



Board

Present Janet E. Jackson, Chair
Present Brooke Burns, Vice Chair
Absent Gambit Aragon
Present Mark Fluharty
Present Dr. Chenelle Jones
Present Willard McIntosh, Jr.
Present Pastor Richard Nathan
Present Kyle Strickland
Absent Rev. Charles Tatum
Present Mary Younger

Guests

Present Jacqueline Hendricks
Present Richard Blunt II
Present Lara Baker Morrish
Present Tiara Ross
Present Nate Ryan
Present Bethany Dickess
Present Scott Hurler

WELCOME

Chair Jackson called the meeting to order at 2:09PM. Mr. Gambit Aragon did not appeal his removal from the Mayor so he is no longer a member of the board. Kyle Strickland-thought a member stayed on the board until replaced? Chair Jackson-will address reappointments later in the meeting.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Mark Fluharty made motion, Mary Younger seconded to approve the January 10th meeting minutes. Minutes approved unanimously.

Chair Jackson-reached out to Lara Baker Morrish on how other committees do their minutes. Keep in mind there is a video recording of the meeting. In the future, unless there is something significant, we will give case #, allegation, recommendation, motion, etc. Want everyone to be aware so when they see the new format, they will understand why.

Chair Jackson-regarding board members terms. Members with terms coming to an end April 2023 are Pastor Nathan, Kyle Strickland, Mary Younger, and Chair Jackson. Mayor would like something in writing by March 1, 2023 stating either you no longer want to serve or you want to continue to serve. Bethany will send an individual email to each of you with contact information for Ms. Rena Shak. Ms. Shak is In-House Counsel and your email will go directly to her.

Kyle Strickland-clarification, when we do our Bylaws we should have something included concerning what the process of the reappointments are. Chair Jackson-the Mayor makes the decision and then City Council approves.





Pastor Nathan-would it be three year term if you asked to be reappointed? Chair Jackson-yes. Just spoke with Kate Pishotti, all things CPRB and IG reside with Rena Shak.

Chair Jackson-shared she had phone call regarding the ordinance we submitted to City Council for virtual meetings. President Hardin reached out, they want to move forward with this but will likely not have a completed an action on this until March 2023.

SOCIAL MEDIA POLICY

Chair Jackson- thought we acted on this but would start by asking board members are there any other questions or concerns about the Social Media Policy?

Kyle Strickland-glad we are getting a policy in place. Maybe a range of the discipline process for violations would be beneficial. Chair Jackson-I think we put the policy in place, those are two different things. Kyle Strickland-what happens when someone violates the policy? Chair Jackson-we can take a look at that issue if the board wants to. Would there be an interest in a subcommittee that would look into the issue that Member Strickland is raising? Dr. Jones-we previously convened a subcommittee to construct this policy. He's thinking of procedures, not necessarily the policy. Maybe the subcommittee could come up with procedures. Brooke Burns-social media is not going to be the only reason we need discipline procedures so the policies should be separate.

Pastor Nathan-regarding this topic. Would someone be able to share what points would have been violated by Member Aragon? Trying to understand the application of these phrases. Chair Jackson-items #1 & # 2 would be applicable. Didn't think of this before, should we tailor it since we have a lived experience that certainly involved social media? Pastor Nathan, Kyle Strickland, Brooke Burns, Dr. Chenelle Jones, would you want the opportunity to go back to this draft and give thought to what Pastor Nathan just raised? Kyle Strickland-without having a discipline in mind, it is hard to think of the violations. Chair Jackson-your concern has been expressed. Refer this back to the committee led by Pastor Nathan, again asking to review it and see if there are any changes to be made. We need one more member for the Rules and Regulations committee to join Brooke Burns and Mark Fluharty. Mark Fluharty-I know traditionally we have 3 in a subcommittee, would like to add Kyle Strickland to our Rules and Regulations committee. Chair Jackson-took under advisement. Mary Younger will be replacement for Gambit Aragon for the Social Media Committee. Social Media Policy to be presented at our March meeting, can try for Rules & Regulations to also be discussed at the March meeting.





