

CIVILIAN POLICE REVIEW BOARD

OFFICE OF PROFESSIONAL STANDARDS

November 14, 2023

MEETING MINUTES

\*\*\*The times reflected in the minutes are a reflection of the time on the YouTube video\*\*\*

**THE NEXT CPRB BOARD MEETING IS ONLINE VIA WEBEX**

CPRB MEMBERS

Billy Sharp, Chair  
Mike Hess, Vice Chair  
Ken Mountcastle  
Dave Gatian  
Sherall Hardy  
Brandon Brown  
*Michael Graham*  
*Chenoa Miller*  
*Diana Cyganovich*

OPS

Marcus Perez, Administrator  
Art Bowker, Investigator  
Vincent Funari, Interim Sr. Investigator  
Hercules Harris, Investigator  
Joe Szymanski, Investigator  
*Susan Lanman, Investigator*  
Kristen Traxler, Investigator  
Jermaine Smith, Investigator  
Abby O'Neill, General Manager

LEGAL COUNSEL

Chris Heltzel

**BOLD: IN ATTENDANCE**

- |       |  |                                |
|-------|--|--------------------------------|
| I.    | <b>APPROVAL OF MINUTES</b>                       | Billy Sharp                    |
| II.   | <b>PUBLIC COMMENT</b>                            |                                |
| III.  | <b>NEW BUSINESS</b>                              |                                |
| IV.   | <b>CDP PRESENTATION</b>                          | Lt. Charles DePenti            |
| V.    | <b>PRESENTATION OF INVESTIGATIONS</b>            | Vince Funari, Sr. Investigator |
| VI.   | <b>OPS REPORT</b>                                | Marcus Perez, Administrator    |
|       | <b>A. REVIEW OF CHIEF DISCIPLINARY DECISIONS</b> | Marcus Perez, Administrator    |
| VII.  | <b>POLICY UPDATES</b>                            | Marcus Perez, Administrator    |
| VIII. | <b>COMMITTEE REPORTS</b>                         |                                |
| IX.   | <b>UNFINISHED BUSINESS</b>                       |                                |
| X.    | <b>ADJOURNMENT</b>                               |                                |

**Next Meeting:** December 12, 2023

**I. MEETING CALLED TO ORDER AT 9:09 A.M. (34.26)**

**ROLL CALL AND INTRODUCTIONS: 9:10 A.M. (34.30)**

**II. APPROVAL OF MINUTES: Motion to accept the September 26, 2023 and October 10, 2023 minutes approved. For the record Sr. Investigator Funari is filling in for Administrator Perez until her arrives. (34:35-39:31)**

**III. PUBLIC COMMENT (NONE)**

**IV. Presentation given by Lt. Charles DePenti of the CDP Case Prep Unit on the process of making complaints with OPS and CDP (30:33-59:10)**

**IV. PRESENTATION OF INVESTIGATIONS:**

**1. 2022-0048: P.O. Joseph Walsh #2568 (1:14:47-1:24:22)**

**Allegation: Lack of Service/No Service**

Recommendation: *Exonerated*

Motion: Billy Sharp

Second: Ken Mountcastle

Motion: Carried

**Allegation: WCS Violation**

Recommendation: Sustained

Motion: Billy Sharp

Second: Ken Mountcastle

Motion: Carried

**Motion by Chair Billy Sharp for a Group I Letter of Re-Instruction for P.O. Joseph Walsh for the WCS Violation. 2nd by Kenneth Mountcastle. Motion carried.**

**2. 2022-0109: Sgt. Vincent Schneider #9237 (promoted to Lieutenant #8566) (1:25:03-1:32:34)**

**Allegation: Unprofessional Behavior/Conduct**

Recommendation: Unfounded

Motion: Mike Graham

Second: Brandon Brown

Motion Carried

**There was discussion amongst the board members whether or not Sgt. Schneider was required to notify the division that he pointed his rifle in the direction of someone as a Use of Deadly Force or if he removed it from the holster. Chair Sharp questioned what the protocol is if an officer feels they've been shot at. Investigator Harris stated that protocol would be to assess the situation because at that time, Sgt. Schneider could not confirm that shots were fired.**

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**3. 2023-0070: P.O. Nathan Dawson #940 (1:32:50-1:42:22)**

