

**Action Date: 9/25/12  
Moved/Seconded/Vote**

**CPRB CASE REVIEW AGENDA**

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
<b>(SEE ADDENDUM) PUBLIC HEARING (0)</b>				
<b>FULL INVESTIGATION (3)</b>				
12-83/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 the S.O. used excessive force during the encounter.	AUTHORIZE FULL INVESTIGATION  <b>DARBY/WATERS/4-0</b>	Preliminary evidence suggests more investigation time is needed.
12-99/CARSON	Neglect of Duty (PBP 16-1, 3.13) Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O.s neglected their duty.	AUTHORIZE FULL INVESTIGATION  <b>DARBY/WATERS/4-0</b>	Preliminary evidence suggests more investigation time is needed.
12-143/BRIDGETT	Unbiased Policing (PBP 11-3, 4.1;2) Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7;4) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges that the S.O.s acted inappropriately during the encounter.	AUTHORIZE FULL INVESTIGATION  <b>DARBY/WATERS/4-0</b>	Preliminary evidence suggests more investigation time is needed.
<b>30 DAY EXTENSION OF FULL INVESTIGATION (1)</b>				
12-109/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7;3) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges that the S.O.s acted inappropriately and failed to make an arrest.	AUTHORIZE 30 DAY EXTENSION  <b>ROBERTS/DARBY/4-0</b>	The Complainant needs to be interviewed.
<b>UNFOUNDED (4)</b>				
12-111/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6;2) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. mistakenly left a threatening message on her voicemail.	DISMISS AS UNFOUNDED <b>MOVE TO RUDE &amp; DISCOURTEOUS</b>  <b>DARBY/ROBERTS/4-0</b>	The S.O. did not violate any PBP policy or procedure.
12-161/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6;2) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. was rude & unprofessional during the encounter.	DISMISS AS UNFOUNDED <b>MOVE TO RUDE &amp; DISCOURTEOUS</b>  <b>DARBY/ROBERTS/4-0</b>	There is not enough evidence to support the Cx.'s allegations.

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12-172/GAMBLE	Unbiased Policing (PBP 11-3, 4.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. acted inappropriately while escorting her out of a concert.	DISMISS AS UNFOUNDED  <b>ROBERTS/DARBY/4-0</b>	There is no evidence to determine whether the S.O. violated any PBP policy or procedure.
12-201/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 the S.O. confiscated his tickets and would not allow him access to a sporting event.	DISMISS AS UNFOUNDED  <b>ROBERTS/DARBY/4-0</b>	The S.O. did not violate any PBP policies or procedures.
<b>UNSUSTAINABLE (2)</b>				
12-56/GAMBLE	Unbiased Policing (PBP 11-3, 4.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Motor Vehicle Stops (PBP 40-4, 3.2) Warrantless Searches & Seizures (PBP 45-2, 6.1)	Cx. alleges that the S.O.s have harassed her son on several occasions.	DISMISS AS UNSUSTAINABLE  <b>DARBY/ROBERTS/4-0</b>	There is no evidence to support the Cx.'s allegations.
12-199/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6;2) Truthfulness (PBP 16-1, 3.19;3) False Reports (PBP 62-1, 2.10)	Cx. alleges that the S.O. gave him a false parking citation.	DISMISS AS UNSUSTAINABLE <b>AUTHORIZE A WRITTEN LETTER TO THE CHIEF OF POLICE</b>  <b>DARBY/ROBERTS/4-0</b>	The Investigator will write a letter to address the issue.
<b>LACK OF COOPERATION (0)</b>				
<b>OTHER (2)</b>				
12-96/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Towing Procedures: Reasons for Towing (PBP 41-04)	Cx. alleges that the S.O. towed her vehicle without cause.	AUTHORIZE SUSPENSION  <b>ROBERTS/WATERS/4-0</b>	A witness needs to be interviewed.
12-136/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. was rude during a traffic stop.	MOVE TO RUDE & DISCOURTEOUS HEARING  <b>DARBY/WATERS/4-0</b>	Cx. would like to participate in the next Rude & Discourteous Hearing.

**Status of CPRB #10-21**

The executive director reported on the status of CPRB No. 10-21.

In anticipation of a verdict in the civil trial, CPRB #10-21 was placed into indefinite suspension at the CPRB meeting on 7/24/12. On 8/8/12 the jury found that the officers did not maliciously prosecute our complainant but deadlocked on the questions of excessive force and false arrest. This split outcome entitled our complainant to file for a new trial on the latter allegations. On 9/11/12 our complainant's lawyer petitioned Judge Lancaster for a trial date "as soon as practicable". A date hasn't been set as of today, 9/24/12.

Staff have developed several points of inquiry that deal with the peripheral issues of the complaint. Generally, the policies & procedures that the case illuminated such as:

- general purpose of "99" cars
- procedures used for field contacts/investigative stops
- personnel assignment criteria, accountability mechanisms for "99" car deployment
- target area designation, plainclothes Zone v. detective v. task force
- coordination with Zone's public safety committee for "99" car patrols
- applicability of directed patrols for the "99" duty/coordination with marked patrol units
- personnel impact of plainclothes assignments on uniformed patrols
- Zone Commander discretion v. Bureau-wide standards
- responsibilities of health care providers receiving injured persons involved in a police altercation

Mr. Norman, Acting Chair, recommended that the investigation into #10-21 remain suspended but that a public hearing be conducted to scrutinize the policy & procedures related to "99" cars. Moved by Mr. Waters, seconded by Dr. Darby, and adopted unanimously, 4-0.

The Board set the date, time of the hearing:  
Wednesday, November 14, 2012 at 5:30 p.m.  
Location to be determined.

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Noted by E.C.Pittinger  
9/25/12