

MEETING OF THE CIVILIAN POLICE REVIEW BOARD THE OFFICE OF PROFESSIONAL STANDARDS



October 10, 2023



CLEVELAND, OHIO

Tuesday, October 10, 2023



CITY OF CLEVELAND

Mayor Justin M. Bibb

Marcus A. Perez, Administrator
Office of Professional Standards

Billy Sharp, Chair
Civilian Police Review Board

**Office of Professional Standards &
Civilian Police Review Board**

205 West St. Clair, 3rd Floor
Cleveland, Ohio 44113

www.clevelandohio.gov/ops

Tuesday, October 10, 2023

CIVILIAN POLICE REVIEW BOARD MEMBERS OF THE BOARD

Billy Sharp, Chair

Michael Hess, Vice Chair

Dave Gatian, Board Member

Sherall E. Hardy, Board Member

Kenneth Mountcastle, Board Member

Chenoa C. Miller, Board Member

Michael Graham, Board Member

Brandon Brown, Board Member

Diana Cyganovich, Board Member

MEETING NOTICE & AGENDA

The Civilian Police Review Board will hold a public meeting at the following date and time at the location identified below and via WebEx & YouTube:

Tuesday, October 10, 2023, at 0900 am

Location:

City Hall

601 Lakeside Avenue, Room 514,

Cleveland, Ohio 44114

To join this meeting via WebEx:

<https://cityclevelandoh.webex.com/cityclevelandoh/j.php?MTID=m1d33399dc7219eb4e936d8c4d2e952c5>

Join the meeting number

Meeting number (access code): 2307 804 6387

Meeting password: 1234

Join from a mobile device (attendees only)

+1-415-655-0003, 23078046387# US Toll

You can view the meeting via YouTube:

<https://www.youtube.com/channel/UCjvji5qYnraY74Emrj6N5wg>

Tuesday, October 10, 2023**MEETING AGENDA**

- I. CALL TO ORDER** Billy Sharp, Chair
- II. APPROVAL OF MINUTES** CPRB
- III. PUBLIC COMMENT** Billy Sharp, Chair
- IV. PRESENTATION OF INVESTIGATIONS** Marcus Perez, OPS Administrator
OPS Investigative Staff
- V. EXECUTIVE SESSION** Billy Sharp, Chair
- VI. OPS STATUS REPORT** Marcus Perez, OPS Administrator
 - A. REVIEW OF CHIEF DISCIPLINARY DECISIONS**
 - B. REVIEW OF DIRECTOR DISCIPLINARY DECISIONS**
 - C. UPDATES ON POLICY RECOMMENDATIONS**
- VII. COMMITTEE REPORTS**
- VIII. NEW BUSINESS**
 - A. THE BOARD VOTES WHETHER TO ACCEPT THE RESIGNATION OF OPS INVESTIGATOR DAVID HAMMONS**
 - B. THE BOARD VOTES WHETHER TO HOLD CPRB MEETINGS BY WEBEX IN DECEMBER, JANUARY AND FEBRUARY**
 - C. NACOLE UPDATE.**
 - D. UPDATE ON CIT TRAINING REQUIREMENTS.**
 - E. UPDATE ON CDP PERSONNEL ON ADMINISTRATIVE OR PERSONAL LEAVE (ACTIVE DUTY, LEAVE, MEDICAL, ETC.)**
- IX. ADJOURNMENT**

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COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	CPRB DISPOSITION
1	23-009	Brahaj	Harris	Unprofessional Behavior/Conduct	P.O. Matthew Dickerson #786 Unprofessional Behavior/Conduct Recommendation: Motion: Second:
				Unprofessional Behavior/Conduct	P.O. Luis Florez-Galarza #800 Unprofessional Behavior/Conduct Recommendation: Motion: Second:
2	23-057	Dukes	Lanman	Lack of Service/No Service	P.O. Samuel Ortiz Jr. #1694 Lack of Service/No Service Recommendation: Motion: Second:
				Unprofessional Behavior/Conduct	Unprofessional Behavior/Conduct Recommendation: Motion: Second:
				Lack of Service/No Service	P.O. Jason Santana #2012 Lack of Service/No Service Recommendation: Motion: Second:
				Unprofessional Behavior/Conduct	Unprofessional Behavior/Conduct Recommendation: Motion: Second:
					P.O. Alex Parente #1221 (Retired)
3	23-008	Hughey	Szymanski	Improper Search	Det. Mark Jelenich #2504 Improper Search Recommendation: Motion: Second:
				Improper Arrest	Improper Arrest Recommendation: Motion: Second:
				Improper Arrest	P.O. Thomas Schwartzhoff #443 Improper Arrest Recommendation: Motion: Second:

