CIVILIAN POLICE REVIEW BOARD
OFFICE OF PROFESSIONAL STANDARDS
August 11, 2020
MEETING MINUTES

I. CALL TO ORDER – 10:17
   Michael Graham, Chairperson
   Chairperson Graham

II. ROLL CALL

   CPRB MEMBERS
   ATTENDANCE
   Michael Graham, Chair
   Michael Hess
   Ernest Turner
   Mary Clark
   Ken Mountcastle
   David Gatian
   Geni Butler, Staff Counsel
   LeeAnn Hanlon, Secretary

   OPS STAFF
   ATTENDANCE
   Roger Smith, Administrator
   Vincent Funari, Investigator
   David Hammons, Investigator
   Art Bowker, Investigator
   Anitra Merritt, Investigator
   Eric Richardson, Investigator
   Barbara Williams-Bennett, Investigator
   Julie Delaney, Investigator

III. APPROVAL OF MINUTES

IV. PUBLIC COMMENT

V. ADMINISTRATIVE DISMISSAL APPEAL
   Administrator Smith

VI. PRESENTATION OF INVESTIGATIONS
   Administrator Smith

VII. ANNOUNCEMENTS AND COMMUNICATIONS

VIII. OPS REPORT
   Administrator Smith
   A. REVIEW OF CHIEF DISCIPLINARY DECISIONS
   B. REVIEW OF DIRECTOR DISCIPLINARY DECISION

IX. POLICY UPDATES

X. COMMITTEE REPORTS

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. ADJOURNMENT

Next Meeting Date: September 8, 2020, at 10:00 am
III. APPROVAL OF MINUTES

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

Attorney General William Barr and U.S. Attorney for the Northern District of Ohio, Justin Herdman, announced the arrival of Operation Relentless Pursuit and Operation Legend in Cleveland to fight violent crime. We know a few things about these operations, but much is unknown. Operation Legend will bring up to 25 federal officers to Cleveland to bolster the ranks of the FBI, U.S. Marshals Service, DEA, and ATF and target high crime neighborhoods. As is true of other task force operations, transparency is not likely to be a priority.

The same is true for Operation Relentless Pursuit. Under Operation Relentless Pursuit, the Cleveland Department of Police will receive nearly 8 million dollars to hire 30 new police officers to replace 30 veteran Cleveland Department of Police officer who will be assigned to a task force under the direction of the U.S. Attorney. This arrangement raises significant questions for Cleveland’s police oversight system and the Cleveland Department of Police’s Internal Affairs department. Will misconduct complaints about CDP officers assigned to the task force be received by OPS and permitted to be processed in the current manner? Or will these officers, members of the CDP but serving under the U.S. Attorney, be exempt from local oversight? Will the jurisdiction of Internal Affairs be compromised? What if a CDP officer assigned to the task force causes serious injury or death? Will it be assumed to be under federal jurisdiction and not subject to local investigation and prosecution? How will task force members identify themselves? As federal officers or as members of the CDP? Will CDP task force members be subject to CDP’s general police orders?

In the coming months, Cleveland police oversight system is likely to face serious jurisdictional challenges concerning the 30 officers assigned to the federal task force. These questions point to the potential of a weakened oversight system which we believe is not in the best interest of Cleveland and its residents.
V. ADMINISTRATIVE DISMISSAL APPEAL

a. 20-016: Matanick

P.O. Holcomb #877

Allegation: Improper Citation
Recommendation: Uphold Administrative Dismissal
Motion: Graham
Second: Clark
Motion passes

VI. PRESENTATION OF INVESTIGATIONS

a. 19-037: Johnson/Robinson

Sgt. Allen #9167

Allegation: Improper Search
Recommendation: Exonerated
Motion: Graham
Second: Hess
Motion passes

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

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

Allegation: Bias Policing
Recommendation: Unfounded
Motion: Graham
Second: Clark
Motion passes
P.O. Readinger #1328

Allegation: Improper Search  
Recommendation: Exonerated  
Motion: Graham  
Second: Clark  
Motion passes