Chair Jackson-was unaware until today the Department of Justice was going to release a report on CPD. The media wanted to meet today before our 2PM meeting. Email was received around 10:30AM. Not going to be interviewed about a document that has not been reviewed. Dr. Jones-did conduct an interview regarding the DOJ report.

Chair Jackson-before we do the cases, you have an updated worksheet from Dr. Jones. We talked at our last meeting about how to streamline the review of the reports. Dr. Jones-added a few sections that might make it a little easier to report out the cases during the board meetings. Section added-summary of the incident. Few lines for you to add summary. Some members had concerns to address, so that has been added. Many subcommittees had questions that came up, rather than flip through notes, there is section for questions. Also, noticed during those reviews that there were times when there were multiple allegations. Purpose, you can bring copy to the board meeting so you can use this during the meeting.

Chair Jackson-have received recommendations from IG Hendricks and Attorney Ross was also involved in it. Need to read it more and have a discussion. Might be able to incorporate some of the IG's recommendations with Dr. Jones worksheet.

Willard McIntosh-we are reviewing low level complaints. Not trying to belittle them but they aren't criminal complaints. Chair Jackson-they aren't egregious. Trying to make this smoother process. The investigators have already done the work on the investigation. The subcommittees get our copies of the cases, schedule our meeting to go through these reports, then fill out these worksheets, and then summarize. Chair Jackson-it is our responsibility, we have to vote on each and every complaint. Idea is that instead of sending out the reports to each subcommittee, everyone gets the reports, if there are questions ask the investigator, vote, and be done. Kyle Strickland-my thoughts on this, this is where I had previously talked about a tiered process. These complaints come in, the IG's office has team of investigators, when we summarize the summary I want to make sure we are all on the same page. Don't want to be so inundated of double checking everything that we fail to look at patterns and policies that are being violated. Dr. Jones-sounds like you are recommending we review all the cases? Chair Jackson-getting all of the cases and to review all them is a lot of work. The board is very busy and for myself, it would be hard to carve out time to read all the cases. Start with using the document Dr. Jones prepared, will read the recommendations from the IG, and also the considerations that Mr. Strickland raised.





Willard McIntosh-to make it clear, everyone gets all the reports but we are eliminating other things like scheduling the meetings, doing all the worksheets. Chair Jackson-do the members find value meeting with your subcommittee? Dr. Jones-we do. We were able to pick up patterns. Brooke Burns-few things to remember. Concerning reading all the cases, we do not know six months from now how many reports we will be getting. During one of our meetings everyone was asked if they wanted all the reports, the only people that wanted all of them was Chair Jackson and Gambit Aragon. Hopefully, the virtual meetings ordinance will get passed and that will help with scheduling. Lastly, we can do better than what we did last month but I don't think we should reinvent the wheel just yet.

Kyle Strickland-don't think we need to reinvent the wheel but the process is insufficient. Challenges with these subcommittee meetings, they are open and public. I'd like to have some of the conversations with the full board. Think about a way to get a report from IG that summarizes here is what you are getting and here are the allegations, etc. To the public if someone has their case coming up, what's that process? Chair Jackson-making recommendation we don't include the names because citizens do not like their names being released. Our last meeting was rough but let's give this more time. Could you pick a day of the week and time frame so that it might be easier to accomplish? Like we do the board meetings. It is just a suggestion. Mary Younger-what we have going now, is good. We have not given the process enough of a chance. Whether the complaint is small or not, every citizen deserves us to take a look at these cases. When the subcommittee meets, we know which ones can be reviewed quickly. Don't feel we need any more from the IG, just need a little more organization within ourselves. Willard McIntosh-simply a suggestion, not disrespecting anyone. Thought it would be helpful to bring this up early on. Chair Jackson-first change we will make is the new form that Dr. Jones has created and that is the only change we will make right now. Strongly suggest trying to find a consistent date/time to meet.

REVIEW OF NOVEMBER ASSIGNED DIG INVESTIGATIONS

TEAM 3 – CHAIR WILLARD MCINTOSH

- CASES: 0134, 0137, 0176

2022-0134:

Allegation: Misconduct-threatened to break window, officers forcefully took complainant out of car, and impounded car illegally.

Recommendation: Agree with IG findings of exoneration on all allegations.