**Allegation: Lack of Service/No Service**

Recommendation: Exonerated

Motion: Sherall Hardy

Second: Diana Cyganovich

Motion: Carried

**Sgt. Alexander Sinclair #9313**

**Allegation: Lack of Service/No Service**

Recommendation: Exonerated

Motion: Sherall Hardy

Second: Billy Sharp

Motion Carried

**Allegation: Unprofessional Behavior/Conduct**

Recommendation: Exonerated

Motion: Sherall Hardy

Second: Billy Sharp

Motion: Carried

**4. 2023-0094: P.O. Owen Johnson #1373 (1:42:54-2:09:10)**

**Allegation: Improper Procedure/Failure to Investigate**

Recommendation: Exonerated

Motion: Billy Sharp

Second: Ken Mountcastle

Opposed: Mike Hess

Motion: Carried

**P.O. Christopher Price #2147**

**Allegation: Unprofessional Behavior/Conduct**

**Recommendation: Improper Procedure/Failure to Investigate**

Motion: Billy Sharp

Second: Ken Mountcastle

Opposed: Mike Hess

Motion: Carried

There was a lengthy discussion amongst the board members if the complainant requested further investigation from the officers. Investigator Szymanski stated that he did not ask that question of the complainant. Board Member Cyganovich stated that the complainant never mentioned that he had been assaulted. Officers were in accordance with Manual Rule 4.18 and GPO 5.05.01.

**5. 2023-0098: Det. Charles Moten #2306 (2:09:26-2:35:53)**

**Allegation: Lack of Service**

Recommendation: Unfounded

Motion: Mike Graham

Second: Diana Cyganovich

Abstain: Billy Sharp (stepped out for a majority of the presentation)

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*Motion: Carried*

***Allegation: WCS Violation***

***Recommendation: Unfounded***

*Motion: Mike Graham*

*Second: Sherall Hardy*

*Opposed: Diana Cyganovich*

*Abstain: Billy Sharp (stepped out for a majority of the presentation)*

*Motion: Carried*

***There was a lengthy discussion amongst the board members regarding the WCS policy. Board member Hardy noted that CDP does not have a policy in place for WCS usage when an officer is making a phone call. The policy states, "All officers while in the field/on tour of duty, shall activate their camera while responding to all calls for service". Board Member Graham states the reason Det. Moten did not turn on his WCS was because he was taking a call at his desk and was not in the field. Chair Sharp abstained from voting but motioned for the board to receive clarification to Board Member Graham's concern. Board Member Graham made a motion to send a memo to the chief's office to consider either clarifying or revising GPO 4.06.04-Section 1A with respect to the language while in the field (to either strike that language or to define it). 2<sup>nd</sup> by Member Hardy. Motioned carried.***

**6. 2023-0102: Det. Wannetta Williams #460 (2:44:01-3:10:09)**

***Unprofessional Behavior/Conduct***

*Recommendation: Insufficient Evidence*

*Motion: Mike Graham*

*Second: Dave Gatian*

*Motion: Carried*

***Allegation: Harassment***

*Recommendation: Insufficient Evidence*

*Motion: Mike Graham*

*Second: Dave Gatian*

*Abstain: Diana Cyganovich (was not in the room during the case discussion)*

*Motion: Carried*

***Allegation: WCS Violation***

*Recommendation: Insufficient Evidence*

*Motion: Mike Graham*

*Second: Dave Gatian*

*Abstain: Diana Cyganovich (was not in the room during the case discussion)*

*Motion: Carried*

***Allegation: Lack of Service/Improper Report***

*Recommendation: Unfounded*

*Motion: Mike Graham*

*Second: Dave Gatian*

**Next Meeting:** December 12, 2023

*Abstain: Diana Cyganovich (was not in the room during the case discussion)*

*Motion: Carried*

***There was a lengthy discussion amongst the board members of the validity of Det. Williams' claims that she did not receive WCS training as it relates to making telephone calls. Board member Hardy asked Investigator Szymanski why he didn't follow up with Det. Williams about her claims. Board member Gatian states that the WCS policy has been in place long enough for Det. Williams to know the rules. Chair Sharp questions what kind of training does an officer receive when they are issued a WCS.***

