



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, September 10, 2019, 10:00am

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. HILLARD HEINTZE CASES | |
| VII. HILLARD HEINTZE FINDINGS LETTERS | |
| VIII. ANNOUNCEMENTS AND COMMUNICATIONS | |
| IX. OPS REPORT | Administrator Smith |
| A. REVIEW OF CDP DISCIPLINARY DECISIONS | |
| X. POLICY UPDATES | Chair Graham |
| XI. COMMITTEE REPORTS | |
| XII. UNFINISHED BUSINESS | |
| XIII. NEW BUSINESS | |
| XIV. ADJOURNMENT | |



Tuesday, September 10, 2019

V: PRESENTATION OF INVESTIGATIONS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	CPRB DISPOSITION
1	15-140	Parker	Oliver	Improper Search Harassment Unprofessional Conduct	Sgt. Torres #9199 Improper Search Recommendation: _____ Motion: _____ Second: _____ Harassment Recommendation: _____ Motion: _____ Second: _____ Sgt. Young #9261 Improper Search Recommendation: _____ Motion: _____ Second: _____ Harassment Recommendation: _____ Motion: _____ Second: _____ P.O. Williams #2521 Harassment Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____



1	15-140 (cnt'd)	Parker	Oliver	Improper Search Harassment Unprofessional Conduct	P.O. Thompson #2521 Harassment Recommendation: _____ Motion: _____ Second: _____
2	18-076	Ross	Wynne	Improper Tow	P.O. Staskevich #942 Improper Tow Recommendation: _____ Motion: _____ Second: _____ Sgt. Haist #9162 Improper Tow Recommendation: _____ Motion: _____ Second: _____
3	18-109	Adkins	Oliver	Improper Citation Improper Arrest Unprofessional Conduct	Sgt. Mone #9936 Improper Citation Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Sgt. McMahon #9924 Improper Arrest Recommendation: _____ Motion: _____ Second: _____



4	18-137	Norman	Oliver	Unprofessional Conduct Unprofessional Conduct – Drawn Firearm	P.O. Polocy #1247 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct – Gun Recommendation: _____ Motion: _____ Second: _____ P.O. Miller #2531 Unprofessional Conduct – Gun Recommendation: _____ Motion: _____ Second: _____
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5	18-146	Burrows	Oliver	Lack of Service – Insufficient Service Unprofessional Conduct	P.O. Truxel #386 Lack of Service – Insufficient Recommendation: _____ Motion: _____ Second: _____ P.O. Fioritto #993 Lack of Service – Insufficient Recommendation: _____ Motion: _____ Second: _____ Sgt. Eaton #9921 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Det. VanBuren #1213 Lack of Service – Insufficient Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
6	18-183	Rogers	Bowker	Lack of Service – Insufficient Service	P.O. Lozinak #376 Lack of Service – Insufficient Recommendation: _____ Motion: _____ Second: _____



7	18-227	McDowell	Funari	Lack of Service – 1 st Encounter Lack of Service – 2 nd Encounter WCS Violation	P.O. Sparks #1959 Lack of Service – 1 st Encounter Recommendation: _____ Motion: _____ Second: _____ Lack of Service – 2 nd Encounter Recommendation: _____ Motion: _____ Second: _____ WCS Violation Recommendation: _____ Motion: _____ Second: _____ P.O. Bruner #2401 Lack of Service – 1 st Encounter Recommendation: _____ Motion: _____ Second: _____ Lack of Service – 2 nd Encounter Recommendation: _____ Motion: _____ Second: _____ WCS Violation Recommendation: _____ Motion: _____ Second: _____
8	19-006	Lukacevic	Wynne	Lack of Service – Insufficient Service	Det. Daugenti #1933 Lack of Service – Insufficient Recommendation: _____ Motion: _____ Second: _____



9	19-011	Paul	Bowker	Unprofessional Conduct Improper Stop Improper Search	Lt. Cutlip #8476 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Improper Stop Recommendation: _____ Motion: _____ Second: _____ Improper Search Recommendation: _____ Motion: _____ Second: _____ Sgt. Traine #9886 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Improper Stop Recommendation: _____ Motion: _____ Second: _____ Improper Search Recommendation: _____ Motion: _____ Second: _____
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9	19-011 (cnt'd)	Paul	Bowker	Unprofessional Conduct Improper Stop Improper Search	P.O. Habeeb #381 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Improper Stop Recommendation: _____ Motion: _____ Second: _____ Improper Search Recommendation: _____ Motion: _____ Second: _____ P.O. Stockwell #1123 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Improper Stop Recommendation: _____ Motion: _____ Second: _____ Improper Search Recommendation: _____ Motion: _____ Second: _____
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9	19-011 (cnt'd)	Paul	Bowker	Unprofessional Conduct Improper Stop Improper Search	P.O. Dayton #1910 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Improper Stop Recommendation: _____ Motion: _____ Second: _____ Improper Search Recommendation: _____ Motion: _____ Second: _____
10	19-016	Russell	Wynne	Unprofessional Conduct Lack of Service – No Service	P.O. Bronish #148 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ Lack of Service – No Service Recommendation: _____ Motion: _____ Second: _____
11	19-044	Cooper	Richardson	Lack of Service – Insufficient Service Unprofessional Conduct	P.O. Strick #1013 Lack of Service – Insufficient Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____



