



OFFICE OF PROFESSIONAL STANDARDS

205 West St. Clair Avenue, Suite 307, Cleveland, Ohio 44113

CIVILIAN POLICE REVIEW BOARD

****Meeting Location: 601 Lakeside Avenue, Room 514, Cleveland, Ohio 44114****

Wednesday, July 18, 2018, 10:00am

MEETING AGENDA

- | | |
|--|---|
| I. CALL TO ORDER | Roslyn Quarto, Chair |
| II. ROLL CALL & INTRODUCTIONS | |
| III. APPROVAL OF MINUTES | CPRB |
| IV. PUBLIC COMMENT | |
| V. PRESENTATION OF INVESTIGATIONS | Roger Smith, Administrator OPS Investigative Staff |
| VI. CPRB TRAINING – NO TRAINING | |
| VII. ANNOUNCEMENTS AND COMMUNICATIONS | |
| VIII. OPS REPORT | Administrator Smith |
| A. REVIEW OF CDP DISCIPLINARY DECISIONS | |
| IX. POLICY UPDATES | Chair Quarto |
| X. COMMITTEE REPORTS | |
| XI. UNFINISHED BUSINESS | |
| XII. NEW BUSINESS | |
| XIII. ADJOURNMENT | |

Next Meeting Date: Wednesday, August 15, 2018, 10:00am



Wednesday, July 18, 2018

V: PRESENTATION OF INVESTIGATIONS

| COUNT | OPS# | COMPLAINANT | INVESTIGATOR | ALLEGATION | CPRB DISPOSITION |
|-------|--------|-------------|--------------|------------------|--|
| 1 | 16-106 | Hall | Funari | Missing Property | P.O. Hymes #1367 Missing Property Recommendation: _____ Motion: _____ Second: _____ P.O. McNea #779 Missing Property Recommendation: _____ Motion: _____ Second: _____ P.O. Surtz #1383 Missing Property Recommendation: _____ Motion: _____ Second: _____ |



| | | | | | |
|---|--------|-------|-------|---|---|
| 2 | 17-189 | Brown | Wynne | <p>Improper Procedure (OH-1 Report)</p> <p>Improper Procedure (No License Plate)</p> <p>Improper Procedure (Supplement Report)</p> <p>Failure to Activate WCS</p> | <p>P.O. Hodges #206</p> <p>Improper Procedure (OH-1) Recommendation: _____ Motion: _____ Second: _____</p> <p>Improper Procedure (No LP) Recommendation: _____ Motion: _____ Second: _____</p> <p>Improper Procedure (Supp) Recommendation: _____ Motion: _____ Second: _____</p> <p>Sgt. Givens #9039</p> <p>Improper Procedure (Supp) Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to Activate WCS Recommendation: _____ Motion: _____ Second: _____</p> |
|---|--------|-------|-------|---|---|



| | | | | | |
|---|--------|---------|---------|--|--|
| 3 | 17-225 | Sanders | Merritt | Improper Citation Excessive Force | Det. Middaugh #2128 Improper Citation Recommendation: _____ Motion: _____ Second: _____ Excessive Force Recommendation: _____ Motion: _____ Second: _____ Det. McNeely #1925 Excessive Force Recommendation: _____ Motion: _____ Second: _____ Det. Schroeder #2353 Excessive Force Recommendation: _____ Motion: _____ Second: _____ Det. Spahia Excessive Force Recommendation: _____ Motion: _____ Second: _____ |
|---|--------|---------|---------|--|--|



| | | | | | |
|---|--------|-------|--------|--|---|
| 4 | 17-239 | Smith | Oliver | <p>Lack of Service (Length of Time)</p> <p>Lack of Service (Fail to Investigate)</p> <p>Lack of Service (No Report)</p> <p>Failure to Activate WCS</p> <p>Improper Procedure – Duty Report</p> | <p>P.O. Saffo #1324</p> <p>Lack of Service (Time)</p> <p>Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> <p>Lack of Service (Investigation)</p> <p>Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> <p>Lack of Service (No Report)</p> <p>Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> <p>Failure to Activate WCS</p> <p>Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> <p>Improper Procedure</p> <p>Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> |
|---|--------|-------|--------|--|---|



