



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

****ONLINE WEBEX MEETING****

Tuesday, February 9, 2021

MEETING AGENDA

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



Tuesday, February 9, 2021

V: PRESENTATION OF INVESTIGATIONS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	CPRB DISPOSITION
1	18-157	Randall	Richardson	Unprofessional Conduct	P.O. Hoover #2107 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ P.O. Ziegler #2330 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Sgt. Guerra #9144 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
2	19-068	Sims	Bowker	Lack of Service	P.O. Golston #919 Lack of Service Recommendation: _____ Motion: _____ Second: _____
3	19-201	Williams	Oliver	Improper Citation Improper Tow	P.O. Kaloczi #276 Improper Citation Recommendation: _____ Motion: _____ Second: _____ Improper Tow Recommendation: _____ Motion: _____ Second: _____



4	20-034	Sims	Williams-Bennett	Unprofessional Conduct Discrimination	P.O. Cavanaugh #2123 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Discrimination Recommendation: _____ Motion: _____ Second: _____
5	20-073	Walker	Wynne	Lack of Service Biased Policing	P.O. Strehle #658 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Biased Policing Recommendation: _____ Motion: _____ Second: _____
6	20-135	Anonymous / Petterson	Delaney	Social Media Policy Violation	Det. Loomis #2416 Social Media Policy Violation Recommendation: _____ Motion: _____ Second: _____
7	20-136	Vance	Merritt	Lack of Service Unprofessional Conduct	P.O. Connole #1902 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____



8	20-204	Weiskittel	Delaney	Lack of Service	Det. Ratti #1968 Lack of Service Recommendation: _____ Motion: _____ Second: _____
9	20-214	Davis	Richardson	Lack of Service	P.O. Stevens #2345 Lack of Service Recommendation: _____ Motion: _____ Second: _____
10	20-222	Donathan	Richardson	Lack of Service	Sgt. Chapman Lack of Service Recommendation: _____ Motion: _____ Second: _____
11	20-241	Anderson	Merritt	Unprofessional Conduct	P.O. Dugan #1250 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____



VII (A). REVIEW OF CHIEF'S DISCIPLINARY DECISIONS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	RECOMMENDATION	CHIEF DECISION
1	19-130	Padgett	Oliver	Unprofessional Conduct – the CPRB recommended a Group I violation for P.O. Horvat #2491 when he used profane and discourteous language with the Complainant.	Chief Williams concurred with the CPRB recommendation and issued P.O. Horvat a letter of re-instruction .
2	19-137	Evans	Hammons	Improper Tow and WCS Violation – the CPRB recommended a Group I violation for Sgt. O'Neill #9041 when he failed to release the Complainant's vehicle as he arrived before the vehicle was towed and when he failed to have his WCS activated for his encounter with the Complainant.	Chief Williams departed from the CPRB recommendation and dismissed both allegations of Improper Tow and WCS Violation, citing that Sgt. O'Neill stated that the person he spoke to on scene was not the owner of the vehicle being towed, and that followed the protocols in documenting the malfunction of his WCS.



3	19-159	Curry	Bowker	<p>Lack of Service and WCS Violation – the CPRB recommended a Group I violation for P.O. Manns #1179 when he failed to investigate the Complainant’s claim that she had cell phone video of the juvenile stating that he caused the accident, that the juvenile should have had an adult driving with him, and that he failed to activate his WCS for the first few minutes of his arrival on scene.</p>	<p>Chief Williams concurred with the CPRB recommendation and issued P.O. Manns a two-day suspension.</p>
4	19-189	Pitts/Ridgell	Merritt	<p>Improper Search and Unprofessional Conduct – the CPRB recommended Group I violations for Sgt. Hodous #9223 when he used unreliable information, was not given consent to search, lacked exigent circumstances, improperly detained Complainant Ridgell without probable cause and for longer than necessary, failed to obtain a search warrant, and provided a false statement to gain compliance to search the home.</p>	<p>Chief Williams concurred with the CPRB recommendation and issued Sgt. Hodous a five-day suspension.</p>



5	19-219	Dobriansky	Delaney	Lack of Service – the CPRB recommended a Group I violation for P.O. Tracy #1895 when he failed to take the necessary procedural steps to ensure a thorough next-of-kin notification.	Chief Williams concurred with the CPRB recommendation and issued P.O. Tracy a letter of reinstruction .
6	20-015	Holbrooks	Wynne	Improper Tow and WCS Violation – the CPRB recommended Group I violations against P.O. Estremera #357 for failing to drop the vehicle and for not having his WCS activated for the entire time.	Chief Williams departed from the CPRB recommendation and dismissed the allegation of Improper Tow, but concurred with the CPRB recommendation for the WCS violation and issued P.O. Estremera a one-day suspension .
7	20-061	McCoy	Delaney	Damaged Property and Improper Search – the CPRB recommended Group I violations for these allegations against P.O. Douglas #991, that he carelessly threw the Complainant's property around the compartment of her vehicle and searched the Complainant's vehicle without having consent and before knowing that the vehicle would be towed.	Chief Williams departed from the CPRB recommendation and dismissed the allegation of Damaged Property, citing that WCS video footage showed P.O. Douglas emptying the contents of the compartment and placing them on the passenger seat without destroying the property. Chief Williams concurred with CPRB recommendation and will issue P.O. Douglas a written reprimand for the allegation of Improper Search.



8	20-090	Roberts	Richardson	<p>Improper Arrest – the CPRB recommended a Group I violation for Sgt. Harhay #9136 when he failed to establish probable cause before ordering the arrest of the Complainant.</p> <p>Missing Property – the CPRB recommended a Group I violation for P.O. Thomas #1744 when he failed to secure and enter the Complainant’s property and instead placed the Complainant’s property in a mailbox.</p>	<p>Chief Williams concurred with the CPRB recommendation and issued Sgt. Harhay a letter of reinstruction.</p> <p>Chief Williams concurred with the CPRB recommendation and issued P.O. Thomas a written reprimand.</p>
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VII (B). REVIEW OF DIRECTOR'S DISCIPLINARY DECISIONS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	RECOMMENDATION	DIRECTOR DECISION
1	19-187	Wilson	Richardson	<p>Improper Search – the CPRB recommended a Group I discipline level for P.O. Yasenchack #2362's lack of probable cause to search the Complainant's vehicle after he claimed to smell marijuana, and no marijuana was found.</p> <p>Chief Williams departed from the CPRB recommendation, citing that P.O. Yasenchack determined that a passenger seated in the rear of the vehicle smelled of burnt marijuana, and that the other officers who arrived on scene may not have aware of this reason for probable cause. Chief Williams dismissed the allegation of Improper Search against P.O. Yasenchack.</p>	<p>Director Howard upheld the Chief's dismissal, citing that the search is legal if the traffic stop is legal and the detective smells an odor of marijuana. Substantive evidence does not exist to believe, by a preponderance of evidence, that the odor of marijuana was not present.</p>