12	19-060	DeMarco	Williams-Bennett	Excessive Force	P.O. Smith #2376 Excessive Force Recommendation: _____ Motion: _____ Second: _____
13	19-064	Abrams	Merritt	Lack of Service – No Service	P.O. Brown #2103 Lack of Service – No Service Recommendation: _____ Motion: _____ Second: _____ P.O. Freeze #390 Lack of Service Recommendation: _____ Motion: _____ Second: _____
14	19-094	Calhoun	Williams-Bennett	Biased Policing	Sgt. Oliver #9220 Biased Policing Recommendation: _____ Motion: _____ Second: _____
15	19-080	McCann	Richardson	Improper Procedure Improper Search	Sgt. Moran #9072 Improper Procedure Recommendation: _____ Motion: _____ Second: _____ Improper Search Recommendation: _____ Motion: _____ Second: _____



16	19-094	Ottih	Richardson	Unprofessional Conduct WCS Violation	P.O. Choat #1961 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ WCS Violation Recommendation: _____ Motion: _____ Second: _____
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VI. Hillard Heintze Cases

COUNT	OPS #	COMPLAINANT	ALLEGATION	RECOMMENDATION	MOTION
1	15-022	Vo	Missing Property	Exonerated	Approved _____ Not Approved _____
2	15-049	Hollins	Unprofessional Improper Search	Insufficient Evidence Unfounded	Approved _____ Not Approved _____
3	15-072	Hall	Excessive Force Unprofessional	Unfounded Unfounded	Approved _____ Not Approved _____
4	15-100	Jones	Excessive Force	Unfounded	Approved _____ Not Approved _____
5	15-106	Derrico	Unprofessional Lack of Service	Unfounded Unfounded	Approved _____ Not Approved _____
6	15-187	Fryer	Improper Procedure	Unfounded	Approved _____ Not Approved _____
7	15-250	Nathan	Lack of Service	Insufficient Evidence	Approved _____ Not Approved _____
8	15-272	Fowle	Lack of Service Unprofessional	Insufficient Evidence Unprofessional	Approved _____ Not Approved _____
9	15-281	Lessin	Improper Stop Improper Search Harassment	Exonerated Exonerated Exonerated	Approved _____ Not Approved _____
10	16-023	Weaver	Lack of Service	Exonerated	Approved _____ Not Approved _____

12



11	16-027	Norris	Lack of Service	Unfounded	Approved _____ Not Approved _____
12	16-048	Shaffer	Unprofessional Lack of Service Harassment	Unfounded Unfounded Unfounded	Approved _____ Not Approved _____
13	16-069	Keyes	Improper Arrest/Citation Unprofessional	Unfounded Unfounded	Approved _____ Not Approved _____
14	16-110	Justice	Lack of Service	Unfounded	Approved _____ Not Approved _____
15	16-114	Jones	Lack of Service	Unfounded	Approved _____ Not Approved _____
16	16-171	Spann-Wells	Lack of Service	Unfounded	Approved _____ Not Approved _____
17	16-227	Watson	Excessive Force	Unfounded	Approved _____ Not Approved _____
18	17-011	Grim	Unprofessional	Unfounded	Approved _____ Not Approved _____
19	17-027	Chisholm	Misrepresentation/ Secondary Employment	Unfounded	Approved _____ Not Approved _____
20	17-058	Travis	Excessive Force	Exonerated	Approved _____ Not Approved _____
21	17-075	Lang	Unprofessional	Unfounded	Approved _____ Not Approved _____



22	17-086	Randall	Lack of Service Unprofessional	Unfounded Insufficient Evidence	Approved _____ Not Approved _____
23	17-095	Williams	Lack of Service Improper Arrest	Unfounded Unfounded	Approved _____ Not Approved _____
24	17-115	Edwards	Lack of Service	Unfounded	Approved _____ Not Approved _____
25	17-148	Kanter	Harassment	Unfounded	Approved _____ Not Approved _____
26	17-167	Arinze	Lack of Service Unprofessional	Unfounded Insufficient Evidence	Approved _____ Not Approved _____



VII. HILLARD HEINTZE FINDINGS LETTERS

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	HH DISPOSITION
1	15-036	Wylie-Brown	HH	Improper Arrest Unprofessional Conduct	Det. Biggers #821 Improper Arrest Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
2	15-070	Altabbaa	HH	Unprofessional Conduct	P.O. Gasiewski #648 Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
3	15-075	Sims	HH	Improper Arrest Lack of Service Unprofessional Conduct	Det. Oliver #2488 Improper Arrest Recommendation: _____ Motion: _____ Second: _____ Lack of Service Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____



