



CITIZEN POLICE REVIEW BOARD

816 Fifth Avenue, Suite 400
Pittsburgh PA 15219
412-765-8023 Telephone – 412-765-8059 Facsimile
cprb@city.pittsburgh.pa.us

Approved
10/27/09

Minutes of the CPRB Meeting Held on July 28, 2009 (Mtg. No. 118)
City Council Chambers
510 City-County Building
414 Grant Street
Pittsburgh, PA 15219
Neighborhood: Citywide

Members Present: Mr. Malik G. Bankston
Mr. John H. Bingler, Jr.
Ms. Erin Dalton
Ms. Deborah Walker

Excused: Ms. Marsha V. Hinton, Chair
Mr. Richard M. Carrington, Vice Chair
Ms. Mary Jo Guercio

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: None

Vacancies: Investigative Associate

Administrative Matters:

- At 6:20 p.m. Mr. Bingler, called the meeting to order.
- *A motion to adopt the meeting minutes for June 23, 2009 was offered by Mr. Bankston and seconded by Ms. Dalton, and approved unanimously.*

Executive Director's Report

- Pittinger reported on Pittsburgh City Council's Post-Agenda meeting held on 7/28/09. The purpose of the meeting was to provide Council and the public with information relevant to the potential challenges anticipated during the upcoming G-20 meeting. Pittinger offered an introduction before City Council and provided copies of several relevant materials. The invited guest speakers in attendance were:
 - Heidi Boghosian, Esq., Executive Director, National Lawyers Guild
 - Casey Capitolo, Logistics Director, G-6 Billion Pittsburgh
 - Linda Perkins, Washington DC
 - Sara J. Rose, Esq., Staff Attorney, ACLU of Pennsylvania

- SW Rosenfeld, Chairman, The Densus Group
- Pittinger sent a letter (*dated June 30, 2009, copy attached*) to Chief Harper, extending an invitation to the City Council Post Agenda meeting held on 7/28/09. The letter also offered CPRB assistance to the Pittsburgh Bureau of Police and the communities of Pittsburgh with the upcoming G-20 planning and activities. Chief Harper responded by letter (*dated July 15, 2009, copy attached*) and declined participation.
- Pittinger discussed concerns surrounding the visibility and involvement of the CPRB throughout the G-20 Summit. The availability of CPRB citizen complaint packets, observation of police officer/citizen interaction and staff safety concerns were mentioned throughout the discussion.
- The Board instructed the Executive Director to adjust the September 22, 2009 board meeting in lieu of the G20 Summit that is scheduled during the same week. The Board approved unanimously to reschedule the meeting for Tuesday, September 15, 2009.

Case Review

Mr. Bingler moved to the case review agenda (copy attached). 16 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. Bingler invited public comment, limited to three minutes each. Public comment was offered by Mr. Mark Ozark and Mrs. Tris Ozark.

Next Meeting:

Mr. Bingler announced that the next regular board meeting is scheduled for 6:00 p.m., Tuesday, September 15, 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 (4):

1. Case Review Agenda/Board Actions
2. ECP letter to Chief Harper, *dated 6/30/09*
3. Chief Harper letter to ECP, *dated 7/15/09*