**7. 2023-0122: P.O. Jonnatan Sanchez #966 (3:10:30-3:28:45)**

***Allegation: Lack of Service/No Service***

*Recommendation: Exonerated*

*Motion: Billy Sharp*

*Second: Sherall Hardy*

*Motion: Carried*

***Allegation: Unprofessional Behavior/Conduct***

*Recommendation: Unfounded*

*Motion: Billy Sharp*

*Second: Sherall Hardy*

*Motion: Carried*

***P.O. Anthony Lucas #2396***

***Allegation: Unprofessional Behavior/Conduct***

*Recommendation: Unfounded*

*Motion: Billy Sharp*

*Second: Sherall Hardy*

*Motion: Carried*

***Officers were in accordance with Manual Rules 4.18, 5.01, 5.09 and 9.05 and GPO 5.05.02.***

***There was discussion amongst the board when Chair Sharp reverted back to case number 2023-0102 and questioned what happens to an officer (Det. Williams) who admitted on record that they did not receive WCS training. Chair Sharp stated that this would only give credence for another officer to use this same rationale. Member Gatian discussed that Det. Williams' rationale was that she was making a phone call to set up an interview and in her WCS training, it didn't tell her that she had to turn it on when making phone calls.***

**8. 2022-0011: P.O. Robert Musson #1956 (3:29:01-3:36:40)**

***Allegation: Lack of Service/No Service***

*Recommendation: Exonerated*

*Motion: Mike Hess*

*Second: Diana Cyganovich*

*Abstain: Ken Mountcastle (didn't receive case)*

*Motion: Carried*

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***Allegation: Improper Procedure/Arrest***

*Recommendation: Exonerated*

*Motion: Mike Hess*

*Second: Diana Cyganovich*

*Abstain: Ken Mountcastle (didn't receive case)*

*Motion: Carried*

***P.O. Rodney Munson #1297***

***Allegation: Lack of Service/No Service***

*Recommendation: Exonerated*

*Motion: Mike Hess*

*Second: Diana Cyganovich*

*Abstain: Ken Mountcastle (didn't receive case)*

*Motion: Carried*

***Allegation: Improper Procedure/Arrest***

*Recommendation: Exonerated*

*Motion: Mike Hess*

*Second: Diana Cyganovich*

*Abstain: Ken Mountcastle (didn't receive case)*

*Motion: Carried*

***Vice chair stated that the conduct did occur, but officers were in accordance with ORC 2909.07 and Manual Rule 4.18 because a Criminal Damaging report cannot be made against a cohabitating spouse***

**9. *2022-0189: P.O. Paul Beckwith #1047 (3:37:06-3:57:35)***

***Allegation: Unprofessional Behavior/Conduct***

*Recommendation: Unfounded*

*Motion: Mike Graham*

*Second: Dave Gatian*

*Motion: Carried*

***Allegation: Improper Procedure-Failure to notify a supervisor that she wanted to make a complaint and failure to provide her with a complaint form***

*Recommendation: Insufficient Evidence*

*Motion: Mike Graham*

*Second: Dave Gatian*

*Motion: Carried*

***Dispatcher Pamela Myers (retired April 30, 2023)***

***Dispatcher Latitia Rice #89***

***Allegation: Improper Procedure-Failure to notify a supervisor that she wanted to make a complaint and failure to provide her with a complaint form***

*Recommendation: Unfounded*

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*Motion: Mike Graham  
Second: Dave Gatian  
Motion: Carried*

***Dispatcher Summer Pirapakaran #104***

***Allegation: Improper Procedure-Failure to notify a supervisor that she wanted to make a complaint and failure to provide her with a complaint form***

*Recommendation: Unfounded*

*Motion: Mike Graham  
Second: Dave Gatian  
Motion: Carried*

***Chief Dispatcher McClain***

***Allegation: Improper Procedure-Failure to notify a supervisor that she wanted to make a complaint and failure to provide her with a complaint form***

*Recommendation: Unfounded*

*Motion: Mike Graham  
Second: Dave Gatian  
Motion: Carried*

***There was dialog amongst the board members why P.O. Beckwith did not call a supervisor to the scene as the complainant requested. Investigator Lanman stated that in his OPS interview, P.O. Beckwith stated he did not believe that the complainant was speaking to him in the beginning, even though the complainant was looking directly at him. Also, dispatchers made numerous attempts to assist the complainant with information on reaching an Officer In Charge (OIC). WCS shows that P.O. Beckwith was not unprofessional in his conduct or in the manner in which he spoke to the complainant.***

***10. 2023-0194: P.O. Ar'Shaun Johnson #827 (1:00:46-1:14:05)***

***Allegation: Lack of Service/No Service***

*Recommendation: Exonerated*

*Motion: Michael Graham  
Second: Sherall Hardy  
Abstain: Ken Mountcastle (didn't receive case)  
Motion: Carried*

***Allegation: Unprofessional Behavior/Conduct***

*Recommendation: Insufficient Evidence*

*Motion: Michael Graham  
Second: Sherall Hardy  
Abstain: Ken Mountcastle (didn't receive case)  
Motion: Carried*

