



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

****ONLINE WEBEX MEETING****

Tuesday, December 14, 2021

MEETING AGENDA

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| I. CALL TO ORDER | Michael Hess, Chair |
| II. ROLL CALL & INTRODUCTIONS | |
| III. APPROVAL OF MINUTES | CPRB |
| IV. PUBLIC COMMENT | |
| V. PRESENTATION OF INVESTIGATIONS | Henry Roney, Acting Administrator
OPS Investigative Staff |
| VI. ANNOUNCEMENTS AND COMMUNICATIONS | |
| VII. OPS REPORT | Henry Roney, Acting Administrator |
| A. REVIEW OF CHIEF DISCIPLINARY DECISIONS | |
| B. REVIEW OF DIRECTOR DISCIPLINARY DECISIONS | |
| VIII. POLICY UPDATES | Michael Hess, Chair |
| IX. COMMITTEE REPORTS | |
| X. UNFINISHED BUSINESS | |
| XI. NEW BUSINESS | |
| XII. ADJOURNMENT | |



Tuesday, December 14, 2021

V: PRESENTATION OF INVESTIGATIONS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	CPRB DISPOSITION
1	19-188	Clifton	Funari	Harassment Improper Search Improper Citation – Drugs Improper Citation – Driving Under Suspension	Sgt. Johnson #9224 Harassment Recommendation: _____ Motion: _____ Second: _____ Improper Search Recommendation: _____ Motion: _____ Second: _____ Improper Citation – Drugs Recommendation: _____ Motion: _____ Second: _____ Improper Citation – DUS Recommendation: _____ Motion: _____ Second: _____



2	20-098	Dowdley	Bowker	<p>Excessive Force</p> <p>Unprofessional Conduct</p> <p>Lack of Service</p> <p>Improper Procedure</p>	<p>P.O. Munko #1159</p> <p>Excessive Force Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> <p>P.O. Trinh #505</p> <p>Excessive Force Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> <p>Unprofessional Conduct Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> <p>P.O. Dwulat #581</p> <p>Excessive Force Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> <p>P.O. Varndell #2554</p> <p>Excessive Force Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p> <p>P.O. Deems #599</p> <p>Excessive Force Recommendation: _____</p> <p>Motion: _____</p> <p>Second: _____</p>
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2	20-098 (cnt'd)	Dowdley	Bowker	<p>Excessive Force</p> <p>Unprofessional Conduct</p> <p>Lack of Service</p> <p>Improper Procedure</p>	<p>P.O. Poole #1799</p> <p>Excessive Force Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Scaggs #860</p> <p>Excessive Force Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Lampkin #2462</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. McCartney #820</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>Sgt. Maye #9272</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Improper Procedure Recommendation: _____ Motion: _____ Second: _____</p>
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3	20-107	McCully	Oliver	Lack of Service Unprofessional Conduct	<p>Lt. Beckner #8555</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Wagner #1216</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p>
4	20-143	Flantroy	Bowker	Biased Policing	<p>Sgt. Zeisel #9203</p> <p>Biased Policing Recommendation: _____ Motion: _____ Second: _____</p>



5	20-194	Jones	Williams-Bennett	Lack of Service	<p>Sgt. Boddy #9254</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Smith #484</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Tremaglio #2510</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
6	20-218	Crayton	Williams-Bennett	<p>Harassment</p> <p>Unprofessional Conduct</p>	<p>P.O. Torres #2493</p> <p>Harassment Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Holt-Santiago #1262</p> <p>Harassment Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p>



7	20-231	Robinson	Wynne	Lack of Service	<p>P.O. Frazier #162</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Tremaglio #2510</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
8	20-274	Hopper	Wynne	<p>Unprofessional Conduct</p> <p>Improper Procedure</p>	<p>Sgt. Johnson #9224</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>Sgt. Mobley #9228</p> <p>Improper Procedure Recommendation: _____ Motion: _____ Second: _____</p> <p>Det. Correa #2585</p> <p>Improper Procedure Recommendation: _____ Motion: _____ Second: _____</p>



9	21-019	Leftwich	Williams-Bennett	Lack of Service	<p>P.O. Coleman #477</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Irby #2545</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
10	21-070	Strickland	Funari	<p>Unprofessional Conduct</p> <p>Failure to Provide Badge</p>	<p>Dispatcher Tabb #178</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to Provide Badge Recommendation: _____ Motion: _____ Second: _____</p>
11	21-112	Szabo	Funari	<p>Lack of Service</p> <p>Unprofessional Conduct</p>	<p>P.O. Orozco #1601</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p>



