



**OFFICE OF PROFESSIONAL STANDARDS**  
205 West St. Clair Avenue, Suite 301, Cleveland, Ohio 44113  
**CIVILIAN POLICE REVIEW BOARD**

**\*\*ONLINE WEBEX MEETING\*\***

Tuesday, October 12, 2021

**MEETING AGENDA**

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|--------------------------------------------------|-------------------------------------------------------|
| <b>I. CALL TO ORDER</b>                          | Michael Hess, Chair                                   |
| <b>II. ROLL CALL &amp; INTRODUCTIONS</b>         |                                                       |
| <b>III. APPROVAL OF MINUTES</b>                  | CPRB                                                  |
| <b>IV. PUBLIC COMMENT</b>                        |                                                       |
| <b>V. PRESENTATION OF INVESTIGATIONS</b>         | Roger Smith, Administrator<br>OPS Investigative Staff |
| <b>VI. ANNOUNCEMENTS AND COMMUNICATIONS</b>      |                                                       |
| <b>VII. OPS REPORT</b>                           | Roger Smith, Administrator                            |
| <b>A. REVIEW OF CHIEF DISCIPLINARY DECISIONS</b> |                                                       |
| <b>VIII. POLICY UPDATES</b>                      | Michael Hess, Chair                                   |
| <b>IX. COMMITTEE REPORTS</b>                     |                                                       |
| <b>X. UNFINISHED BUSINESS</b>                    |                                                       |
| <b>A. MEMO TO CHIEF</b>                          |                                                       |
| <b>B. RESOLUTIONS</b>                            |                                                       |
| <b>XI. NEW BUSINESS</b>                          | Michael Hess, Chair                                   |
| <b>XII. ADJOURNMENT</b>                          |                                                       |



**Tuesday, October 12, 2021**

**V: PRESENTATION OF INVESTIGATIONS**

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	CPRB DISPOSITION
1	19-185	Briggs	Wynne	Lack of Service	<p><b>P.O. Lally #2346</b></p> <p>Lack of Service            Recommendation: _____            Motion: _____            Second: _____</p> <p><b>P.O. Jones #1847</b></p> <p>Lack of Service            Recommendation: _____            Motion: _____            Second: _____</p> <p><b>P.O. Blue #2351</b></p> <p>Lack of Service            Recommendation: _____            Motion: _____            Second: _____</p> <p><b>P.O. Madison #612</b></p> <p>Lack of Service            Recommendation: _____            Motion: _____            Second: _____</p>



2	20-010	Howard	Merritt	Improper Stop  Improper Search	<p><b>Det. Childs #1289</b></p> Improper Stop Recommendation: _____ Motion: _____ Second: _____ <p>Improper Search          Recommendation: _____          Motion: _____          Second: _____</p> <p><b>Det. McBride #340</b></p> Improper Stop Recommendation: _____ Motion: _____ Second: _____ <p>Improper Search          Recommendation: _____          Motion: _____          Second: _____</p>
3	20-030	O'Toole	Funari	Improper Citation  Improper Tow	<p><b>P.O. Herrin #2173</b></p> Improper Citation Recommendation: _____ Motion: _____ Second: _____ <p>Improper Tow          Recommendation: _____          Motion: _____          Second: _____</p>
4	20-071	Jones	Hammons	Improper Arrest	<p><b>P.O. Rose #1246</b></p> Improper Arrest Recommendation: _____ Motion: _____ Second: _____



5	20-108	Debose	Hammons	Lack of Service	<p><b>Det. English #1982</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p><b>P.O. Bachman #1996</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
6	20-129	Carr-Thompson	Wynne	Unprofessional Conduct	<p><b>P.O. Santoferraro #2458</b></p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p>
7	20-193	Dawson	Hammons	Lack of Service	<p><b>Dispatcher Burton #154</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p><b>Dispatcher Ortiz #132</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>



