



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

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

Tuesday, March 10, 2020
MEETING AGENDA

- | | |
|--|---|
| 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 | |
| VIII. POLICY UPDATES | Michael Graham, Chair |
| A. PROPOSED AMENDMENT TO CPRB MANUAL AND PROCEDURES | |
| IX. COMMITTEE REPORTS | |
| X. UNFINISHED BUSINESS | |
| XI. NEW BUSINESS | |
| XII. ADJOURNMENT | |



Tuesday, March 10, 2020

V: PRESENTATION OF INVESTIGATIONS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	CPRB DISPOSITION
1	18-133	Harris	Delaney	Lack of Service Retaliation	<p>P.O. Russo #231</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Halkiadakis #2583</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Sgt. Ross #9024</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Det. Habeeb #381</p> <p>Retaliation Recommendation: _____ Motion: _____ Second: _____</p> <p>Lt. Cutlip #8476</p> <p>Retaliation Recommendation: _____ Motion: _____ Second: _____</p>



2	18-200	Leak	Funari	Lack of Service	<p>P.O. Roddy #1753</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Cunningham #1218</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
3	18-205	Beal	Bowker	<p>Improper Arrest</p> <p>Improper Procedure</p> <p>Unprofessional Conduct</p>	<p>Sgt. Allen #9167</p> <p>Improper Arrest Recommendation: _____ Motion: _____ Second: _____</p> <p>Improper Procedure Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Rivera #1704</p> <p>Improper Arrest Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Johnson #1373</p> <p>Improper Arrest Recommendation: _____ Motion: _____ Second: _____</p>



4	18-221	Genova	Bowker	Lack of Service Improper Citation	Traffic Controller Shaw #7060 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Improper Citation Recommendation: _____ Motion: _____ Second: _____
5	19-002	Smith	Bowker	Improper Stop Improper Search WCS Violation	P.O. Evans #1672 Improper Stop Recommendation: _____ Motion: _____ Second: _____ Improper Search Recommendation: _____ Motion: _____ Second: _____ P.O. Mitchell #724 Improper Stop Recommendation: _____ Motion: _____ Second: _____ Improper Search Recommendation: _____ Motion: _____ Second: _____ WCS Violation Recommendation: _____ Motion: _____ Second: _____



6	19-047	Jones-Green	Oliver	<p>Improper Stop</p> <p>Improper Citation</p> <p>Unprofessional Conduct</p> <p>Improper Search</p>	<p>Sgt. Durichko #9193</p> <p>Improper Stop Recommendation: _____ Motion: _____ Second: _____</p> <p>Det. Hourihan #250</p> <p>Improper Citation Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>Det. Pollack #769</p> <p>Improper Search Recommendation: _____ Motion: _____ Second: _____</p>
7	19-056	Brown	Oliver	Lack of Service	<p>Sgt. Lockwood #9119</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
8	19-070	Sanders	Hammons	<p>Unprofessional Conduct</p> <p>Failure to De-Escalate</p>	<p>Sgt. Allen #9167</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p> <p>Failure to De-Escalate Recommendation: _____ Motion: _____ Second: _____</p>



9	19-143	Iwais	Funari	Missing Property Improper Search	<p>P.O. Tracy #1895</p> <p>Missing Property Recommendation: _____ Motion: _____ Second: _____</p> <p>Improper Search Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Januszewski #807</p> <p>Missing Property Recommendation: _____ Motion: _____ Second: _____</p> <p>Improper Search Recommendation: _____ Motion: _____ Second: _____</p>
10	19-158	Parker	Wynne	Unprofessional Conduct	<p>Sgt. Tews #9185</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p>
11	19-167	Parish	Wynne	Lack of Service	<p>P.O. White #437</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Villafuerte #1608</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>



12	19-171	Schoch	Merritt	Improper Citation Unprofessional Conduct	P.O. Beckwith #1047 Improper Citation Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
13	19-180	Velasquez	Merritt	Unprofessional Conduct	Traffic Controller Shaw #7060 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
14	19-184	Neides / Santiago	Delaney	Improper Stop Unprofessional Conduct	P.O. Madej #2078 Improper Stop Recommendation: _____ Motion: _____ Second: _____ P.O. Wagner #1802 Improper Stop Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
15	19-187	Wilson	Richardson	Improper Search	P.O. Yasenchack #2362 Improper Search Recommendation: _____ Motion: _____ Second: _____



16	19-202	Gray	Delaney	Improper Arrest	<p>P.O. Beach #1948</p> <p>Improper Arrest Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Paridon #938</p> <p>Improper Arrest Recommendation: _____ Motion: _____ Second: _____</p>
17	19-211	Ulrich	Delaney	<p>Lack of Service</p> <p>Unprofessional Conduct</p>	<p>P.O. Corrigan #2572</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Robles #2283</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____</p>
18	19-214	Anderson	Richardson	<p>Lack of Service</p> <p>Biased Policing</p>	<p>P.O. Wells #1330</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>Biased Policing Recommendation: _____ Motion: _____ Second: _____</p>



19	20-017	Moss	Richardson	Unprofessional Conduct	P.O. Kirchner #473 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
----	--------	------	------------	------------------------	--