12	21-146	Bugg	Ali	Harassment Unprofessional Conduct	Det. Gonzalez #2001 Harassment Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
13	21-150	Pinkney-Butts	Harris	Lack of Service Unprofessional Conduct	P.O. Huskey #2121 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ P.O. Shingary #670 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
14	21-154	Claxton	Wynne	Improper Tow	P.O. Costanzo #974 Improper Tow Recommendation: _____ Motion: _____ Second: _____



15	21-161	Pate	Harris	Lack of Service	<p>P.O. White #1830</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Drost #2443</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
16	21-179	Collins	Richardson	<p>Harassment</p> <p>Improper Citation</p>	<p>Sgt. Mobley #9228</p> <p>Harassment Recommendation: _____ Motion: _____ Second: _____</p> <p>Improper Citation Recommendation: _____ Motion: _____ Second: _____</p>
17	21-197	Anonymous	Richardson	<p>Unprofessional Conduct</p> <p>Failure to Provide Name/Badge</p>	<p>Sgt. Money #9936</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to Provide Name/Badge Recommendation: _____ Motion: _____ Second: _____</p>



18	21-204	Curbelo	Harris	Unprofessional Conduct WCS Violation	P.O. Davis #561 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ WCS Violation Recommendation: _____ Motion: _____ Second: _____
19	21-218	Frary	Bowker	Unprofessional Conduct	P.O. Munson #1297 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ P.O. Musson #1956 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____



VII (A). REVIEW OF CHIEF DISCIPLINARY DECISIONS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	RECOMMENDATION	CHIEF DECISION
1	20-069	Nader	Bowker	<p>Unprofessional Conduct – the CPRB recommended a Group II violation against P.O. Sowders #1103 when he was overheard saying, “Just ask her what her fuckin’ number is,” in an escalating tone with the Complainant used caution and questioned verification of who was calling her and why key code access was needed to a residence for which she was fiducially responsible.</p>	<p>Chief Williams concurred with CPRB recommendation and issued P.O. Sowders an 8-day suspension.</p>
2	20-224	Blatt	Merritt	<p>Unprofessional Conduct – the CPRB recommended a Group I violation against P.O. Rakovec #1695 for making comments on his personal Facebook page and got into a controversial exchange about Canada’s police, being fed up with criminals, how crime should be tougher, and how “the groups” like “anti-fuzz, Black Lives Matter” stick up for criminals, and how he believes it is unfair.</p>	<p>Chief Williams departed from CPRB recommendation and dismissed the allegation, citing that P.O. Rakovec’s offensive posts were posted to a private Facebook account, and that P.O. Rakovec was not acting under orders, and that debating with citizens is not generally part of his duties. Chief Williams further stated that P.O. Rakovec’s speech did not appear to have had any significant impact on Division operations, and there was no known evidence that persons other than the Complainant were upset.</p>



3	20-236	Perkins	Delaney	<p>Lack of Service – the CPRB recommended a Group I violation against P.O. Crane #2180 when he did not generate reports for crimes reported to him and failing to complete a supplemental OH-1 report.</p>	<p>Chief Williams departed from CPRB recommendation and dismissed the allegation, citing that while each driver stated that other purposely tried to hit her, there was not enough evidence to know what each driver was intending prior to the crash and at best, someone would have had to suffer “serious physical harm” from the accident in order to file a felonious assault report, which did not occur. Chief Williams also cited that supplement reports can be completed by any other officer, and given that P.O. Crane was not present at the time the Complainant requested a supplemental report, he was not in violation of that allegation.</p>
4	21-005	Pendergrass	Delaney	<p>WCS Violation – the CPRB recommended a Group II violation against P.O. Lynch #730 when, between October 13-November 29, 2020, he failed to activate his WCS for all calls for service, failed to dock his camera at the end of his tour, failed to upload and tag his footage, and failed to report any technical problems in doing so to his supervisor. P.O. Lynch further failed to adhere to this policy when he responded to the Complainant’s call and the 37 other calls he responded to between October 13-November 29, with his WCS being interoperable due to his camera’s memory being full.</p> <p>Failure to Supervise Violation – the CPRB recommended a Group II violation against Sgt. Reilly #9145 when he failed to ensure that P.O. Lynch was in compliance with the rules governing his WCS.</p>	<p>Chief Williams concurred with CPRB recommendation and issued P.O. Lynch a 10-day suspension.</p> <p>Still awaiting the Chief’s decision on possible discipline for Sgt. Reilly.</p>