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COUNT	OPS#	COMPLAINANT	INVESTIGATOR	ALLEGATION	CPRB DISPOSITION
4	22-317	Chad	Lanman	Lack of Service-No Service Unprofessional Behavior/Conduct	Sgt. Dina Gulley #9326 Lack of Service-No Service Recommendation: Motion: Second: Unprofessional Behavior/Conduct Recommendation: Motion: Second:
5	23-016	Johnson	Bowker	Lack of Service/No Service Unprofessional Behavior/Conduct	Sgt. Michael Keane #9198 Lack of Service Recommendation: Motion: Second: Unprofessional Behavior/Conduct Recommendation: Motion: Second:
6	23-040	Lucas	Bowker	Lack of Service/No Service Unprofessional Behavior/conduct	Sgt. Alexander Sinclair #9313 Lack of Service/No Service Recommendation: Motion: Second: Sgt. Alexander Sinclair #9313 Unprofessional Behavior/Conduct Recommendation: Motion: Second:
7	23-056	Bruce	Szymanski	Lack of service/No Service Lack of Service/No Service	P.O. Braden Jarrell #2076 Lack of Service/No Service Recommendation: Motion: Second: P.O. Branden Sylvester #2203 Lack of Service/No Service Recommendation: Motion: Second:

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				Lack of Service/No Service	Sgt. Charles Boddy #9254 Lack of Service/No Service Recommendation: Motion: Second:
8	23-077	McAlpin	Szymanski	Lack of Service/Failure to Investigate Lack of Service/Failure to Investigate	P.O. Christopher Bosak #57 Lack of Service/Failure to Investigate Recommendation: Motion: Second: P.O. Molly Madaras #1754 Lack of Service/Failure to Investigate Recommendation: Motion: Second:
9	23-090	Lewis	Szymanski	Lack of Service/No Service Lack of Service/No Service	P.O. Jordan Tipton #1591 Lack of Service/No Service Recommendation: Motion: Second: P.O. Daniel Gaviria-Buena #1590 Lack of Service/No Service Recommendation: Motion: Second:
10	23-092	White	Szymanski	Lack of Service/Failure to Provide Name and Badge Number WCS Violation Unprofessional Behavior/Conduct	Sgt. Michelle Gricar #9262 Failure to Provide Name and Badge Number Recommendation: Motion: Second: WCS Violation Recommendation: Motion: Second: Unprofessional Behavior/Conduct Recommendation: Motion: Second:

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				<p>Lack of Service/Failure to Provide Name and Badge Number</p> <p>WCS Violation</p> <p>Unprofessional Behavior/Conduct</p> <p>Excessive Force</p> <p>WCS Violation</p> <p>WCS Violation</p>	<p>P.O. Thomas Harrigan #1085 Lack of Service/Failure to Provide Name and Badge Number Recommendation: Motion: Second:</p> <p>WCS Violation Recommendation: Motion: Second:</p> <p>Unprofessional Behavior/Conduct Recommendation: Motion: Second:</p> <p>Excessive Force Recommendation: Motion: Second:</p> <p>WCS Violation Recommendation: Motion: Second:</p> <p>P.O. Hector Vazquez #1203 WCS Violation Recommendation: Motion: Second:</p> <p>P.O. Niccolo Angelino #720 WCS Violation Recommendation: Motion: Second:</p>
11	23-083	Costantino	Szymanski	<p>Lack of Service</p> <p>Unprofessional Behavior/Conduct</p> <p>WCS Violation</p>	<p>P.O. Kevin McLain #2136 Lack of Service Recommendation: Motion: Second:</p> <p>Unprofessional Behavior/Conduct Recommendation: Motion: Second:</p> <p>WCS Violation Recommendation: Motion: Second:</p>