Motion: Willard McIntosh





Second: Pastor Nathan

Motion carried: YES

2022-0137:

Allegation: Misconduct-pulled over without probable cause.

Recommendation: Agree with administrative closure.

Motion: Willard McIntosh

Second: Brooke Burns

Motion carried: YES

2022-0176:

Allegation: Misconduct-CPD officers poorly handled accident that resulted in her husband's death, didn't return firearm, and didn't interview witnesses.

Recommendation: Agree with IG's findings of exoneration.

Motion: Willard McIntosh

Second: Mary Younger

Motion carried: YES

REVIEW OF DECEMBER ASSIGNED DIG INVESTIGATIONS

TEAM 1 – CHAIR PASTOR NATHAN

CASES: 0193, 0183, 0209, 0239, 0331, 0355, 0361, 0374

Pastor Nathan-are we leaving out names of citizens and officers? Chair Jackson-I think not stating their names is appropriate. Thoughts? Kyle Strickland-in terms of public records, are we saying when we report out, we aren't sharing names? IG-have received concerns about names being released. We know everything is a public record and that info will be provided. Would just like to be consistent on how the info is shared. Kyle Strickland-do you know best practices of other IG's offices? IG-do not have any insight on other IG offices. When we presented information from where I came from, we left name out but people can ask for records. Chair Jackson-more concerned with consistency, we will not use names of complainants and officers. I'm not going to ask IG to research other IG's offices.





2022-0193:

Allegation: Misconduct-failure to return driver's license after traffic stop.

Recommendation: Agree with IG findings actions did violate CPD rules, disciplinary actions recommended.

Motion: Pastor Nathan

Second: Mark Fluharty

Motion carried: YES

2022-0183:

Allegation: Misconduct-CPD did not make an arrest or take statement regarding an assault.

Recommendation: IG findings are exoneration, within CPD policies and procedures.

Subcommittee disagrees with the IG's findings. Police report was insufficient, didn't accurately reflect what happened. Recommend be sustained and sent to the Chief for additional training.

Motion: Pastor Nathan

Second: Mark Fluharty

Mary Younger-who did the police question? They questioned the complainant, her son, and the son's girlfriend who was not present but they didn't question the suspect because he had allegedly went to hide in his house. Officer stated was a misdemeanor offense so they could not enter the house.

Lara Baker Morrish-did anyone reach out for legal advice if misdemeanor vs. felony? Brooke Burns-no but felonious assault from what the statutory definition is. Lara Baker Morrish-as those facts were described, would be misdemeanor or menacing assault. Chair Jackson-is it your suggestion the committee should have reached out on this case? YES-probably reach out to Attorney Tobias. In this case, whether an officer did or didn't violate a policy is what we are looking at. Kicking and threatening with a gun, would be considered a misdemeanor. Brooke Burns - Ohio Revised Code defines threat of force with a deadly ordinance as felonious assault. Dr. Jones-the officer not questioning the suspect and the report not accurately reflecting what happened is what prevented the complainant from filing charges. Chair Jackson-need more investigation or ready to go to the Chief? Brooke Burns-the police report didn't have sufficient information in it which is part of the issue. Kyle Strickland-investigators came up with something different than what we came up with, how is that? Brooke Burns-we did talk about clarity questions at our last meeting, but we are allowed to disagree. Willard McIntosh-officer did tell them to contact the prosecutor's office but because the report was not complete they couldn't go anywhere with it.





IG-would ask the board, if you have questions please reach out. Chair Jackson-I will share your recommendations with the board and will communicate with them before the next meeting. Subcommittee meetings need to be done sooner, rather than later because if there are questions there needs to be time to send those questions and get a response. Pastor Nathan-didn't have questions, just had different conclusion. Kyle Strickland-recommendation you make, will we get follow up on that? Chair Jackson-we do not have a process in place so I would need to talk with the Chief. Dr. Jones-we covered that, would be something the IG and the Chair will figure out. Mary Younger-what does "training" mean and what will it do? Chair-Jackson-feel that it is the particular officer involved, not that all officers need to be trained. Tiara Ross-important to know it is the prosecutor's discretion about filing charges. Not sure what was wrong with the report but it is not the officer's decision if charges will be filed. Full discretion is with the prosecutor's office.