5	21-152	Fisher	Richardson	Improper Search – the CPRB recommended a Group II violation against Sgt. Beitel #9014 for his failure to gain the Complainant’s consent to enter his residence, and further lacked the necessary exigent circumstances that would allow him to enter the Complainant’s apartment without a warrant.	Chief Williams concurred with the CPRB recommendation and issued Sgt. Beitel a six-day suspension .
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VII (B). REVIEW OF DIRECTOR DISCIPLINARY DECISIONS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	CHIEF ACTIONS	DIRECTOR DECISION
1	20-028	Mason	Hammons	<p>Chief Williams dismissed the Group I allegation of Vehicle Pursuit: Excessive Speed against Lt. Farmer #8497, stating that being familiar with an area is a consideration and not a requirement for a pursuit.</p> <p>Chief Williams dismissed the Group I allegation of Emergency Response Driving against P.O. Miller #1583, stating that P.O. Miller's patrol car was not involved in an accident during the pursuit.</p> <p>Chief Williams dismissed the Group I allegations of Vehicle Pursuit: Excessive Speed and Emergency Response Driving against Sgt. Chapman #9232, stating again the being familiar with an area is a consideration and not a requirement for a pursuit, and that the Emergency Response Driving allegation was duplicative of the Improper Procedure allegation he found Sgt. Chapman guilty.</p>	<p>Director Howard upheld Chief Williams' dismissal of Vehicle Pursuit: Excessive Speed against Lt. Farmer #8497, citing the same rationale as Chief Williams.</p> <p>Director Howard upheld Chief Williams' dismissal of Emergency Response Driving against P.O. Miller #1583, citing that the facts presented did not prove that P.O. Miller "failed to consider the nature of the surrounding area while engaged in the vehicle pursuit throughout several residential streets, but particularly when driving 84 miles per hour on Euclid Avenue in East Cleveland."</p> <p>Director Howard upheld Chief Williams' dismissal of Vehicle Pursuit: Excessive Speed and Emergency Response Driving and further dismissed the allegation of Improper Procedure, citing that OPS' investigation should not have gone forward because at the time OPS initiated the investigation, Internal Affairs was already investigating the matter.</p>



2	20-073	Walker	Wynne	<p>Chief Williams dismissed the Group I allegation of Lack of Service against P.O. Strehle #658, stating that P.O. Strehle observed a "Yield" sign, which was the determining factor for finding fault in the OH-1 report.</p> <p>Chief Williams also dismissed the Group III allegation of Biased Policing against P.O. Strehle, stating there was no indication of bias when the patrol officers split up to deliver services at the scene of the accident.</p>	<p>Director Howard upheld Chief Williams' dismissals, citing that P.O. Strehle was correct in determining that the "Yield" sign was factor for finding fault in the OH-1 report, and further cited that WCS video footage and statements made by the Complainant in her OPS interview indicated that P.O. Strehle did not act with bias.</p>
3	20-094	Heckman	Hammons	<p>Chief Williams amended the Group II allegation of Social Media Policy Violation against P.O. Angelone #2333 to a Group I, stating that P.O. Angelone denied making the "lead, lots of lead" comment and that Facebook has no authentication process that the post came from P.O. Angelone, and would have issued P.O. Angelone a written reprimand had the CPRB not appealed this departure by the Chief</p>	<p>Director Howard rejected Chief Williams' specification amendment and issued P.O. Angelone a seven-day suspension, citing that the comments made by P.O. Angelone on social media were contrary to the clearly stated values of the Division.</p>



4	20-120	Collie	Delaney	<p><i>Because of the Group III recommendation, this case was sent to the Safety Director for a decision instead of the Chief.</i></p> <p>The CPRB recommended a Group III category against P.O. Smith #1614 for the allegation of Excessive Force and a Group II category for his Unprofessional Conduct.</p> <p>The CPRB recommended a Group I category against P.O. Dawson #940 for Failure to De-Escalate, and a Group II category for Unprofessional Conduct.</p> <p>The CPRB recommended a Group I category against Sgt. Brown #9138 for Lack of Service, and a Group I category for Improper Procedure.</p>	<p>Director Howard reviewed the allegations of Excessive Force and Unprofessional Conduct against P.O. Smith #1614 and concurred with the CPRB recommendation. Director Howard issued P.O. Smith a thirteen-day suspension for his violations.</p> <p>Director Howard reviewed the allegations of Failure to De-Escalate and Unprofessional Conduct against P.O. Dawson #940 and concurred with the CPRB recommendation. Director Howard issued P.O. Dawson a seven-day suspension for his violations.</p> <p>Director Howard reviewed the allegations of Lack of Service and Improper Procedure against Sgt. Brown and concurred with the CPRB recommendation. Director Howard issued Sgt. Brown a three-day suspension.</p>
5	20-265	Hayes	Merritt	<p>Chief Williams dismissed the Group I allegation of Unprofessional Conduct against Dispatcher Washko #105, citing that Dispatcher Washko was not answering the telephone but was instead calling out, did not violate the procedure as stated, and did not make any improper or irrelevant comments.</p>	<p>Director Howard rejected the Chief's dismissal, citing that Dispatcher Washko was rude and discourteous to the Complainant during a call back and issued Dispatcher Washko a written reprimand.</p>