



CITIZEN POLICE REVIEW BOARD

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Approved
10/28/2008

Minutes of the CPRB Meeting Held on July 22, 2008 (Mtg. No. 108)
City Council Chambers, 5th Floor, City County Building
414 Grant Street, Pittsburgh PA 15219
Neighborhood: Citywide

Members Present: Ms. Marsha V. Hinton, Chair
Mr. Malik G. Bankston
Mr. John H. Bingler Jr., Esq.
Dr. Mary Jo Guercio
Ms. Deborah L. Walker

Excused: Mr. Richard M. Carrington, Vice Chair
Mrs. Erin Dalton

Absent: None
Vacancies: None

Solicitor: Mr. Hugh F. McGough, Esq.

Staff Present: Ms. Elizabeth C. Pittinger, Executive Director
Mr. Michael Ayoob, Intake Coordinator
Ms. Sherri Bridgett, Investigator
Mrs. Kathy Carson, Investigator
Ms. Michelle Gamble, Investigator
Ms. Carolyn Gaskin, Executive Assistant

Absent: None
Vacancies: 1 Investigative Associate

Administrative Matters:

- At 6:20 p.m. Ms. Hinton, Chair, called the meeting to order.
- *A notion to adopt the meeting minutes for June 24, 2008 was offered by Dr. Guercio and seconded by Mr. Bingler, and approved unanimously.*

Executive Director's Report

- Pittinger presented the Executive Director's report which is attached and made part of the meeting minutes.
- Pittinger reported on CPRB Case #59-07, which has been postponed indefinitely due to the arrest of Officer Paul Abel. Officer Abel's preliminary hearing was scheduled to be heard on July 8, 2008 and has since then been postponed to September 9, 2008.
- Pittinger mentioned correspondence between her and Chief Nate Harper regarding educational requirements on recruitment, wherein Ms. Pittinger offered a copy of Resolution No. 445 - a report on Recruitment, Retention, and Support of Pittsburgh Police Officers, completed by CPRB in October 2002.
- Pittinger reported on CPRB Case #70-06-S, where a rationale to resolve without a public hearing was offered and accepted unanimously by the board.

Case Review

Ms. Hinton moved to the case review agenda (copy attached). 13 cases were reviewed. Copies of the agenda were made available to the public. Each case summary was reviewed and acted upon as noted (votes unanimous among attending members unless stated otherwise). (*Actions taken are published here and on the CPRB website, <http://www.city.pittsburgh.pa.us/cprb/>*)

Public Comment:

Ms. Hinton invited public comment, limited to three minutes each. Dionne Jackson, Inez McCloud and Nettie Pelton offered comment before the board.

Next Meeting:

Ms. Hinton announced that the next regular meeting is scheduled for 6:00 p.m., Tuesday, September 23, 2008, at City-Council Chambers, 510 City-County Building, 414 Grant Street, Pittsburgh, PA 15219.

The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Carolyn L. Gaskin
Executive Assistant

Attachment (2):