Motion carried: YES

2022-0209:

Allegation: Misconduct-unprofessional, judgmental, racist, friends rights were violated because they were not read rights before being placed in cruiser.

Recommendation: IG found officer did use profanity which is violation, allegation sustained. 2nd allegation was exonerated. Regarding the rights not being read, we don't necessarily disagree with the outcome but with the wording in the report of the legal conclusion that constitutional rights were violated.

Motion: Pastor Nathan -1st allegation be accepted and referred to the Chief of Police, 2nd allegation-recommend for the IG to limit their findings as to whether the police violated their policies because it exceeds the IG's scope of authority.

Willard McIntosh-question about Miranda rights being violated? Brooke Burns-legal conclusion that was included in the report is what we have an issue with.

Second: Mark Fluharty

Motion carried: YES

2022-0239:

Allegation: Misconduct-ordered from house naked and handcuffed. No female officers were brought on scene and officers left her naked in the cruiser. Complainant's husband had made a call about intruder because of a fight with the complainant.

Recommendation: Officer was exonerated because CPD policy does not address the state of dress. Committee-disagrees, recommends training in light of Work Rule #8, no reason she could not have been covered before being taken outside.





Review of the policy on how to treat unclothed people, and additional training for unreasonable behavior. Chair Jackson-believe Robert Tobias or Tiara Ross will present on City Work Rule #8 at our next meeting.

Motion: Pastor Nathan

Second: Dr. Jones

Motion carried: YES

2022-0331:

Allegation: Misconduct-officer cancelled call for service regarding issue with a principal.

Recommendation: Exoneration, agree no violation of procedures.

Motion: Pastor Nathan

Second: Dr. Jones

Motion carried: YES

2022-0355:

Allegation: Misconduct-officer made threats to son, custody issue.

Recommendation: Exoneration.

Motion: Pastor Nathan

Second: Dr. Jones

Motion carried: YES

2022-0361:

Allegation: Misconduct-officer didn't complete an accident report.

Recommendation: Exonerated, acted in accordance of policies and procedures.

Motion: Pastor Nathan

Second: Dr. Jones

Motion carried: YES

2022-0374:

Allegation: Misconduct-two officers failed to remove ex-boyfriend from home even though he assaulted her and had warrants against him. Ex-assaulted her again after not being removed.

Recommendation: Exoneration, agreed but do recommend a review and revision of police policy regarding domestic violence (DV).





Chair Jackson-what needs to be reviewed? Brooke Burns-they did come back after the second time. Talked about there is nothing that protects the person in a situation like this. Maybe the officers stay while suspect gets their things. Pastor Nathan-our concern is that people are left unprotected in this type of situation. Willard McIntosh-asking because the preferred course of action in DV situation is arrest. Officers stated because he was a resident, they couldn't remove him. Chair Jackson-was the policy to remove in DV situation, is that still the policy? Lara Baker Morrish-yes. Chair Jackson-it sounds more as if the officers in the first incident failed to make an arrest. Pastor Nathan-we are asking the Chief to review DV policies.

Motion: Pastor Nathan

Second: Dr. Jones

Motion carried: YES

Break at 3:45PM

Adjourn at 4:03PM

Chair Jackson-need to correct statement I made earlier. I said earlier that Gambit Aragon didn't appeal, there needs to be another step, the Mayor's office needs to prepare an ordinance of his action to go to City Council. Member Aragon is still a member of the board so continue to send him meeting invites. He can still attend meetings until that action is taken.

TEAM 2 – CHAIR KYLE STRICKLAND

CASES: 0160, 0205, 0201, 0220, 0305, 0337, 0360, 0371

2022-0160:

Allegation: Excessive use of force-during an arrest caused injury to foot and pain to wrists because cuffs were too tight.

Recommendation: Agree with exoneration on both allegations.

Motion: Kyle Strickland

Second: Pastor Nathan

Motion carried: YES





2022-0205:

Allegation: Excessive force-three male officers took down complainant causing injuries

Recommendation: Exonerated, acted in accordance with CPD policy.

