



Board

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

Guests

Present Jacqueline Hendricks
Present Richard Blunt II
Present Robert Tobias
Absent Tiara Ross
Present Nate Simon
Present Bethany Dickess
Present Scott Hurler

WELCOME

Vice Chair Burns called the meeting to order at 2:04PM. Note-Chair Jackson is not feeling well so Vice Chair Burns is sitting in her place.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Mark Fluharty made motion, Mary Younger seconded to approve the February 28th meeting minutes. Minutes approved unanimously.

SOCIAL MEDIA POLICY

Brooke Burns-highlight the 2 items added by the subcommittee. The additions are .2 and footnote #3.

Motion: Mark Fluharty

Seconded: Dr. Jones

Motion carried: YES

Kyle Strickland-point #2 “undermine the appearance of the collective neutrality of the board”-what does that mean? Dr. Jones-board suggests we should review cases without biases. This basically emphasizes this point, do not do anything to engage in social media that would reflect poorly on the board. Brooke Burns-this reiterates what is in our code of conduct that we adopted early on. We are not utilizing our biases. Dr. Jones-Pastor Nathan wanted to specifically state this addition of item #2. Kyle Strickland-it is important we have a policy in place. Need to make sure our board also has the disciplines in place. Brooke Burns-yes and you are on the Rules and Regulations committee that looks at discipline. Vote again-all in favor-YES

Brooke Burns-if there were any clarification questions I hope you had asked them before the meeting. If you had not taken that opportunity, take a look at your cases and make sure





we are discussing what needs to be discussed.

Kyle Strickland-are the recommendations from the IG being discussed? Brooke Burns-will need to table that until April in the event it needs to be discussed further.

TABLED CASES

*2022-0424-Willard McIntosh & Pastor Nathan's team both agreed with IG's recommendations of unfounded.

Motion: Mark Fluharty

Seconded: Dr. Jones

Motion carried: YES

*2022-0411-an update from the IG's office was provided. IG-have the investigator here that was assigned to the case, Scott Hurler which has been promoted to our Supervisor Investigator. Issue involving the ongoing investigation is mentioned in the report. We didn't want to damage the integrity of the criminal case. Overview of case update provided by Scott Hurler. Mary Younger-this complainant, vehicle was an issue of an investigation and this is the reason for the K9 search? Scott Hurler-was stopped for not using a left turn signal. What was the reason for calling the K9 to this particular vehicle? Scott Hurler-officer had been informed of ongoing investigation. Kyle Strickland-because the vehicle didn't use a turn signal is why they were pulled over or did they know there was an investigation underway? Scott Hurler-limited info was provided to the officer after the stop already took place. Rev Tatum-is this common practice for CPD? Had they ran the plates before they didn't make the left turn signal? Pulling vehicle over, knowing they were part of ongoing investigation part of why they were pulled over? IG-we can't speak on the common practice of what CPD does on their investigations. We looked at whether or not the officer followed procedure. He did receive additional information after the stop took place. By listening to the body cam we know there was conversation that gave him reason for probable cause. Time frame was within policy and procedure. Allegation-calling K9. Mary Younger-when you listened to the body cam were you able to hear the conversation, could hear there was an ongoing investigation but not the details of it. Kyle Strickland-legal question, concern I have is they already knew this vehicle was in an ongoing investigation and they used the traffic violation as a reason? Scott Hurler-officer may use information from another source for probable cause. Robert Tobias-few pieces of information. Officer can run plates, whether they can stop a vehicle depends on what they see. Left turn signal is reasonable reason to stop a vehicle and if something shows up when they run their license that gives probable cause.





Brooke Burns-thank you for the information.

Motion: Kyle Strickland

Seconded: Mark Fluharty

Motion carried: YES -motion to accept recommendation of allegation #4

REVIEW OF FEBRUARY ASSIGNED DIG INVESTIGATIONS

TEAM 1 – CHAIR PASTOR NATHAN

CASES: 0445, 0451, 0459, 0477, 0484, 0486, 0488

2022-0445:

Allegation: Misconduct-calls were ignored and officers were dismissive.

Recommendation: Closed as unfounded.

Motion: Mark Fluharty

Second: Dr. Jones

Motion carried: YES

2022-0451:

Allegation: Misconduct-speeding in school zone.

Recommendation: Closed as exonerated.

Motion: Dr. Jones

Second: Mark Fluharty

Motion carried: YES

2022-0459:

Allegation: Misconduct-states officer laughed at suicide attempt.

Recommendation: Unfounded but one officer did not activate body worn camera so that will be sent to the Chief of Police.