| | | | | | |
|---------------|--------|---------|------------------|--|--|
| 4 (cont'd) | 17-239 | Smith | Oliver | Lack of Service (Length of Time) Lack of Service (Fail to Investigate) Lack of Service (No Report) Failure to Activate WCS Improper Procedure – Duty Report | P.O. Doerner #2181 Lack of Service (Time) Recommendation: _____ Motion: _____ Second: _____ Lack of Service (Investigation) Recommendation: _____ Motion: _____ Second: _____ Lack of Service (No Report) Recommendation: _____ Motion: _____ Second: _____ Failure to Activate WCS Recommendation: _____ Motion: _____ Second: _____ Improper Procedure Recommendation: _____ Motion: _____ Second: _____ |
| 5 | 18-002 | Watkins | Williams-Bennett | Lack of Service | Lt. Pillow #8504 Lack of Service Recommendation: _____ Motion: _____ Second: _____ |
| 6 | 18-013 | Pierce | Hammons | Improper Arrest Unprofessional Conduct | P.O. Ciacchi #1065 Improper Arrest Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ |



| | | | | | |
|---|--------|---------|---------|---|--|
| 7 | 18-015 | Thomas | Funari | Unprofessional Conduct Failure to Activate WCS | P.O. Laird #1290 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ P.O. Soros #1852 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Sgt. Ross #9024 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Failure to Activate WCS Recommendation: _____ Motion: _____ Second: _____ |
| 8 | 18-016 | Foreman | Merritt | Unprofessional Conduct Failure to Activate WCS | Det. Torres #1634 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Failure to Activate WCS Recommendation: _____ Motion: _____ Second: _____ |



| | | | | | |
|----|--------|------------|------------|---|--|
| 9 | 18-020 | Foreman | Richardson | Lack of Service Improper Arrest | P.O. Gonzalez #1882 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Improper Arrest Recommendation: _____ Motion: _____ Second: _____ P.O. Valek #992 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Improper Arrest Recommendation: _____ Motion: _____ Second: _____ Sgt. Lally #9214 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Improper Arrest Recommendation: _____ Motion: _____ Second: _____ |
| 10 | 18-025 | Loudermilk | Oliver | Unprofessional Conduct Lack of Service | P.O. Brody #153 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Lack of Service Recommendation: _____ Motion: _____ Second: _____ |



| | | | | | |
|----|--------|--------|--------|--|---|
| 11 | 18-031 | Manley | Oliver | Unprofessional Conduct Lack of Service (No Report) Lack of Service (Subpoena) Unprofessional Conduct (Misleading Statement) | P.O. Turner #1529 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Lack of Service (No Report) Recommendation: _____ Motion: _____ Second: _____ Lack of Service (Subpoena) Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct (Misleading) Recommendation: _____ Motion: _____ Second: _____ |
|----|--------|--------|--------|--|---|



| | | | | | |
|----|--------|------------|------------|---|---|
| 12 | 18-036 | Colon | Delaney | Violation of Limited English Proficiency Lack of Service Unprofessional Conduct | P.O. Matt #1674 Violation of L.E.P. Recommendation: _____ Motion: _____ Second: _____ P.O. Estergall #1986 Violation of L.E.P. Recommendation: _____ Motion: _____ Second: _____ Det. Murphy #1500 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ |
| 13 | 18-049 | Washington | Richardson | Lack of Service Unprofessional Conduct | P.O. Taylor #1037 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ |



| | | | | | |
|----|--------|-------|---------|--|---|
| 14 | 18-051 | Juvan | Bowker | Unprofessional Conduct Secondary Employment Violation | P.O. Petchler #1765 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Secondary Employment Recommendation: _____ Motion: _____ Second: _____ |
| 15 | 18-053 | Jones | Delaney | Unprofessional Conduct Failure to Activate WCS | Sgt. Pirinelli #9046 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Failure to Activate WCS Recommendation: _____ Motion: _____ Second: _____ |
| 16 | 18-054 | Ellis | Bowker | Unprofessional Conduct | P.O. Nhiwatwa #1181 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ |
| 17 | 18-056 | Jones | Bowker | Unprofessional Conduct | P.O. Crivel #1727 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ P.O. Kaufmann #893 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ |



| | | | | | |
|----|--------|------------|------------|---|---|
| 18 | 18-058 | Johnson | Richardson | Improper Citation Unprofessional Conduct | Sgt. Baeppler #9142 Improper Citation Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ |
| 19 | 18-060 | Wainwright | Funari | Unprofessional Conduct | P.O. Choat #1961 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ |
| 20 | 18-068 | Malloy | Delaney | Unprofessional Conduct | P.O. Sowders #1103 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ P.O. McNatt #1551 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ P.O. Cruz #772 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Dispatcher Kelley #112 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ |



VIII. Review of Disciplinary Decisions

| COUNT | OPS # | COMPLAINANT | INVESTIGATOR | ALLEGATION | CHIEF DECISION |
|-------|--------|-------------|------------------|--|---|
| 1 | 15-052 | Hupe | Perdian (Funari) | Unprofessional Conduct | P.O. Soeder #1942 Decision: Dismissed allegations. |
| 2 | 15-251 | Blair | Bowker | Improper Stop Unprofessional Conduct | Sgt. Beitel #9014 Decision: Dismissed allegation of Improper Stop without reasonable suspicion, but found Sgt. Beitel guilty on remaining charges. Sgt. Beitel was issued a written reprimand. |
| 3 | 16-061 | Poe-Darling | Perdian (Funari) | Lack of Service Unprofessional Conduct Improper Tow | P.O. Cox #163 Decision: Found guilty of unsatisfactory performance and received a written reprimand. |
| 4 | 16-244 | Miles | Delaney | Lack of Service Improper Procedure- Failure to Note Interaction on Duty Report Failure to Activate WCS | P.O. Peace #2014 Decision: Found guilty and issued a written reprimand |
| 5 | 16-248 | Goode | Funari | Improper Tow Failure to Activate WCS | P.O. Cox #163 Decision: As P.O. Cox pled no contest to the allegations, he was issued a non-disciplinary letter of re-instruction. |



| | | | | | |
|---|--------|---------|---------|---|--|
| 6 | 17-009 | Harris | Merritt | Failure to Arrest/Document | P.O. Wright #1731 P.O. McMullen #2305 Decision: Chief amended the infraction to Group I offense and issued non-disciplinary letters of re-instruction. |
| 7 | 17-029 | Mathews | Hammons | Unprofessional Conduct Failure to Activate WCS Failure to Complete Duty Report | P.O. Troutman #676 P.O. Barnett #2119 Decision: Both officers found guilty of not activating their WCS and issued non-disciplinary letters of re-instruction. P.O. Barnett was issued a written reprimand for failure to complete his duty report, while P.O. Troutman had that allegation dismissed. The allegation of unprofessional conduct was also dismissed. |
| 8 | 17-216 | Weaver | Delaney | Lack of Service – Failure to Arrest on Capias Lack of Service – Civil Protection Order | Sgt. Jackson #9952 Decision: Dismissed the allegations. |



XI. UNFINISHED BUSINESS

| COUNT | OPS # | COMPLAINANT | INVESTIGATOR | ALLEGATIONS | RECOMMENDATION |
|-------|--------|-------------|--------------|---|---|
| 1 | 16-232 | Skulina | Bowker | Improper Citation Improper Tow Harassment Unprofessional Conduct | Sgt. Montague #9217 Exonerated on Improper Citation and Harassment, Insufficient Evidence on Unprofessional Conduct, and Sustained on Improper Tow. Held in abeyance on clarification from Law Department. |