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				Lack of Service/Response Time	P.O. Brian Taylor #2067 Lack of Service/Response Time Investigate Recommendation: Motion: Second:
				Lack of Service/Failure to Investigate	Lack of Service/Failure to Investigate Recommendation: Motion: Second:
12	23-070	Corpening	Harris	Lack of Service	P.O. Nathan Dawson #940 Lack of Service/No Service Recommendation: Motion: Second:
				Lack of Service	Sgt. Alexander Sinclair #9313 Lack of Service/No Service Recommendation: Motion: Second:
				Unprofessional Behavior/Conduct	Unprofessional Behavior/Conduct Recommendation: Motion: Second:
13	23-023	Pratt	Harris	Improper Arrest	P.O. Jovan Larkin #1056 Improper Arrest Recommendation: Motion: Second:
				Unprofessional behavior/Conduct	Unprofessional Behavior/Conduct Recommendation: Motion: Second:
				Unprofessional Behavior/Conduct	P.O. Lamar Heath #817 Unprofessional Behavior/Conduct Recommendation: Motion: Second:
					P.O. John Sanderson #733 (resigned)

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14	23-179	Matos - De Jose	Harris	Unprofessional Behavior/Conduct Bias Free Policing	P.O. Cory Beckwith #1363 Unprofessional Behavior/Conduct Recommendation: Motion: Second: Bias Free Policing Recommendation: Motion: Second:
15	23-123	Rivers	Harris	Improper Arrest Excessive Force Excessive Force Excessive Force	P.O. Matthew Woznicki #2508 Improper Arrest Recommendation: Motion: Second: Excessive Force Recommendation: Motion: Second: P.O. John Ogle #415 Excessive Force Recommendation: Motion: Second: Det. Daniel McCandless #364 Excessive Force Recommendation: Motion: Second:
16	23-129	Moore	Traxler	Unprofessional Behavior/Conduct Lack of Service/No Service Unprofessional Behavior/Conduct	P.O. Seth Mercer #868 Unprofessional Behavior/Conduct Recommendation: Motion: Second: Lack of Service/No Service Recommendation: Motion: Second: P.O. Derrick Brown #713 Unprofessional Behavior/Conduct Recommendation: Motion: Second:

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				Lack of Service/No Service	Lack of Service/No Service Recommendation: Motion: Second:
17	23-146	Selman	Traxler	Lack of Service/No Service Lack of Service/No Service	P.O. Delvonte Scott #1349 Lack of Service/No Service Recommendation: Motion: Second: P.O. Kaitlyn Adkins #948 Lack of Service/No Service Recommendation: Motion: Second:

COUNT	OPS#	COMPLAINANT	INVESTIGATOR	RECOMMENDATION	CHIEF'S DECISION
1	21-225	Reeves	Funari	<p>The CPRB recommended that the allegation of Lack of Service/Improper Procedure be Sustained against Sgt. Michael Keane #9198 when he failed to follow Domestic Violation statues in violation of GPO 3.4.16 (Group I Violation).</p> <p>The CPRB recommended that the WCS Violation be Sustained against Sgt. Michael Keane #9198 when he turned off his WCS while still active on the incident scene, violating GPO 4.06.04 (Group I Violation).</p>	<p>On September 19, 2023, a pre-disciplinary hearing was held before Deputy Chief Dorothy Todd.</p> <p>Chief Drummond departed from the recommendation of the CPRB and Dismissed the charges in Specification 1, Lack of Service/Improper Procedure against Sgt. Keane.</p> <p>Chief Drummond cited that the mother was engaged in an argument with her adult child who suffers from mental illness and drug addiction, during which she wielded a miniature souvenir baseball bat with which she never struck her adult child. The adult child had no injuries and stated that he did not fear his mother.</p> <p>Giving the lack of Domestic Violence history, weighed with who may be attempting to defend themselves against the other, and any fear either party has of the other and the lack of injuries, a primary physical aggressor could not be determined. Absent the probable cause to make an arrest, a "Named Suspect" report was completed, naming the mother as the suspect.</p>

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					Chief Drummond concurred with the recommendation of the CPRB regarding Specification 2 , as Sgt. Keane should have had his Wearable Camera System (WCS) activated the entire time he was at the scene and Sustained the charges in Specification 1, (WCS Violation) and recommended a Letter of Reinstruction as this is Sgt. Keane's first Wearable Camera System error since 2016. (Group I Violation)
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