4	15-180	Brown	HH	Excessive Force Failure to Report ULLF Unapproved Secondary Employment	Det. Ivey #2207 Excessive Force Recommendation: _____ Motion: _____ Second: _____ Failure to Report Recommendation: _____ Motion: _____ Second: _____ Unapproved Secondary Recommendation: _____ Motion: _____ Second: _____
5	15-263	Ritchey	HH	Lack of Service	P.O. Taylor #1345 Lack of Service Recommendation: _____ Motion: _____ Second: _____



6	16-008	Belcher	HH	Lack of Service Unprofessional Conduct	P.O. King #2131 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____ P.O. Rodriguez #1311 Lack of Service Recommendation: _____ Motion: _____ Second: _____ Unprofessional Conduct Recommendation: _____ Motion: _____ Second: _____
7	16-086	Gibson	HH	Harassment Lack of Service Unapproved Secondary Employment	P.O. Peterson #1536 Harassment Recommendation: _____ Motion: _____ Second: _____ Unapproved Secondary Recommendation: _____ Motion: _____ Second: _____



7	16-086 (cnt'd)	Gibson	HH	Harassment Lack of Service Unapproved Secondary Employment	P.O. Kinas #2487 Harassment Recommendation: _____ Motion: _____ Second: _____ Unapproved Secondary Recommendation: _____ Motion: _____ Second: _____ Lt. Baeppler #8502 Unapproved Secondary Recommendation: _____ Motion: _____ Second: _____ P.O. Goines #461 Lack of Service Recommendation: _____ Motion: _____ Second: _____ P.O. Kovacic #1527 Lack of Service Recommendation: _____ Motion: _____ Second: _____
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8	16-109	Pierce	HH	Lack of Service	<p>P.O. Potchatek #2016</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Pesta #576</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p> <p>P.O. Piper #1113</p> <p>Lack of Service Recommendation: _____ Motion: _____ Second: _____</p>
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IX (A) . Review of CDP Decisions

COUNT	OPS #	COMPLAINANT	INVESTIGATOR	Allegation	Chief Decision
1	15-286	Allen	Bowker	Dispatch Violation – CPRB sustained this violation with a Group I recommendation	Chief Williams issued P.O. Johnson #2169 a letter of re-instruction, which is consistent with a Group I category.
2	16-194	Boyd	Richardson	Improper Search – CPRB sustained this allegation with a Group I recommendation	Chief Williams found P.O. McCoy #531 guilty of the allegation of Improper Search and issued P.O. McCoy a three-day suspension, which is consistent with a Group I category.
3	18-050	Jones	Delaney	Failure to Cooperate in an Office of Professional Standards Investigation – CPRB sustained this allegation with a Group I recommendation	Chief Williams found P.O. McCoy #531 guilty of the allegation of Failure to Cooperate in an Office of Professional Standards Investigation and issued P.O. McCoy a three-day suspension, which is consistent with a Group I category.
4	18-152	Jefferson	Funari	Lack of Service – CPRB sustained this allegation with a Group II recommendation WCS Violation – CPRB sustained this allegation with a Letter of Reinstruction recommendation	Chief Williams found P.O. Pesta #981 guilty of both allegations, but amended the Lack of Service allegation from a Group II to a Group I and issued P.O. Pesta a letter of reinstruction, consistent with a Group I category. Chief Williams found P.O. Ramey #2201 guilty of both allegations, but amended the Lack of Service allegation from a Group II to a Group I and issued P.O. Ramey a one-day suspension along with a letter of reinstruction.

20



5	18-160	Dawson	Richardson	Improper Tow – CPRB sustained this allegation with a Group I recommendation	Chief Williams dismissed the allegation of Improper Tow against P.O. France #1924
6	18-166	Radwan	Oliver	Lack of Service – CPRB sustained this allegation with a Group I recommendation	Chief Williams found P.O. Haggerty #2494 and P.O. Marzan #2132 guilty of the allegation of Lack of Service and issued both officers a two-day suspension, which is consistent with a Group I category.
7	18-172	Donut	Delaney	Improper Handling of Evidence – CPRB sustained this allegation with a Group II recommendation	Chief Williams dismissed the allegation P.O. Danczak #1828. Chief Williams found P.O. Johnson #1166 guilty of the allegation, but amended the allegation from a Group II to a Group I , and issued P.O. Johnson #1166 a letter of reinstruction, which is consistent with a Group I category.
8	18-176	Horton	Richardson	Improper Search – the CPRB sustained this allegation with a Group III recommendation	Chief Williams found Sgt. Chapman #9232 guilty of the Improper Search allegation, but amended the Group III recommendation to a Group I and issued Sgt. Chapman a written reprimand, citing that he was a patrol officer at the time and told to perform a thorough search of the detainee. Chief Williams further stated that Sgt. Chapman took care to minimize the exposure of the detainee by using his body and the door of the zone car.



9	18-201	Walker	Delaney	Duty Report Violation – the CPRB sustained this allegation with a Group I recommendation.	Chief Williams found P.O. Jagoe #509 guilty of the allegation of Duty Report Violation and issued P.O. Jagoe a letter of reinstruction, which is consistent with a Group I category.
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