Motion: Dr. Jones

Second: Mark Fluharty

Motion carried: YES

Additional motion: additional allegation sustained for officer that failed to turn on body worn camera.

Motion: Rev Tatum

Second: Dr. Jones

Motion carried: YES





Brooke Burns- are there graduated discipline steps? Robert Tobias-yes progressive discipline model so there is a process if discipline is appropriate. Kyle Strickland-the recommendations we've made on cases is for discipline why is the wording for this motion different? Brooke Burns-I try to make the motion based on IG's recommendations. Rev Tatum-if we want to add recommendation, I think the investigator is more abreast in what went on so we continue on using the same language as the IG. Kyle Strickland-hope we can more standardize our process and the language we use as it relates to discipline.

2022-0477:

Allegation: Four allegations involving misconduct & excessive force.

Recommendation: Closed with findings of unfounded.

Brooke Burns-0477 & 0459 are the same

Rev Tatum-issue with special duty not using body worn camera. We had a case that involved an off duty detective and I think that detectives do not have to wear body worn cameras. Had his camera been on, it would have helped the case. It is becoming something that needs to be reviewed.

Motion: Dr. Jones

Second: Rev Tatum

Motion carried: YES

Additional motion: Dr. Jones-recommendation to the Chief of Police and/or the Director of Public Safety to review policies related to body worn camera.

Rev Tatum-make a motion to amend those stipulations to review and change the policies.

Seconded: Mark Fluharty

Motion carried: YES

2022-0484:

Allegation: Misconduct-window tent violation.

Recommendation: Exonerated.

Kyle Strickland-seems there was some inconsistency when it comes to exonerated vs unfounded. Brooke Burns-did reach out to the IG for clarity. Unfounded is when the alleged action did not happen. Exonerated-the alleged incident took place but doesn't necessarily rise to the level of a violation of policy or procedure. Kyle Strickland-as it relates to the statement that the complainant was followed 20-30 blocks, was that looked at? Brooke Burns-not sure there is a limit on how long someone can be followed. Robert Tobias-depends on time of day, neighborhood, can be a variety of reasons. Dr. Jones-when





we initially got this case there was inconsistency of exonerated vs unfounded.

Brooke Burns-if the investigator lists something you might change it? IG-yes (discussed handout to further explain unfounded vs. exonerated). Dr. Jones-so we go with your final recommendation? IG-YES

Motion: Brooke Burns

Second: Mary Younger

Motion carried: YES

2022-0486:

Allegation: Misconduct-involved moving items out of household.

Recommendation: Exonerated

Motion: Brooke Burns

Second: Mark Fluharty

Motion carried: YES

Kyle Strickland-asked for clarification again on exonerated vs unfounded. Rev Tatum-this outcome was also backed up by body worn camera.

2022-0488:

Allegation: Misconduct-parking ticket.

Recommendation: Closed as unfounded.

Motion: Brooke Burns

Second: Mary Younger

Motion carried: YES

Kyle Strickland-documenting and tracking complainants providing demographic information. It would be helpful to know if there is a pattern of issuing citations. Doesn't seem like an issue in this complaint but would be interesting to see if a pattern with this particular officer. Mark Fluharty-without knowing the other individuals parked there, how do you know who the other individuals are? Brooke Burns-is there a way to pull complaints for a particular officer? IG-YES. Can run reports by allegations and officer involved. Kyle Strickland-be helpful to look at patterns. Mark Fluharty-if there was a pattern established, could we look at each case to look at ethnicity? IG-we can look at the type of complaints/allegations.

Break at 3:07PM

Adjourn at 3:20PM





TEAM 2 – CHAIR KYLE STRICKLAND

CASES: 0496, 0502, 0506, 0508, 0509, 0527, 0528, 0530

2022-0496:

Allegation: Misconduct.

Recommendation: Administrative closure because CPD officers could not be identified. Note how the board wants to handle cases with administrative closure, thinking about a more fast track process. There isn't much there with administrative closure cases. Mark Fluharty agrees.

Motion: Kyle Strickland

Second: Mary Younger

Motion carried: YES

2022-0502:

Allegation: Misconduct - related to assault charges, not filing a report, not speaking with witnesses.

Recommendation: closed as exonerated and unfounded.

Motion: Kyle Strickland

Second: Mark Fluharty

Motion carried: YES

2022-0506:

Allegation: Misconduct-door being kicked in

Recommendation: Unfounded on all 3 allegations (officers took too long, officers decided no crime had occurred, unprofessional)

Motion: Kyle Strickland

Second: Mary Younger

Motion carried: YES

2022-0508:

Allegation: Misconduct-similar to administrative closure, was withdrawn.

Recommendation: Complainant withdrew.