Action Date: July 28, 2009

CPRB CASE REVIEW AGENDA

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
PUBLIC HEARING (0)				
30 DAY EXTENSION OF FULL INVESTIGATION (3)				
85-09/ GAMBLE	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges the S.O. made inappropriate comments towards her.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
100-09/GAMBLE	Conduct Unbecoming a Member (PBP16-1, 3.6) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges the S.O. did not take a report for her stolen property.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation. S.O. is on Disability Leave & will return 8/09.
146-09-P/ GAMBLE	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 acted inappropriately while working a secondary detail.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
FULL INVESTIGATION (4)				
120-09/ 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) Motor Vehicle Stops (PBP 40-4, 3.24)	Cx. alleges the S.O. would not give the reason for his traffic stop.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
151-09/ CARSON	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges the S.O. was rude during a traffic stop.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
168-09/ GAMBLE	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 unnecessary force against him for no reason.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
183-09/ 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 during his arrest.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
				DISMISSAL (7)
				UNSUSTAINABLE (1)
09-09-P/ BRIDGETT (CASE WAS SUSPENDED AT THE 4/09 MEETING)	Conduct Unbecoming a Member (PBP16-1, 3.6) Obedience to Laws/ Orders (PBP 16-1, 3.1)	Cx. alleges the S.O. yelled at her for honking her horn at him.	DISMISSED AS UNSUSTAINABLE	Evidence does not show any PBP violations.
				UNFOUNDED (6)
350-08/ BRIDGETT (CASE WAS SUSPENDED AT THE 3/09 MEETING)	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 while being detained for questioning.	DISMISSED AS UNFOUNDED	Evidence does not show any PBP violations.
70-09/ GAMBLE	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges the S.O. acted inappropriately in front of her customers during a billing dispute.	DISMISSED AS UNFOUNDED	Evidence does not show any PBP violations. Cx. was intentionally uncooperative.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
79-09/ CARSON	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Warrantless Search & Seizure (PBP 45-2, 4.1.2)	Cx. alleges the S.O.'s searched him for no reason.	DISMISSED AS UNFOUNDED	Evidence does not show any PBP violations. No polygrapher is available for this investigation.
102-09/ BRIDGETT	Conduct Unbecoming a Member (PBP16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Motor Vehicle Stops (PBP 40-4, 3.24) Warrantless Search & Seizure (PBP 45-2, 4.1.2)	Cx. alleges the S.O. stopped him because of the way he looks.	DISMISSED AS UNFOUNDED	Evidence does not show any PBP violations.
121-09/ BRIDGETT	Conduct Unbecoming a Member (PBP16-1, 3.6)	Cx. alleges the S.O. waited several months before arresting him for a warrant.	DISMISSED AS UNFOUNDED	Evidence does not show any PBP violations.
166-09/ 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.'s arrested her while she was crossing the street.	DISMISSED AS UNFOUNDED	Evidence does not show any PBP violations. Evidence shows Cx. was the aggressor.
WITHDRAWAL (0)				
LACK OF COOPERATION/COMPLAINANT (1)				
117-09/ 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. was rude when he approached him.	DISMISSED DUE TO CX.'S LACK OF COOPERATION	Cx. was contacted several times and has not cooperated.
OTHER (1)				
110-09-P/ CARSON	Use of Force (PBP12-6, 3.1) Taser (PBP 12-13, 5.3) Conduct Unbecoming a Member (PBP16-1, 3.6) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges the S.O. used unreasonable force against him during his DUI arrest.	AUTHORIZED SUSPENSION	Time is needed for further investigation.



CITIZEN POLICE REVIEW BOARD
816 FIFTH AVENUE, SUITE 400
PITTSBURGH PA 15219

June 30, 2009

Members of the Board:

Nirasha Y. Hillman
Chair

Richard M. Carrington
Vice-Chair

Malik G. Bankston

John H. Hingston, Esq.

Erin Dalton

Mary Jo Chavira, Ed.D.

Delores L. Butler

Solicitor:

William P. Ward, Esq.

Hugh P. McGeough, Esq.

Executive Director:

Elizabeth C. Pittinger

Nathan E. Harper, Chief
Bureau of Police
City of Pittsburgh
1203 Western Avenue
Pittsburgh PA 15233

Re: G-20 Meeting, September 2009

Dear Chief Harper,

We share your interest in providing a safe environment for the participants and the visitors that the upcoming G-20 meeting will attract to the City.

The Bureau did a great job establishing relations and defining mutual expectations with community organizers for protest activities during All-Star Week a few years ago. Obviously, the G-20 offers a much larger scale opportunity for advocates to convey their concerns on global economic policies. With that in mind, I have initiated contact with some law enforcement experts and community organizers to help us better understand the mutual expectations of such an event. It is our hope to conduct, or participate in, a public forum to discuss the dynamics of police/community relations during an event of this magnitude.

Chief, we welcome this opportunity to assist the Bureau and the community to make Pittsburgh a stellar example of a safe and hospitable city where global business and diverse opinion co-exist peacefully. Is there anything we can do for you?

Sincerely,

Elizabeth C. Pittinger
Elizabeth C. Pittinger
Executive Director

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cprb@city.pittsburgh.pa.us

cc: Mr. Michael Huss, Director of Public Safety
The Honorable Bruce Kraus, Chair, City Council Committee on Public Safety Services

Implementing the Will of the People...



City of Pittsburgh

Bureau of Police

Chief of Police

"...accountability, integrity and respect."

July 15, 2009

Elizabeth C. Pittinger
Executive Director
Citizen Police Review Board
816 Fifth Avenue, Suite 400
Pittsburgh, PA 15219

Dear Ms. Pittinger,

I received your letter dated June 30, 2009 in regard to your assistance with the G20 Conference.

Be advised that the Pittsburgh Bureau of Police is in contact with several law enforcement agencies that have experience and knowledge in conducting security for events of this magnitude.

While I thank you for your interest, the Department of Public Safety, Bureau of Police will manage these responsibilities.

Sincerely,


Nathan E. Harper
Chief of Police

Cc: Michael H. Huss, Director
Paul Donaldson, Deputy Chief

Pittsburgh Bureau of Police Headquarters, 1203 Western Avenue, Pittsburgh, PA 15233
Phone: 412-323-7814