



CITIZEN POLICE REVIEW BOARD

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Approved
3/23/10

Minutes of the CPRB Meeting Held on February 23, 2010 (Mtg. No. 123)
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

Solicitors: Mr. William F. Ward, Esq. & 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 6:40 p.m. Ms. Hinton called the meeting to order.
- *A motion to adopt the meeting minutes for January 26, 2010 was offered by Mr. Carrington and seconded by Mr. Bankston, and approved unanimously.*
- Ms. Hinton expressed interest in arranging a courtesy meeting with City Solicitor Daniel Regan to discuss issues surrounding the CPRB.
- Ms. Hinton mentioned the following pending public hearings: CPRB Case #59-07 & 123-08 and the continuation of CPRB Case #260-08.

Executive Director's Report

- No written report was submitted.
- Ms. Pittinger reported on the motion that was filed in Common Pleas Court to enforce compliance to a subpoena that was issued to OMI/Chief Harper in an effort to acquire specific G-20 documents. The motion was presented to the Honorable R. Stanton Wettick, Jr., on 2/5/10. The City was ordered to answer the CPRB motion within 14 days. The CPRB was ordered to reply to the City's answer within 7 days. The hearing for argument is scheduled for Monday, 3/8/10 @ 1:00 p.m. in Room 818, City County Building. Ms. Pittinger invited the public to attend the hearing.

Case Review

Ms. Hinton moved to the case review agenda (copy attached). 18 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 before CPRB commenced the business portion of the meeting. Several individuals from the community expressed concerns regarding Jordan Miles, the CAPA student who was allegedly beaten by three Pittsburgh police officers and various other police/community issues.

Next Meeting:

Ms. Hinton announced that the next regular board meeting is scheduled for 6:00 p.m., Tuesday, March 23, 2010 at CCAC Homewood-Brushton Center, 701 N. Homewood Avenue, Pittsburgh, PA 15208.

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

Respectfully submitted,

Carolyn L. Gaskin
Executive Assistant

Attachment (1):

1. Case Review Agenda/Board Actions

Action Date: February 23, 2010

CPRB CASE REVIEW AGENDA

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
PUBLIC HEARING (0)				
30 DAY EXTENSION OF FULL INVESTIGATION (4)				
188-09/ BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Truthfulness (PBP 16-1, 3.19)	Cx. alleges the S.O. cited him for obstructing traffic while he was scalping tickets.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
437-09/ BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Truthfulness (PBP 16-1, 3.19)	Cx. alleges the S.O. has been harassing him.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
478-09/ 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 SO acted inappropriately when he was cited for scalping tickets.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
10-21/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) Incompetency (PBP 16-1, 3.12) Truthfulness (PBP 16-1, 3.19) Warrantless Searches and Seizures (PBP 45-2, 4.2.3)	Cx. alleges that he was jumped, assaulted, arrested and seriously injured by the S.O.s.	AUTHORIZED 30 DAY EXTENSION	More time is needed for further investigation.
FULL INVESTIGATION (7)				
439-09/BRIDGETT	Obedience to Orders &/or Laws (PBP 16-1, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6;3) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O.s destroyed his property.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
482-09/CARSON	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Truthfulness (PBP 16-1, 3.19)	Cx. alleges that he was falsely cited for a parking issue.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
10-07-P/GAMBLE	Use of Force (PBP 12-6, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Property of Prisoners (PBP 50-2, 7.2)	Cx. alleges that the S.O used excessive force during his arrest.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
10-11/CARSON	Conduct Unbecoming a Member (PBP 16-1, 3.6)	Cx. alleges that the S.O. intimidated her during court proceedings.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
10-16-P/BRIDGETT	Obedience to Orders &/or Laws (PBP 16-1, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6:3) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. acted inappropriately while questioning his citizenship.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
10-17-P/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Motor Vehicle Stops (PBP 40-4, 3.2;4) Warrantless Searches and Seizures (PBP 45-2, 7.1;5) False Report (PBP 62-1, 2.10)	Cx. alleges that the S.O.s pulled her over and cited her without a legitimate reason.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
10-32-P/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 that he was assaulted and arrested by the S.O.s.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation is needed.
DISMISSAL (4)				
UNSUSTAINABLE (2)				
401-09/ 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) Truthfulness (PBP 16-1, 3.19)	Cx. alleges the S.O. cited him for a traffic dispute.	DISMISSED AS UNSUSTAINABLE	Evidence does not show any PBP violations.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
448-09/ GAMBLE	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) Incompetency (PBP 16-1, 3.12)	Cx. alleges the S.O.s used an unreasonable amount of force when he was mistaken for an armed suspect.	DISMISSED AS UNSUSTAINABLE	Evidence does not show any PBP violations.
UNFOUNDED (2)				
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.	DISMISSED AS UNFOUNDED	Evidence does not show any PBP violations.
10-22-P/BRIDGETT	Use of Force (PBP 12-6, 3.1; 2 Obedience to Orders &/or Laws (PBP 16-1, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Truthfulness (PBP 16-1, 3.19)	Cx. alleges that the S.O. deceived him.	DISMISSED AS UNFOUNDED	Evidence does not show any PBP violations.
WITHDRAWAL (0)				
LACK OF COOPERATION/COMPLAINANT (0)				
OTHER (3)				
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 SUSPENSION	Additional time is needed to receive PBP paperwork.
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 SUSPENSION	Additional time is needed to contact the S.O.s and witnesses.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
442-09/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) Truthfulness (PBP 16-1, 3.19) Warrantless Searches and Seizures (PBP 45-2, 7.1)	Cx. alleges he was pulled over because of his race.	AUTHORIZED SUSPENSION	Additional time is needed to contact the S.O.s.