Allegation: Bias Policing  
Recommendation: Unfounded  
Motion: Graham  
Second: Clark  
Motion passes

P.O. Longstreet #2061

Allegation: Improper Search  
Recommendation: Exonerated  
Motion: Graham  
Second: Turner  
Motion passes

Allegation: Bias Policing  
Recommendation: Unfounded  
Motion: Graham  
Second: Turner  
Motion passes

b. 19-059: Davis

P.O. Aldridge #280

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Mountcastle  
Motion passes with one abstention

P.O. Hicks #2410

Allegation: Lack of Service  
Recommendation: Exonerated  
Motion: Graham  
Second: Mountcastle  
Motion passes with one abstention
c. 19-077: Williams

P.O. Cramer #346

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

d. 19-141: Johnson

P.O. Roddy #1753

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

e. 19-164: Marbury

Det. Taylor #1987

Allegation: Lack of Service
Recommendation: Unfounded
Motion: Graham
Second: Mountcastle
Motion passes

f. 20-029: Smalley

P.O. Buettner #1317

Allegation: Unprofessional Conduct
Recommendation: Unfounded
Motion: Graham
Second: Mountcastle
Motion passes
P.O. Cox #163
Allegation: Lack of Service
Recommendation: Exonerated
Motion: Graham
Second: Mountcastle
Motion passes

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

g. 20-037: McClelland. Complainant was present. Complainant stated that the officer is good friends with his ex, and he believed that the officer took a photo of his name and address at the district sign-in book. Complainant stated a few weeks later he learned his identity was stolen, and believes the officer was involved.

P.O. Yamamoto #388
Allegation: Unprofessional Conduct
Recommendation: Insufficient Evidence
Motion: Graham
Second: Mountcastle
Motion passes with one opposed

h. 20-090: Roberts
Sgt. Harhay #9136
Allegation: Improper Arrest
Recommendation: **Case was tabled for future meeting**

P.O. Thomas #1744
Allegation: Missing Property
Recommendation: **Case was tabled for future meeting**
i. **20-100: Anonymous**

Sgt. Rivera #9246

Allegation: Unprofessional Conduct  
Recommendation: Sustained  
Motion: Graham  
Second: Hess  
*Motion passes*

j. **20-113: Woods**

P.O. Rodriguez #1353

Allegation: Excessive Force  
Recommendation: Exonerated  
Motion: Graham  
Second: Gatian  
*Motion passes*

Allegation: Improper Arrest  
Recommendation: Exonerated  
Motion: Graham  
Second: Gatian  
*Motion passes*

P.O. Cardona #308

Allegation: Excessive Force  
Recommendation: Exonerated  
Motion: Graham  
Second: Gatian  
*Motion passes*

Allegation: Improper Arrest  
Recommendation: Exonerated  
Motion: Graham  
Second: Gatian  
*Motion passes*
VIII (A). REVIEW OF CHIEF DECISIONS

16-193: CPRB accepted the Chief’s decision.

17-209: CPRB rejected the Chief’s decision and voted to appeal this case to the Safety Director.

19-047: CPRB rejected the Chief’s decision and voted to appeal this case to the Safety Director.

VIII (B). REVIEW OF DIRECTOR’S DECISION

15-140: Director Howard reversed the dismissal of the Chief and issued P.O. Williams #1586 a non-disciplinary verbal counseling.

16-129: Director Howard reversed the dismissal of Chief and issued P.O. Hodges #206 a 3-day suspension.

18-108: Director Howard reversed the amendment of the Chief and issued P.O. Wilson #1354 a 6-day suspension for his unprofessional comments.

Director Howard concurred with the Chief’s dismissal the allegation of failure to cooperate in an OPS investigation against P.O. Wilson #1354 and P.O. Jordon #2227.

19-036: Director Howard reversed the dismissal of the Chief and issued P.O. Sabala #853 a 1-day suspension.

XII. ADJOURNMENT

Motion to adjourn the meeting made by Mr. Graham and Mr. Hess seconded. Meeting adjourned at 13:52 hours.