VII (A). Review of Chief Decisions

COUNT	OPS #	COMPLAINANT	INVESTIGATOR	Recommendation	Chief Decision
1	15-029	Rice	Hammons	Improper Detainment – the CPRB sustained this allegation against Sgt. Rutherford #9017 for her failure to timely release the Complainant from the rear of the zone car after the shooting incident involving her brother. The CPRB recommended a Group II discipline category.	Chief Williams departed from the recommendation of the CPRB, citing that unintentional, extended detainment of the Complainant came about as the result of an unfortunate and rapidly evolving situation that demanded immediate decisions and action based upon very limited information. Chief Williams dismissed the allegation against Sgt. Rutherford.
2	15-036	Wylie-Brown	HH	Unprofessional Conduct – the CPRB sustained this allegation against Det. Biggers #821 for her failure to interview the Complainant. The CPRB recommended a Group I discipline category.	Chief Williams concurred with the recommendation of the CPRB, and issued Det. Biggers a written reprimand .
3	15-140	Parker	Lee	Unprofessional Conduct – the CPRB sustained this allegation against P.O. Williams #1586 when he told the Complainant to stop speaking, that this would not be the last encounter her African American sons had with police. The CPRB recommended a Group II discipline category.	Chief Williams departed from the recommendation of the CPRB, citing that quote was taken out of context and that P.O. Williams took on the role of mentor as well as police officer while providing the Complainant with guidance as to how her African American sons should conduct themselves during an encounter with police. Chief Williams dismissed the allegation against P.O. Williams.

10



4	16-129	New	HH	<p>Lack of Service – the CPRB sustained this allegation for P.O. Hodges #206’s failure to take a report for a crime. The CPRB recommended a Group I discipline category.</p>	<p>Chief Williams departed from the recommendation of the CPRB, citing that P.O. Hodges was appropriate in his line of questioning of the Complainant while attempting to determine if her identity was stolen. Chief Williams dismissed the allegation against P.O. Hodges.</p>
5	16-204	Austin	HH	<p>Lack of Service – the CPRB sustained this allegation for failure to arrest the subject of a temporary protection order against P.O. Beach #1948 and P.O. Haburjak #1145. The CPRB recommended a Group II discipline category for both officers.</p>	<p>Chief Williams departed from the recommendation of the CPRB against P.O. Beach, citing that he was a probationary officer under the supervision of P.O. Haburjak, and dismissed the allegation against P.O. Beach.</p> <p>Chief Williams concurred with the recommendation of the CPRB against P.O. Haburjak, and issued P.O. Haburjak a six-day suspension.</p>



6	18-108	Washington	Bowker	<p>Unprofessional Conduct – the CPRB sustained this allegation against P.O. Wilson #1354 for his comments to the Complainant during his transport to jail. The CPRB recommended a Group II discipline category.</p> <p>WCS Violation – the CPRB sustained this allegation for both P.O. Jordan #2227 and P.O. Wilson #1354. The CPRB recommended a Group I discipline category for both officers.</p> <p>Failure to Cooperate in an OPS Investigation – the CPRB sustained this allegation for both officers when the officers failed to explain why there was only partial WCS video footage. The CPRB recommended a Group II discipline category.</p>	<p>Chief Williams amended the Unprofessional Conduct allegation from a Group II to a Group I, and issued P.O. Wilson a written reprimand for rudeness/discourtesy.</p> <p>Chief Williams concurred with the CPRB recommendation for the WCS Violation and issued both officers a one-day suspension.</p> <p>Chief Williams departed from the CPRB recommendation for the allegation of Failure to Cooperate in an OPS Investigation, citing that the line of questioning was neither fair nor reasonable because it was based on the investigator’s assumption that the officers had additional information. Chief Williams dismissed the allegation of Failure to Cooperate in an OPS Investigation.</p>
---	--------	------------	--------	--	--



7	19-036	Naffah	Oliver	Lack of Service – the CPRB sustained this allegation against P.O. Sabala #853 for his failure to place all information inside of a police report and for improperly titling the report. The CPRB recommended a Group I discipline category.	Chief Williams departed from the CPRB, citing that the Complainant did not provide P.O. Sabala with all the information at the time of the initial report. Chief Williams dismissed the allegation against P.O. Sabala.
8	19-094	Ottih	Richardson	Unprofessional Conduct – the CPRB sustained this allegation against P.O. Choat #1961 for her discourteous behavior. The CPRB recommended a Group I discipline category. WCS Violation – the CPRB sustained this allegation for P.O. Choat turning off her WCS before concluding her contact with the Complainant. The CPRB recommended a Group I discipline category.	Chief Williams concurred with the recommendation of the CPRB for the allegation of Unprofessional Conduct, and issued P.O. Choat a written reprimand . Chief Williams also concurred with the CPRB for the additional WCS Violation, and issued P.O. Choat a one-day suspension .
9	19-106	Foster	Delaney	Unprofessional Conduct – the CPRB sustained this allegation against P.O. Benson #773 for dismissing the concerns of the Complainant. The CPRB recommended a Group II discipline category.	Chief Williams departed from the CPRB recommendation, and amended discipline category from a Group II to a Group I . Chief Williams issued P.O. Benson a four-day suspension .
10	19-107	Jernigan	Delaney	Unprofessional Conduct – the CPRB sustained this allegation against Sgt. Rivera #9260 for his unsolicited and disparaging comments against the Complainant. The CPRB recommended a Group II discipline category.	Chief Williams departed from the CPRB recommendation, citing that Sgt. Rivera was able to demonstrate empathy for the subject and by being “agreeable.” Chief Williams dismissed the allegation against Sgt. Rivera.

