



## CITIZEN POLICE REVIEW BOARD

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Approved  
4/28/09

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**Minutes of the CPRB Meeting Held on March 24, 2009 (Mtg. No. 114)**  
**Manchester Craftsmen's Guild**  
**1815 Metropolitan Street**  
**Pittsburgh, PA 15233**  
**Neighborhood: Northside**

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**Members Present:** Mr. Richard M. Carrington, Vice Chair  
Mr. Malik Bankston  
Mrs. Erin Dalton  
Dr. Mary Jo Guercio

**Excused:** Ms. Marsha V. Hinton, Chair  
Mr. John H. Bingler, Jr.  
Ms. Deborah L. Walker

**Absent:** None  
**Vacancies:** None

**Solicitor:** Mr. William F. Ward, 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

**Excused:**

**Vacancies:** Investigative Associate

### **Administrative Matters:**

- At 6:15 p.m. Mr. Carrington, Vice Chair, called the meeting to order.
- *A motion to adopt the meeting minutes for February 24, 2009 was offered by Mr. Bankston and seconded by Ms. Guercio, 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 mentioned that Professor Dave Harris of the University Of Pittsburgh School Of Law will assist CPRB staff with creating an electronic mapping system that will illustrate several characteristics of our complaints.
- Pittinger reported on a formal complaint filed with Deputy Chief Donaldson against Sgt. Campbell. The complaint details Sgt Campbell's conduct during a public hearing held on 2/6/09 for CPRB Case #23-07.

- Pittinger mentioned her attendance at the TASER Committee meeting held on 3/23/09. Ongoing discussions are being held to determine whether Tasers should be maintained as a less than lethal use of force.
- Pittinger reported on the fatal Southside shooting of Nicholas Haniotakis, involving State Trooper Samuel Nassan and Pittsburgh Detective Terrence Donnelly. Pittinger mentioned the uncertainty of issues relative to the incident, including prevailing authority of dual law enforcement jurisdictions and roving DUI procedures. The incident is currently under investigation by the district attorney.

### **Case Review**

Mr. Carrington moved to the case review agenda (copy attached). 19 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:**

Mr. Carrington invited public comment, limited to three minutes each. Mr. Harry Liller offered comment before the board.

### **Next Meeting:**

Mr. Carrington announced that the next regular board meeting is scheduled for 6:00 p.m., Tuesday, April 28, 2009 at City Council Chambers, 510 City-County Building, 414 Grant Street, Pittsburgh, PA 15219

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Carolyn L. Gaskin  
Executive Assistant

Attachment (2):

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

**CPRB CASE REVIEW AGENDA**

<b>CPRB CASE NO. INVESTIGATOR</b>	<b>ALLEGATION(S)</b>	<b>SUMMARY</b>	<b>RECOMMENDATION</b>	<b>RATIONALE</b>
<b>PUBLIC HEARING (0)</b>				
<b>PRELIMINARY INQUIRY (1)</b>				
55-09/NOT ASSIGNED	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. has been harassing his son.	ACCEPTED COMPLAINANT'S REQUEST TO WITHDRAW	Cx. requested a withdrawal during the preliminary inquiry.
<b>30 DAY EXTENSION OF FULL INVESTIGATION (5)</b>				
247-08/ BRIDGETT	Obedience to Orders/ Laws (PBP 16-1, 3.1) Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Incompetency (PBP 16-1, 3.12)	Cx. alleges the S.O. violated his Constitutional Rights when he made him move off the sidewalk while he was petitioning.	AUTHORIZED 30 DAY EXTENSION	Witness still needs to be interviewed.
312-08/ CARSON	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Neglect of Duty (PBP16-1, 3.13)	Cx. alleges the S.O. did not do her job thoroughly and acted prejudicially towards her daughter.	AUTHORIZED 30 DAY EXTENSION	Critical Witnesses need to be interviewed.
351-08/ GAMBLE	Conduct Unbecoming a Member (PBP16-1, 3.6) Truthfulness (PBP 16-1, 3.19)	Cx. alleges the S.O. informed his employer about his DUI arrest causing him to lose his job.	AUTHORIZE 30 DAY EXTENSION	Waiting for Subject Officer statements & Cx.'s hearing.
09-09-P/ BRIDGETT	Obedience to Orders/ Laws (PBP 16-1, 3.1) Conduct Unbecoming a Member (PBP16-1, 3.6)	Cx. alleges the S.O. was unprofessional during a traffic incident.	AUTHORIZED 30 DAY EXTENSION	Need to confirm the vehicle is a PBP police vehicle.
20-09-P/ GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct toward the Public, (PBP 16-1, 3.7)	Cx. alleges the S.O. is harassing her because of a neighborhood dispute.	AUTHORIZED 30 DAY EXTENSION	Waiting for Subject Officer statements

