



CITIZEN POLICE REVIEW BOARD  
816 Fifth Avenue, Suite 400  
Pittsburgh PA 15219  
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cprb@city.pittsburgh.pa.us

Approved  
1/24/12

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**Minutes of the CPRB Meeting Held on December 6, 2011 (Mtg. No. 141)**  
**City Council Chambers**  
**510 City County Building**  
**Pittsburgh, PA 15219**  
**Neighborhood: Citywide**

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Members Present: Mr. Ralph E. Norman  
Ms. Donna Kramer  
Ms. Leshonda R. Roberts  
Ms. Debora L. Whitfield

Excused: Ms. Deborah L. Walker  
Mr. Richard M. Carrington

Absent: None  
Vacancies: 1 Mayoral Selection

Solicitors: 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:

Vacancies: Investigative Associate

### Administrative Matters:

- Mr. Norman, Vice Chair, presided. The meeting was called to order at 6:25p.m.
- *A motion to adopt the meeting minutes for October 25, 2011 was offered by Ms. Kramer and seconded by Ms. Roberts, and approved unanimously.*

### Executive Director's Report

- Ms. Pittinger reported that the Board has not received a response regarding the CPRB appointment process (one vacant seat and the three incumbent expired member's terms). To date, neither City Council nor the Mayor have acted as prescribed under the City Code, Title Six, Article VI, §662.04.
- *A motion to conduct a Rude & Discourteous Hearing on Tuesday, January 31, 2012 was offered by Ms. Whitfield and seconded by Ms. Kramer, and approved unanimously.* The hearing is scheduled for 6p.m. at City Council Chambers.
- Ms. Pittinger briefed the Board on a video documenting a police/citizen encounter following a fatal shooting that occurred on November 14, 2011. Public questions and concerns emerged regarding the officer's use of force during the detainment of a person of interest. CPRB investigators followed-up on the incident and have concluded that the officer's final action appears questionable. Ms. Pittinger will provide additional information *electronically* to the Board.

- Ms. Pittinger reported on CPRB's appeal of Judge Wettick's decision of 9/23/10. Arguments were heard by a panel of Commonwealth Court Judges on Tuesday, November 15, 2011. Ms. Pittinger publicly thanked Solicitor, Hugh McGough for his presentations throughout the litigation process.
- Ms. Pittinger acknowledged Solicitor Hugh McGough's impending departure effective December 31, 2011. Ms. Pittinger publicly recognized and thanked Mr. McGough for serving the Board's Mission throughout unprecedented and very difficult times. Mr. Robert J. Ridge, Esq. and Ms. Lourdes Sanchez Ridge, Esq. of Thorp Reed & Armstrong, will transition as Mr. McGough's successors, representing the Board for 2012. Mr. & Mrs. Ridge were in attendance.

### Case Review

Mr. Norman 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. Norman invited public comment. Public comment was made by Mr. Mark Ozark and Mr. Harry Liller.

### Next Meeting:

Mr. Norman announced that the next regular board meeting is scheduled for 6:00 p.m., Tuesday, January 24, 2011 at City Council Chambers, 414 Grant Street, Pittsburgh, PA 15219.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Carolyn L. Gaskin  
Executive Assistant

### Attachment (2):

1. Case Review Agenda/Board Actions
2. Executive Director's Report (12/6/11)

MEMORANDUM

**To:** Honorable Members of the Board  
**From:** Elizabeth C. Pittinger  
Executive Director  
**Date:** December 6, 2011  
**Re:** Executive Director's Report: 12/06/2011

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**Intake Summary through 12/05/11:**

Citizen Complaints: 33	Pending Citizen Action: 189	Total Intake: 249
Out of Jurisdiction: 16	Statute of Limitation: 09	(EDI: 02)
(Actual Totals for 2010: CC: 79; PCA: 221; OJ: 30; SL: 05	EDI: 01	Total: 336)
(Actual Totals for 2009: CC: 80; PCA: 380; OJ: 18; SL: 09	EDI: 05	Total: 490)
(Actual Totals 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)

**1. Board Terms**

Status unchanged:

- a) 1 vacancy since 6/30/11: City Council Seat #3 (Rev. Downing's seat).
  - i Council sent the proper Nominating Resolution (2011-1756) to the Mayor on 5/31/2011 (timely).
  - ii Mayor has not acted.
- b) 3 terms expired on 10/31/2011.
  - i Ms. Kramer (Council Seat #1)
  - ii Mr. Carrington (Mayoral Seat #6)
  - iii Mr. Norman (Mayoral Seat #7 – LEP)
- c) All notices from the CPRB Chair were made in a proper & timely manner.
- d) Neither City Council nor the Mayor have acted as prescribed under the City Code, Title Six, Article VI, §662.04

Since the October Board meeting, media inquiries into the status of the appointments illuminated the issue but did not seem to have stirred the Mayor or Council to act.

**2. Miscellaneous**

- a) **Recommendation:** Convene a Public Hearing on Rude & Discourteous Conduct on Tuesday, 1/29/12 at 6:00 p.m.
- b) November 14, 2011 incident: a news video captured a police/citizen encounter at the scene of a shooting. The video showed a subject being taken into custody during which police force was used. Pursuant to viewing the video, Pittinger asked Investigators Carson & Gamble to follow-up on the incident. The raw news video shot by a helicopter was viewed at its source. Details emerged that are not observable in the publicly disseminated footage. The Investigators concluded that the officers' actions up to and including the second head push were reasonable due to the subject's effort to retrieve or place something in his pocket/waistband area. Subsequent head pushes are questionable.

**3. Appeal to Commonwealth Court No. 2238 C.D. 2010**

- a) Argument on the CPRB's appeal of Judge Wettick's decision of 9/23/2010 was heard by a panel of Commonwealth Court Judges on Tuesday, November 15, 2011 at 1:00 p.m. in the Supreme Court Room on the eighth floor of the City County Building.

**4. CPRB Solicitor**

- a) District Justice-Elect Hugh F. McGough will conclude his representation of the CPRB at the end of December. Since 2007 he has served the interests of the Board with professional dedication and unwavering loyalty through some unprecedented and very difficult times. Thank you Mr. McGough.
- b) Robert J. Ridge, Esq. and Lourdes Sanchez Ridge, Esq. will succeed Mr. McGough.

Respectfully submitted,



12/06/2011