8	20-194	Jones	Williams-Bennett	Lack of Service	<p><b>Sgt. Boddy #9254</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p><b>P.O. Smith #484</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p><b>P.O. Tremaglio #2510</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
9	20-196	Allen	Delaney	<p>Lack of Service</p> <p>Unprofessional Conduct</p> <p>Failure to Report</p>	<p><b>P.O. Sanchez #2503</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to Report Recommendation: _____ Motion: _____ Second: _____</p> <p><b>P.O. Taylor #1090</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to Report Recommendation: _____ Motion: _____ Second: _____</p>



9	20-196 (cnt'd)	Allen	Delaney	Lack of Service  Unprofessional Conduct  Failure to Report	<p><b>P.O. Gaston #2294</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to Report Recommendation: _____ Motion: _____ Second: _____</p> <p><b>P.O. Santoferraro #2458</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p><b>Sgt. Boddy #9254</b></p> <p>Failure to Report Recommendation: _____ Motion: _____ Second: _____</p>
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10	20-212	Fitzgerald	Delaney	<p>Lack of Service</p> <p>Unprofessional Conduct</p> <p>WCS Violation</p> <p>Improper Procedure</p> <p>Failure to Provide Medical Attention</p> <p>Failure to Investigate</p> <p>Failure to Cooperate with OPS</p>	<p><b>P.O. Munguia #1813</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>WCS Violation Recommendation: _____ Motion: _____ Second: _____</p> <p><b>P.O. Nussbaum #325</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>WCS Violation Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to Provide Medical Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to Investigate Recommendation: _____ Motion: _____ Second: _____</p>
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10	212 (cnt'd)	Fitzgerald	Delaney	Lack of Service  Unprofessional Conduct  WCS Violation  Improper Procedure  Failure to Provide Medical Attention  Failure to Investigate  Failure to Cooperate with OPS	<b>P.O. Woods #1784</b>  Improper Procedure Recommendation: _____ Motion: _____ Second: _____  Failure to Provide Medical Recommendation: _____ Motion: _____ Second: _____  Failure to Investigate Recommendation: _____ Motion: _____ Second: _____  Failure to Cooperate with OPS Recommendation: _____ Motion: _____ Second: _____
11	20-218	Crayton	Williams-Bennett	Harassment  Unprofessional	<b>P.O. Torres #2493</b>  Harassment Recommendation: _____ Motion: _____ Second: _____  <b>P.O. Holt-Santiago #1262</b>  Harassment Recommendation: _____ Motion: _____ Second: _____  Unprofessional Lack of Service Recommendation: _____ Motion: _____ Second: _____





12	21-019	Leftwich	Williams-Bennett	Lack of Service	<p><b>P.O. Coleman #477</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p><b>P.O. Irby #2545</b></p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
13	21-052	Toler	Wynne	<p>Unprofessional Conduct</p> <p>WCS Violation</p>	<p><b>Lt. Stacho #8535</b></p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>WCS Violation Recommendation: _____ Motion: _____ Second: _____</p>
14	21-070	Strickland	Funari	<p>Unprofessional Conduct</p> <p>Failure to Provide Badge Number</p>	<p><b>Dispatcher Tabb #178</b></p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to Provide Badge Recommendation: _____ Motion: _____ Second: _____</p>
15	21-115	Nimeh	Richardson	Unprofessional Conduct	<p><b>T.C. Murphy #7001</b></p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p>



16	21-146	Bugg	Ali	Harassment  Unprofessional Conduct	<b>Det. Gonzalez #2001</b>  Harassment Recommendation: _____ Motion: _____ Second: _____  Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
17	21-161	Pate	Harris	Lack of Service	<b>P.O. White #1830</b>  Lack of Service Recommendation: _____ Motion: _____ Second: _____  P.O. Drost #2443  Lack of Service Recommendation: _____ Motion: _____ Second: _____
18	21-197	Anonymous	Richardson	Unprofessional Conduct  Failure to Provide Name/Badge	<b>Sgt. Mone #9936</b>  Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____  Failure to Provide Name/Badge Recommendation: _____ Motion: _____ Second: _____