<b>CPRB CASE NO. INVESTIGATOR</b>	<b>ALLEGATION(S)</b>	<b>SUMMARY</b>	<b>RECOMMENDATION</b>	<b>RATIONALE</b>
<b>FULL INVESTIGATION (2)</b>				
202-08 CARSON	Use of Force (PBP 12-6, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges the S.O. charged her excessively and did not follow procedures properly.	AUTHORIZED FULL INVESTIGATION	Criminal charges pending against Cx.
26-09-P/ 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) Truthfulness (PBP 16-1, 3.19)	Cx. alleges the S.O.'s were inappropriate during an investigative stop.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
<b>DISMISSAL (9)</b>				
<b>UNSUSTAINABLE (2)</b>				
314-08/ 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 the S.O. used excessive force during a traffic stop and tried to intimidate her.	DISMISSED AS UNSUSTAINABLE	Move to Rude & Discourteous Hearing; Dismiss Charges against S.O. #2
376-08/ CARSON	Obedience to Orders/ Laws (PBP 16-1, 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 acted inappropriately when they almost collided with the Port Authority bus he was driving.	DISMISSED AS UNSUSTAINABLE	Move to Rude & Discourteous Hearing.
<b>UNFOUNDED (7)</b>				
216-08/ GAMBLE	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges the S.O.'s detained him for a domestic violence incident that was misinterpreted.	DISMISSED AS UNFOUNDED	S.O.'s responded appropriately to a domestic violence call.

<b>CPRB CASE NO. INVESTIGATOR</b>	<b>ALLEGATION(S)</b>	<b>SUMMARY</b>	<b>RECOMMENDATION</b>	<b>RATIONALE</b>
338-08/ BRIDGETT	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. Alleges the S.O. was rude to him when he was the victim of an attack.	DISMISSED AS UNFOUNDED	Move To Rude & Discourteous Hearing
348-08/ 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. used excessive force on the victim.	DISMISSED AS UNFOUNDED	S.O. did not violate PBP Policy
350-08/ 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) Truthfulness (PBP 16-1, 3.19) False Report (PBP 62-1,2.10)	Cx. Alleges the S.O. arrested him for another person's drugs.	DISMISSED AS UNFOUNDED	There is no evidence that the S.O.'s violated PBP Policy.
23-09-P/ GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6)	. Cx. Alleges the S.O. cited him when he was the victim of harassment.	DISMISS AS UNFOUNDED	It does not appear the S.O. violated PBP Policy or procedure.
32-09-P/ CARSON	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Neglect of Duty (PBP16-1, 3.13) Truthfulness (PBP 16-1, 3.19) Police Response to Domestic Violence Incidents (PBP 40-12, 8.0) False Report (PBP 62-1,2.10)	Cx. Alleges the S.O.'s did not arrest his wife for a PFA violation.	DISMISSED AS UNFOUNDED	PBP reports show the arrest was made.
40-09/ CARSON	Obedience to Orders/ Laws (PBP 16-1, 3.1) Conduct Unbecoming a Member (PBP16-1, 3.6)	Cx. Alleges the S.O. told him not to loiter in the area.	DISMISSED AS UNFOUNDED	The officer identified is not a PBP officer.

<b>WITHDRAWAL (0)</b>				
<b>LACK OF COOPERATION/COMPLAINANT (0)</b>				
<b>OTHER (2)</b>				
213-08/ GAMBLE	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Incompetence (PBP 16-1, 3.12)	Cx. alleges the S.O. cited him for selling baseball tickets in a non selling zone, when he should have been issued a warning.	AUTHORIZED SUSPENSION	Waiting response from Special Events Coordinator & S.O. Statements from OMI
260-08/ CARSON & GAMBLE	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Incompetence (PBP 16-1, 3.12) Neglect of Duty (PBP16-1, 3.13) Response to Calls of Serious Nature (PBP 40-10, 5.1)	Cx. alleges the S.O. refused to get him medical treatment.	AUTHORIZED SUSPENSION	Waiting response from Medics for EMT's run sheets.

# MEMORANDUM

**To:** Ms. Marsha V. Hinton, Chair  
Honorable Members of the Board  
**From:** Elizabeth C. Pittinger  
Executive Director  
**Date:** March 24, 2009  
**Re:** Executive Director's Report: March 24, 2009

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## 1. Intake Summary through 3/23/09:

a)	Citizen Complaints: 15	Pending Citizen Action: 75	Total Intake: 101
	Out of Jurisdiction: 03	Statute of Limitation: 05	(EDI: 03)
	(Actual for 2008:	CC: 66; PCA: 288; OJ: 45; SL: 05	EDI: 03
	Total: 412)		
	(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

- a) Ms. Gail Hall Mitchell left employment with us on 3/10/09 to accept appointment as the interim director of the Wilkinsburg Weed & Seed program.
- b) Approval to hire a new employee as the Investigative Associate has been received. The position will be posted by Personnel and Civil Service after which we will interview applicants. The position is subject to union "first look" and then the list for clerk assistant II.
- c) Professor David Harris, Univ. of Pittsburgh School of Law, is willing to assist us with a project designed to use GIS to map the origin of our complaints for the last several years. This will allow us to compare graphically the relationship of our complaints to population density, known criminal activity, socio-economic characteristics, etc.

- d) Pittinger filed a complaint against Sgt. Craig Campbell with Dep. Chief Donaldson on 3/5/09. The complaint arose from Sgt. Campbell's conduct at the public hearing (Anderson #23-07) on 2/26/09 which Pittinger alleges was unbecoming.

**3. Upcoming dates of importance:**

- a) 3/27/09: Anderson deliberations underway (Guercio, Bingler, Dalton)
- b) **4/02/09: Must be rescheduled. Willumsen v. Vollberg (Hinton, Guercio, Bingler). Mr. Willumsen will be traveling overseas and his last availability is 4/9/09. Mr. Bingler will not be available.**
- c) 4/02/09: Commonwealth v. Able trial is scheduled/Judge Manning

Respectfully submitted,

*Elyahush C. Pittinger*