Kyle Strickland-we did have further questions regarding the summary and allegation. Mary Younger-we talked a lot about this case due to the doctor contacting the IG. The officers did what they needed to do because of her struggling with the officers. IG-the inconsistency came from what the complainant's daughter said and what the findings discovered. Kyle Strickland- can we have clarity if a complainant doesn't make a specific allegation, other allegations are identified. IG-when the investigators view body cam footage, if there are additional things viewed it is recognized. Might not be part of the original allegation but it will be in the additional findings portion of the report.

Motion: Kyle Strickland

Second: Mary Younger

Motion carried: YES

2022-0201:

Allegation: Misconduct-didn't properly handle car being struck. Also alleged officer refused to give exchange of information and threatened to arrest complainant.

Recommendation: Exonerated on allegation but revealed three officers did fail to give an exchange of information which is a violation and it was sustained. Note that IG's office has taken several complaints regarding accident reports so recommending the language in current policy be updated regarding this matter. Forward to Director of Public Safety and/or Chief of Police.

Motion: Kyle Strickland

Second: Mark Younger

Motion carried: YES

2022-0220:

Allegation: Misconduct/neglect of duty regarding a two car accident.

Recommendation: Exonerated, closed as unfounded.

Motion: Kyle Strickland

Second: Mark Fluharty and Mary Younger

Motion carried: YES





2022-0305:

Allegation: Misconduct-CPD officers refused to respond to neighborhood.

Recommendation: Exonerated, unfounded. Findings be passed along to ECC for review to determine if any dispatch polices were violated.

Motion: Kyle Strickland

Second: Mary Younger

Motion carried: YES

2022-0337:

Allegation: Excessive force-shoved complainant to ground.

Recommendation: Closed, unfounded. However, the investigation did reveal an officer did violate procedure by not activating his body worn camera. Recommendation be forwarded to Director of Public Safety, Chief of Police, etc. Board-when something like this occurs, how would we proceed with this? Tiara Ross - are you asking the board to make an additional allegation? Kyle Strickland-more so about the data we are collecting. If a CPD officer violated policy, will that be noted anywhere? Tiara Ross-so you want the IG to create another allegation? YES. Pastor Nathan-we have the authority to file a complaint, the IG is delegated to create a complaint? Chair Jackson - yes. Between now and our next meeting I will reach out to the City Attorney to get a definitive answer.

Motion: Kyle Strickland

Second: Pastor Nathan

Motion carried: YES

2022-0360:

Allegation: Misconduct- officer very rude and hostile.

Recommendation: Complaint unfounded.

Motion: Kyle Strickland

Second: Mary Younger

Motion carried: YES

Chair Jackson-Mr. Strickland, you have said on many occasions we need to look at policies and procedures. Please review past meetings, write down your concerns, and send them to me so that we can address them at the March board meeting.





2022-0371:

Allegation: Misconduct

Recommendation: Closed, unfounded.

Motion: Kyle Strickland

Second: Mark Fluharty

Motion carried: YES

FEBRUARY ASSIGNMENTS

Team #1-Nathan-0445, 0451, 0459, 0477, 0484, 0486, 0488, 0424 (ADDED this 1)

Team #2-Kyle-0496, 0502, 0506, 0508, 0509, 0527, 0528, 0530

Team #3-Mac-0383, 0401, 0421, 0425, 0429, 0440, 0447, 0444 (ADDED these 2)

BRIEF UPDATE FROM THE INSPECTOR GENERAL

IG-not presenting, can move forward. Chair Jackson-you can prepare a written report and the IG goes first on future agendas.

FEBRUARY 28TH MEETING AND MARCH MEETING

Chair Jackson-future meetings, there was a request for two individuals to come in and speak about the FOP contract. Work Rule #8 to be reviewed. Need to start thinking about training for new board members. To Dr. Jones, we may see new members in May or June we need to prepare for their training. We have to present a report to City Council. Reached out today to check on professional assistance on writing the report by April. If anyone is interested in helping, please reach out. Social Media policy will be reviewed and presented at the March meeting. Rules and Regulations will be looked at in another meeting. Kyle Strickland-give your list by our March meeting.

ADJOURNMENT

Motion to adjourn. Dr. Jones moved and Pastor Nathan seconded motion. All in favor, passes unanimously and meeting adjourned at 5:15PM.

