



CITIZEN POLICE REVIEW BOARD

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Approved
1/26/10

Minutes of the CPRB Meeting Held on December 1, 2009 (Mtg. No. 121)
City Council Chambers
City-County Building
Pittsburgh, PA 15219
Neighborhood: Citywide

Members Present: Ms. Marsha V. Hinton, Chair
Mr. Richard M. Carrington, Vice Chair
Mr. Malik G. Bankston
Dr. Mary Jo Guercio

Excused: Mr. John H. Bingler, Esq.
Ms. Erin Dalton
Ms. Deborah Walker

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

Excused: None

Vacancies: Investigative Associate

Administrative Matters:

- At 6:25 p.m. Ms. Hinton called the meeting to order.
- *A motion to adopt the meeting minutes for October 27, 2009 was offered by Mr. Carrington and seconded by Mr. Bankston, and approved unanimously.*

Executive Director's Report

- At the 10/27/09 regularly scheduled business meeting, the CPRB authorized an inquiry into the citizen/police encounters during the Pittsburgh G-20 Summit, September 19 – 26, 2009. Ms. Pittinger reported on the progress of the inquiry:

Ms. Pittinger sent a letter to Kathy Kraus of OMI, requesting documents specifically related to G-20 incidents. The correspondence was sent on 11/5/09 with a requested deadline of 11/25/09. OMI has not responded to date.

Ms. Pittinger sent a letter to Deputy Chief Donaldson requesting specific information regarding the policies and procedures directing law enforcement operations during the G-20 Summit. The letter was sent on 11/9/09 calling for a deadline of 12/2/09. Pittinger mentioned that Chief Donaldson did respond by stating certain information will not be available for release; however documents have not been received to date.

Pittinger reported on a letter received from Attorney Paul D. Krepps of Marshall, Dennehey, Warner, Coleman & Goggin. The letter is dated 11/25/09 and states that the law firm has been retained by the Lexington Insurance Company to represent the city of Pittsburgh; which provided coverage during the G-20 Summit. The letter is in response to the aforementioned requests and states that neither the Bureau of Police nor OMI will provide CPRB with the requested documents.

Mr. McGough's preliminary advice referenced the City Code and CPRB Operating Rules and Procedures and the need to seek a court order to enforce the subpoena originally sent to Chief Nate Harper on 12/1/09 for the requested documents.

Personnel Matters

- Michael Ayoob, CPRB Intake Coordinator, was recognized and congratulated by the Board and staff members for winning the PWA/St. Martin's Best First Private Eye Novel Contest. Mr. Ayoob's novel is expected to be published later in the year.

Case Review

Ms. Hinton moved to the case review agenda (copy attached). 20 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. Public comment was offered by Harry Liller and Kenneth Miller.

Next Meeting:

Ms. Hinton announced that the next regular board meeting is scheduled for 6:00 p.m., Tuesday, January 26, 2010 at City Council Chambers, 510 City-County Building, 414 Grant Street, Pittsburgh, PA 15219.

The meeting was adjourned at 7:20 p.m.

Respectfully submitted,

Carolyn L. Gaskin
Executive Assistant

Attachment (1):

1. Case Review Agenda/Board Actions

Action Date: December 1, 2009

CPRB CASE REVIEW AGENDA

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
PUBLIC HEARING (0)				
30 DAY EXTENSION OF FULL INVESTIGATION (5)				
38-09/CARSON	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 she was arrested for no reason.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
224-09/CARSON	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBB 16-1, 3.7)	Cx. alleges that the S.O. harassed and pushed him.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
269-09/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Neglect of Duty (PBP 16-1, 3.13) Truthfulness (PBP 16-1, 3.19) False Report (PBP 62-1, 2.10)	Cx. alleges that the S.O.'s accident report does not reflect the truth.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
280-09/ GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Neglect of Duty (PBP 16-1, 3.13) Truthfulness (PBP 16-1, 3.19)	Cx. alleges the S.O.'s acted inappropriately during a vehicle stop.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
300-09/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges the S.O.'s are harassing their community farm.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
FULL INVESTIGATION (8)				
174-09/ 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 the SO's were rude during her 302 transport.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
271-09/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges the SO would not take a report on her behalf.	DISMISSED AS UNFOUNDED	Preliminary evidence suggests more Investigation is needed.
295-09/ GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges the SO's would not file charges against the person that assaulted her.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
299-09/ BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges the SO was unprofessional at the scene of an accident where she was assaulted.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
306-09/ BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6)	Cx. alleges the SO's allowed her son to drive when he should not be driving due to mental health problems.	DISMISSED AS UNFOUNDED	Preliminary evidence suggests more investigation is needed.
417-09/ BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges the SO's were overly aggressive when responding to a domestic dispute.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
427-09/ CARSON	Conduct Unbecoming a Member (PBP 16-1, 3.6) Neglect of Duty (PBP 16-1, 3.13)	Cx alleges the SO's arrested her for false charges.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
450-09/ CARSON	Conduct Unbecoming a Member (PBP 16-1, 3.6) Neglect of Duty (PBP 16-1, 3.13) Truthfulness (PBP 16-1, 3.19) False Report (PBP 62-1, 2.10)	Cx. alleges the SO's falsified information on reports making her the suspect in an assault case.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.

DISMISSAL (2)				
UNSUSTAINABLE (0)				
UNFOUNDED (2)				
CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
150-09/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Warrantless Searches & Seizures (PBP 45-2, 7.7)	Cx. alleges that he was stopped and searched for drugs without cause.	DISMISSED AS UNFOUNDED	Evidence does not show any PBP violations.
252-09/CARSON	Obedience to Orders &/or Laws (PBP 16-1, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Warrantless Searches & Seizures (PBP 45-2, 7.7)	Cx. alleges the S.O. was rude & discourteous during a traffic stop.	DISMISSED AS UNFOUNDED	S.O. followed PBP policy & procedure.
WITHDRAWAL (1)				
315-09/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges the S.O.'s was rude to her over a parking issue.	ACCEPTED CX'S REQUEST TO WITHDRAWAL	Cx. does not wish to pursue her complaint.
LACK OF COOPERATION/COMPLAINANT (1)				
146-09-P/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 acted inappropriately while working a secondary detail.	DISMISSED DUE TO CX.'S LACK OF COOPERATION	Cx. has not responded since 8/09. (Case was suspended at the 10/09 Meeting.)
OTHER (3)				
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.	MOVED TO RUDE & DISCOURTEOUS HEARING	Cx was found guilty for violation, may benefit from Rude & Discourteous Hearing.
168-09/GAMBLE	Use of Force (PBP 12-6, 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 while he was working.	AUTHORIZED SUSPENSION	Additional time is needed to locate a crucial witness.
220-09/BRIDGETT	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 him.	AUTHORIZED SUSPENSION	Additional time is needed to receive PBP paperwork.