Motion: Kyle Strickland

Second: Mark Fluharty-this is another type of a case as to whether it should come to this level. Kyle Strickland-find a way to fast track these types of complaints. IG-even with administrative closure or withdrawn, we still investigate the complaint. If we have enough information we still look at what we have. Brooke Burns-we have to move separately on





each case, is there anyway of having a separate spot for these types of cases? Robert Tobias-probably not. There are still details in the report the board should look at. There

might be allegations you find that the IG didn't address.

Motion carried: YES

2022-0509:

Allegation: Use of force

Recommendation: Administrative closure

Motion: Kyle Strickland

Second: Mary Younger

Motion carried: YES

2022-0527:

Allegation: Misconduct – car towed quickly, officers were hostile.

Recommendation: Closed as exonerated.

Kyle Strickland-we would like further clarification on this. Where the car was stranded, how far was the gas station, etc? Mary Younger-was the body camera off? IG-page 4 talks about the policy and what was reviewed with the body cam. Getting these questions ahead of time would be very helpful so that we can answer. Kyle-the officer can say "I think you are intoxicated"? Willard McIntosh-regardless of whether he thinks that or is correct, he has the authority to have the car impounded. Appearing before the tow truck or at the same time as the tow truck makes a difference, did he have a gas can in his hand? Kyle Strickland-even if he did have the gas can, the officer had the authority to tow. Concern is whether it is misconduct if you say that someone is intoxicated? Rev Tatum-how did he make the assessment that the person was intoxicated without any validity? Willard McIntosh-did BWC say that maybe he had too many drinks or did he say the person was intoxicated. There is not anything wrong with what was done. Rev Tatum-I want an officer to not make those statements unless they have validity. Mary Younger-would like the officer to be interviewed. Brooke Burns-whether he was right or wrong, he had the authority to tow the vehicle and make the statement. Robert Tobias-the tow was looked at, the officer had discretion. Rude & hostile-is the officer offering an opinion in violation of the policies. Dr. Jones-why wasn't the officer interviewed? IG-they weren't interviewed because of the allegations. If you would have had these questions ahead of time would you have went back and interviewed the officers? IG-the questions have to be narrowly related to the allegation. Robert Tobias-when you have questions whether you agree or not, reduce them to writing and forward them to the IG so they can be addressed. Kyle Strickland-after the IG gives these cases to the board, does the complainant get letter? IG-we





only investigate allegations that are violation of policies. When the investigation is completed the complainant gets a letter that it has been investigated and sent on to the board.

Motion: Kyle Strickland

Second: Mark Fluharty

Motion carried: YES

2022-0528:

Allegation: Misconduct-officer displayed unbecoming conduct during a traffic stop.

Recommendation: Closed-exonerated. To the allegation itself as to whether or not the officer displayed unbecoming conduct we agreed with but have additional questions and concerns. When they asked the complainant to step out for a pat down because they had reasonable suspicion we had further question as to how the investigator made that conclusion? Rev Tatum-questions about the officer's ability to make the citizen get out of the car without seeing a weapon because he was supposedly sitting on it. Just like some additional clarification. Robert Tobias-you have two paths you can take. Reasonable suspicion is an issue and IG is going to do due diligence to review that. You can question the investigation the IG's office did, you can ask for clarity. Rev Tatum-no problem with the IG or the investigators, I'm trying to get educated on this. Some officers seem to think they have more authority than what they have.

Brooke Burns-we have talked about this but we have had offers from the City Attorney's office to come speak on case law and reasonable suspicion is in that. We could add that to our agenda, could help a lot with the back and forth. Robert Tobias-an officer making the stop vs an officer being called is two very different things. Very fact specific, totality of the circumstances, case by case basis. Officers do have wide discretion when interacting with citizens. Kyle Strickland-types of cases being tracked would be beneficial for the board.

Motion: Kyle Strickland

Second: Mary Younger

Motion carried: YES

2022-0530:

Allegation: Misconduct – officers didn't do anything and didn't care.

Recommendation: Closed unfounded. One officer allegation was sustained. Officer didn't file reports in a timely manner. No specific recommendation given outside of allegation being sustained. Make an addition to this one-recommend to be sent to the Chief for disciplinary action related to one of the officers violating policy and procedure.

Motion: Kyle Strickland – agrees with unfounded allegation.





Second: Willard McIntosh
Motion carried: YES

Additional Motion: Kyle Strickland-finding of sustained for one of the officers

IG-we are saying that one of the officer's allegations be sustained.

Amend motion – Kyle Strickland: (Robert Tobias worded motion for clarification for Mr. Strickland) allegation one unfounded for two of the officers and sustained against the other officer. Allegation two - recommend unfounded for all three officers.

