
Second: Graham  
*Motion passed*

VII (A). REVIEW OF CHIEF DECISIONS

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

20-073: CPRB moved to appeal the Chief’s departure to Safety Director Howard.

XI. NEW BUSINESS

(A) Mr. Graham made a motion to approve the Charter amendment. Motion seconded by Mr. Gatian. Motion passes and the amendment was adopted.

(B) Mr. Graham moved to entertain motions for nominations for a member to serve as Chair. Mr. Gatian moved to nominate Mr. Hess as the new Chair, Mr. Graham seconded the motion, and Mr. Hess accepted the nomination. All members unanimously voted for Mr. Hess as the new Chair.
Mr. Graham entertained the motion for a nomination for a member to serve as Vice-Chair. Mr. Graham moved to nominate Mr. Gatian as the new Vice-Chair, Mr. Mountcastle seconded, and Mr. Gatian accepted the nomination. All members unanimously voted for Mr. Gatian as the new Vice-Chair.

XII. ADJOURNMENT

Motion to adjourn the meeting was made by Mr. Gatian. Motion was seconded by Mr. Hess, and the meeting adjourned at 2:15 pm.