**VII (A). REVIEW OF CHIEF DISCIPLINARY DECISIONS**

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	RECOMMENDATION	CHIEF DECISION
1	19-186	Murray	Bowker	<p>Improper Arrest – the CPRB recommended a <b>Group II</b> discipline level for P.O. Zubek #1391 improperly arresting the Complainant for minor misdemeanors instead of simply issuing citations;</p> <p>Unprofessional Conduct – the CPRB recommended a <b>Group II</b> discipline level for P.O. Zubek saying to the Complainant, “I am not going to ask you again. You want to go to jail? We can do that too,” “In about three seconds you’re going to be under arrest,” and “You want to call me a racist? Step out. You’re under arrest;”</p> <p>Biased Policing – the CPRB recommended a <b>Group II</b> discipline level for P.O. Zubek failing to immediately request a supervisor when the Complainant asked for one and further failing to alert the supervisor that the Complainant accused P.O. Zubek of being racist and engaging in biased behavior, and;</p> <p>Improper Procedure – the CPRB recommended a <b>Group I</b> discipline level for P.O. Zubek failed to be aware of practices and policies that govern his role as a police officer and generated a situation wherein the Complainant was improperly detained and arrested.</p>	<p>Chief Williams found P.O. Zubek “not guilty” of the allegation of Improper Arrest and <b>dismissed</b> this allegation, citing that the arrest of the Complainant was permissible because <i>Compliance with Lawful Order of Police Officer; Fleeing</i> is a first degree misdemeanor;</p> <p>Chief Williams <b>concurred</b> with the CPRB recommendation of Unprofessional Conduct and Biased Policing, finding that the statements made by P.O. Zubek to the Complainant to be unprofessional, as well as P.O. Zubek’s failure to have a supervisor immediately respond to the location after being accused of being a racist. Chief Williams issued P.O. Zubek a <b>ten-day suspension</b> for the allegations of Unprofessional Conduct and Biased Policing.</p> <p>Chief Williams found P.O. Zubek “not guilty” of the allegation of Improper Procedure and <b>dismissed</b> this allegation, citing that this allegation was duplicative of allegation #1 and that this allegation is unfounded, as the arrest of the Complainant was within policy.</p>



2	20-057	Elder	Oliver	Unprofessional Conduct – the CPRB recommended a <b>Group I</b> discipline level for P.O. Tylka #1772 when he failed to allow the Complainant to place his temporary license plate in his rear window and instead unlawfully ordered the Complainant to affix the temporary tag on the rear of his vehicle without providing him the tools to do so, causing the Complainant to hit his fingertips on the screws.	Chief Williams <b>concurred</b> with the CPRB recommendation and issued P.O. Tylka a <b>two-day suspension</b> .
3	20-067	Vega	Bowker	Improper Arrest/Detention – the CPRB recommended a <b>Group I</b> discipline level for P.O. Kelley #1242 improperly restraining the Complainant during an investigatory stop of a traffic accident when the Complainant was cooperating and gave no indication of fleeing.	Chief Williams <b>concurred</b> with the CPRB recommendation and issued P.O. Kelley a <b>letter of reinstruction</b> .
4	20-265	Hayes	Merritt	Unprofessional Conduct – the CPRB recommended a <b>Group I</b> discipline level for Dispatcher Washko #105 when he failed to identify himself to the Complainant and made an improper/irrelevant comment to the Complainant regarding her situation.	Chief Williams found Dispatcher Washko “not guilty” and <b>dismissed</b> the allegation, citing that Dispatcher Washko, in this instance, was not answering the phone and was instead calling out. Chief Williams additionally wrote that Dispatcher Washko did not make any improper or irrelevant comments.