***P.O. Brandon Crites #2467***

***Allegation: Lack of Service***

*Recommendation: Exonerated  
Motion: Michael Graham*

Second: Sherall Hardy  
Abstain: Ken Mountcastle (didn't receive case)  
Motion Carried

**Allegation: Unprofessional Behavior/Conduct**  
Recommendation: Insufficient Evidence  
Motion: Michael Graham  
Second: Diana Cyganovich  
Abstain: Ken Mountcastle (didn't receive case)  
Motion Carried

**Complainant Brenton Sample comment: (1:04:05-1:09:53)**  
**Officers Johnson and Crites did file a report and advised the complainant to the prosecutor's office in accordance with CDP policies. WCS does not show the angle of the officers being unprofessional.**

**11. 2022-0285: P.O. Bruce Smith #2328 (4:31:05-4:39:29)**

**Allegation: Lack of Service/No Service**  
Recommendation: Insufficient Evidence  
Motion: Billy Sharp  
Second: Mike Hess  
Motion: Carried

**Allegation: Unprofessional Behavior/Conduct**  
Recommendation: Insufficient Evidence  
Motion: Billy Sharp  
Second: Mike Hess  
Motion: Carried

**In his OPS interview, P.O. Smith does not recall any contact with the complainant. Chair Sharp questioned how the complainant knew P.O. Smith's name. Investigator Bowker responded that the complainant went to the district to make her complainant and signed the visitor's log.**

**12. 2020-0169: P.O. Raul Moyano #2085 (4:39:47-4:53:58)**

**Allegation: Unprofessional Behavior/Conduct**  
Recommendation: Insufficient Evidence  
Motion: Billy Sharp  
Second: Mike Hess  
Abstain: Ken Mountcastle (case was not on his original list)  
Motion: Carried

**Allegation: WCS Violation**  
Recommendation: Exonerated  
Motion: Billy Sharp  
Second: Brandon Brown  
Abstain: Ken Mountcastle (case was not on his original list)

*Motion: Carried*

**P.O. Moyano was on duty at the hospital to guard a prisoner. His WCS was not charged prior to getting off of his regular shift. Chair Sharp questioned if an officer works a 12 hour shift, are they assigned one WCS for the entire time that they are on duty. Sr. Investigator Funari responded that is correct and that they don't have back-ups. Member Hardy questioned if the WCS can be plugged in. Sr. Investigator Funari responded that there are only two ways to charge a WCS. It can be plugged into a charging port at the district or it can be plugged into a lap top.**

**13. 2023-0203: P.O. Robquetta Lavender #2594 (4:54:13-5:06:07)**

***Allegation: Lack of Service/No Service***

*Recommendation: Unfounded*

*Motion: Mike Hess*

*Second: Sherall Hardy*

*Abstain: Ken Mountcastle (same rationale as previously stated)*

*Motion: Motion carried*

***P.O. Ryan Koehl #1696***

***Allegation: Lack of Service/No Service***

*Recommendation: Unfounded*

*Motion: Mike Hess*

*Second: Sherall Hardy*

*Abstain: Ken Mountcastle (same rationale as previously stated)*

*Motion: Carried*

***Det. John Freehoffer #359***

***Allegation: Lack of Service/No Service***

*Recommendation: Unfounded*

*Motion: Mike Hess*

*Second: Sherall Hardy*

*Abstain: Ken Mountcastle (same rationale as previously stated)*

*Motion: Carried*

***The preponderance of the evidence including WCS footage of multiple encounters and records of the subsequent investigation concludes that the allegations did not occur. Officers responses were consistent with GPO 5.05.01 and Manual Rule 4.18 and all other CDP policies and procedures.***

***Per Sr. Investigator Funari, there were no Chief Departures for today's meeting.***

***Presentation given by Investigator Traxler regarding the training received by investigators (5:06:58-5:16:02)***

***Motion to go into Executive Session for the purpose of personnel hiring and budget by Vice-Chair Mike Hess. 2<sup>nd</sup> by Mike Gatian. Motion carried at 5:17:25-.5:35:28)***

**Next Meeting:** December 12, 2023

**Based on the recommendation of Administrator Perez, Chair Sharp nominated Hamza Khabir, Lachickia Green and Elan Pavlinich for employment. 2<sup>nd</sup> by member Ken Mountcastle. Motion carried.**

**IX. ADJOURNMENT**

**Motion to adjourn the meeting by Chair Sharp. 2<sup>nd</sup> by Vice-Chair Hess. Motion carried.  
(5:36:50)**