1. Case Review/Action Agenda
2. Executive Director's Report

Action Date: July 22, 2008

CPRB CASE REVIEW AGENDA

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
PUBLIC HEARING (0)				
30 DAY EXTENSION OF FULL INVESTIGATION (2)				
153-08/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct toward the Public, (PBP 16-1, 3.7)	Cx. alleges the S.O. threatened to shoot him while he was working on a neighbor's roof	AUTHORIZED 30 DAY EXTENSION	Additional research time is needed.
156-08/CARSON	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct toward the Public, (PBP 16-1, 3.7) Neglect of Duty (PBP16-1, 3.13) Truthfulness (PBP 16-1, 3.19) Warrantless Searches & Seizures (PBP 45-2, 7.7 and 10.2) False Report (PBP 62-1, 2.10)	Cx. alleges the S.O.'s fired guns and illegally searched her home.	AUTHORIZED 30 DAY EXTENSION	Additional research time is needed.
FULL INVESTIGATION (2)				
109-08/CARSON	Use of Force (PBP12-6, 3.1) Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. falsely arrested her.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence confirms encounter occurred.
118-08/BRIDGETT	Use of Force (PBP12-6, 3.1) Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges the S.O.'s used excessive force during his arrest.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence is factually ambiguous. Cx. still needs to be interviewed.
DISMISSAL (4)				
UNSUSTAINABLE (0)				
UNFOUNDED (4)				
27-08/CARSON	Conduct Unbecoming a Member (PBP16-1, 3.6) Incompetency (PBP 16-1, 3.12) Truthfulness (PBP 16-1, 3.19) False Report (PBP 62-1, 2.10)	Cx. alleges the S.O.'s placed charges on him that caused him a longer time in jail.	DISMISSED AS UNFOUNDED	Complainant's gun permit was expired when arrested.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	REASON FOR RECOMMENDATION	ACTION
85-08/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Truthfulness (PBP 16-14, 3.19) Juvenile Policy (PBP 43-10, 33.2) False Report (PBP 61-1, 2.10)	Cx. alleges the S.O.'s have been harassing the Victim.	DISMISSED AS UNFOUNDED	There is no evidence to support the Cx. allegations. Victim has not participated in investigation.
157-08/BRIDGETT	Use of Force (PBP 12-6, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges he was wrongfully arrested for violating a PFA against him.	DISMISSED AS UNFOUNDED	Cx. had a current PFA against him when he was arrested.
161-08/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Truthfulness (PBP16-1, 3.19)	Cx. alleges that she was inconvenienced by a traffic stop.	DISMISSED AS UNFOUNDED	Cx.'s vehicle was illegal and had to be towed.
WITHDRAWAL (0)				
LACK OF COOPERATION/COMPLAINANT (0)				
OTHER (5)				
73-08/GAMBLE	Use of Force (PBP 12-6, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges the S.O.'s used inappropriate force against the Victim during his arrest.	AUTHORIZED SUSPENSION	Investigator is waiting for injury photos from Shuman, Witness #1's statement and S.O.'s statements.
123-08/CARSON	Use of Force (PBP12-6, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public, (PBP 16-1, 3.7) Truthfulness (PBP16-1, 3.19) False Report (PBP 62-1, 2.10)	Cx. alleges the S.O. used excessive force and arrested him for no reason.	AUTHORIZED SUSPENSION	There are current criminal charges against Subject Officer #1.
172-08/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public, (PBP 16-1, 3.7)	Cx. alleges the S.O. was rude during an incident at a loan office	CLOSED ADMINISTRATIVELY	The S.O. is deceased.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	REASON FOR RECOMMENDATION	ACTION
52-08/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward The Public (PBP16-1, 3.7) Neglect Of Duty (PBP16-1 ,3.13)	Cx. alleges the S.O.'s were rude and did not file a police report for the Victim.	AUTHORIZED RUDE AND DISCOURTEOUS HEARING	S.O. #2 followed policy, but the Cx. interpreted his behavior as rude.
141-08/GAMBLE	Conduct Unbecoming A Member (PBP 16-1, 3.6) Conduct Toward The Public (PBP 16-1, 3.7) Truthfulness (PBP 16-1, 3.19) Incompetency (PBP16-1, 3.12)	Cx. alleges the S.O. used his position as a PBP officer to make threatening phone calls for personal reasons.	AUTHORIZED RUDE AND DISCOURTEOUS HEARING	Cx. would like to satisfy his complaint during the group public hearing.

MEMORANDUM

To: Ms. Marsha V. Hinton, Chair
Honorable Members of the Board
From: Elizabeth C. Pittinger
Executive Director
Date: July 22, 2008
Re: Executive Director's Report: July 22, 2008

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Intake Summary through 7/21/08:

- Citizen Complaints: 35 Pending Citizen Action: 164 Total Intake: 236
- Out of Jurisdiction: 29 Statute of Limitation: 04 (EDI: 04)
- (Projection for 2008: CC: 61; PCA: 284; OJ: 50; SL: 07 EDI: 07 Total: 410)
- (Actual Totals for 2007: CC: 71; PCA: 227; OJ: 65; SL: 08 EDI: 10 Total: 425)
- (Actual Totals for 2006: CC: 76; PCA: 280; OJ: 85; SL: 09 Total: 450)
- (Actual Totals for 2005: CC: 59; PCA: 284; OJ: 70; SL: 18 Total: 431)
- (Actual Totals for 2004: CC: 61; PCA: 352; OJ: 62; SL: 14 Total: 489)
- (Actual Totals for 2003: CC: 61; PCA: 380; OJ: 66; SL: 20 Total: 527)
- (Actual Totals for 2002: CC: 75; PCA: 330; OJ: 83; SL: 26 Total: 514)
- (Actual Totals for 2001: CC: 77; PCA: 362; OJ: 87; SL: 11; Total: 537)
- (Actual Totals for 2000: CC: 75; PCA: 394; OJ: 92; SL: 30; Total: 590)
- (Actual Totals for 1999: CC: 80; PCA: 383; OJ: 27; SL: 11; Total: 501)

2. Administrative Matters

- The public hearing in CPRB #59-07, Bennet vs. Abel, scheduled to resume on 7/16/08 has been postponed indefinitely due to the arrest of the subject officer, Paul Abel. Mr. Abel was arrested on 6/28/08 and is charged with 1 count of aggravated assault (F1) and 2 counts of driving under the influence of alcohol (M). In the course of an off-duty assault on an innocent man, Abel's gun discharged and inflicted a serious wound to the victim's hand. Abel's preliminary hearing has been continued until 9/9/08. In accordance with the PA Confidence in Law Enforcement Act, he has been suspended from the Bureau of Police.
- Copies of correspondence with Chief Harper are attached for your information.

Respectfully submitted,