Rev Tatum-have an issue with something an officer said “that it is common practice for them to not do these reports in a timely fashion” that needs to be included in the recommendation to the Police Chief. IG-if you look under recommendation, the officer was stating it is common practice. Rev Tatum-if they are going to hold citizen accountable for laws then the officers should also be held accountable.

Seconded: Mark Fluharty
Motion carried: YES

Case assignments:

Team #1: 2022-0524, 2022-0542/0543/0549/0551, 2023-0014, 2023-0021

Team # 2: 2022-0404, 2022-0479, 2022-0513, 2022-0534, 2022-0578, 2022-0545

Team #3: 2022-0453, 2022-0522, 2022-0531, 2022-0599, 2023-0015

TEAM 3 – CHAIR WILLARD MCINTOSH

CASES: 0383, 0401, 0421, 0425, 0429, 0440, 0447, 0444

2022-0383:

Allegation: Misconduct-officers released daughter to a non-guardian

Recommendation: exonerated

Motion: Willard McIntosh

Second: Dr. Jones

Motion carried: YES





Additional motion: Willard McIntosh-violation for use of profanity as sustained and be forwarded to the Chief of Police.

Second: Mark Fluharty

Motion carried: YES

2022-0401:

Allegation: Excessive force-three allegations.

Recommendation: Exonerated allegation one and two. Unfounded allegation three.

Motion: Willard McIntosh

Second: Mark Fluharty

Motion carried: YES

Additional Motion: Willard McIntosh-use of profanity be sustained and be sent to the Chief of Police

Second: Kyle Strickland

Motion carried: YES

2022-0421:

Allegation: Misconduct-welfare check was not completed.

Recommendation: Exonerated

Motion: Willard McIntosh

Second: Rev Tatum

Motion carried: YES

2022-0425:

Allegation: Misconduct-body search. Excessive force-bruised wrists.

Recommendation: Exonerated on allegation one and unfounded on allegation two.

Motion: Willard McIntosh

Second: Mark Fluharty

Motion carried: YES

Additional Motion: Willard McIntosh-failing to activate BWC and case be forwarded to Chief of Police-sustained.

Second: Dr. Jones

Motion Carried: YES

Additional Motion: Willard McIntosh-violation of Rules of Conduct (statements made to the





complainant) and send to the Chief of Police for consideration of discipline.

Second: Mark Fluharty

Motion carried: YES

Kyle Strickland-amend additional motion to include recommendation for disciplinary action.

Second: Willard McIntosh

Motion carried: YES

Kyle Strickland-should we recommend discipline?

Robert Tobias-if it is going to the Chief of Police it is going to go through the same process, chain of command.

2022-0429:

Allegation: Five allegations-misconduct

Recommendation: Exonerated on allegations one, two, three, four and unfounded on allegation five.

Motion: Willard McIntosh

Second: Kyle Strickland

Motion carried: YES

Brook Burns-pausing on case reviews until the April meeting. Will start with Team #3's remaining cases:

2022-0440

2022-0447

2022-0444

Brooke Burns: have a request for the board to consider two additional complaints.

#1-police involved shooting of Michael Cleveland on February 5, 2023. BCI already has this to investigate but would like to know if a complaint has already been filed? IG-YES. Mary Younger-that is sufficient if a complaint has already been filed. IG-we have 2 complaints on this situation.

#2-police involved shooting involving Bret Andrews. Man from another county that was suspect in a case, ended up being shot and died. February 11th at the Grove City, OH Home Depot store. Do we want to move to forward with the DIG opening a complaint. Mary Younger -motion to investigate the complaint.





Second: Mark Fluharty

The IG will put on hold while BCI investigates. Mary Younger-is there a way for the IG's office to find these so we don't miss them? IG-we don't have any way of tracking that but the board can reach out. Brooke Burns-we have to be very specific about critical incidents, every time is person a shot, every use of force is going to be too much. We need to be very specific.

Motion carried: YES

Brooke Burns-this is one of the situations that Chair Jackson wanted Mr. Strickland to address. Kyle Strickland-thank you to the IG and the investigators. Brooke Burns-if you have questions on your cases please do your best to ask them ahead of time so they can provide the answers. Rev Tatum-would like to thank Mr. Tobias for his legal advice. Kyle Strickland-during these subcommittee meetings we have questions and it is helpful for the advice we get. Brooke Burns-will reach out to get legal updates for the board.

APRIL MEETING

N/A

ADJOURNMENT

Motion to adjourn. Mark Fluharty moved and Rev Tatum seconded motion. All in favor, passes unanimously and meeting adjourned at 5:12PM

