



## CITIZEN POLICE REVIEW BOARD

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Approved  
10/25/16

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**Minutes of CPRB Meeting Held on July 26, 2016 (Mtg. No. 188)**  
**City Council Chambers**  
**414 Grant Street, 5<sup>th</sup> FL**  
**Pittsburgh, PA 15219**  
**Neighborhood: Citywide**

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**Members Present:** Dr. Emma Lucas-Darby, Chair  
Mr. Thomas C. Waters, Vice Chair  
Mr. Elwin Green  
Sr. Patrice Hughes, SC  
Mr. Sheldon Williams

**Excused:** Dr. Mary Jo Guercio  
Ms. Karen McLellan

**Absent:** None  
**Vacancies:** None

**Solicitor:** Ms. Elizabeth F. Collura, Esq.

**Staff Present:** Ms. Elizabeth C. Pittinger, Executive Director  
Ms. Carolyn L. Gaskin, Assistant Executive Director  
Ms. Sherri Bridgett, Investigator  
Ms. Michelle Gamble, Investigator

**Excused:** Mr. Michael Ayoob, Intake Coordinator

### **Administrative Matters:**

Dr. Darby, Chair, called the meeting to order at 6:05 p.m.

*A motion to approve the June 28, 2016 Board Meeting Minutes was offered by Mr. Waters seconded by Mr. Williams and approved unanimously.*

*A motion to accept the Board Meeting Agenda for July 26, 2016 was offered by Sr. Patrice seconded by Mr. Waters and approved unanimously.*

Dr. Darby commended the Board for their attendance at the June monthly meeting and acknowledged their diligence and continued efforts in pursuing the Board's mission. Dr. Darby also extended a very warm welcome to newly appointed Board Member, Sr. Patrice Hughes.

### **Executive Director's Report**

- Ms. Pittinger announced that PBP Chief Cameron McLay is scheduled to address the Democratic National Convention today in Philadelphia between 8-9pm. Chief McLay's remarks are expected to promote his strategy to transform the Bureau's operational philosophy to a genuine community oriented philosophy, as well as the National Initiative for Building

Trust and Justice; which is a researched based project sponsored by the Department of Justice designed to improve community-police relationships and build trust, with a focus on significant topical issues such as implicit bias, procedural justice, and reconciliation. Ms. Pittinger anticipates a positive transformation in community police relations through collaborative efforts of the National Initiative, Law Enforcement and leadership from well-established local and national services, such as NAACP, B-PEP, CPRB, and My Brother's Keeper.

- Ms. Pittinger welcomed and thanked newly appointed Board Member, Sr. Patrice Hughes for her willingness to serve. Ms. Pittinger stated that Sr. Patrice brings a rich history of community service and volunteerism to the Board, including her recent experience as a City of Pittsburgh Ethics Board Member. Sr. Patrice was nominated by Mayor Peduto, filling the seat vacated by Ms. Leshonda Roberts for a term to expire on 10/31/17.
- On 7/21/16, the Pittsburgh Interfaith Impact Network [PIIN] convened a community meeting at St. James AME Church to discuss community-police relations and accountability. Faith leaders, community members, and law enforcement personnel attended and shared individual experiences. Ms. Pittinger noted that Chief McLay offered an apology to the attendees by stating, "As chief of police, I apologize for our police role in our bad shared history. I apologize for what you went through. I apologize for some of the aspects of the war on drugs had on the communities we serve." PIIN may convene similar meetings in the future.
- On 7/21/16, a Black Lives Matter protest comprised of approximately 300 protestors was held downtown; several demands were made including police accountability for police killings of African Americans, the resignation of Allegheny County District Attorney Zappala, employment termination of Port Authority Officer Brian O'Malley (Bruce Kelly Jr.'s death), and discontinuation of canine apprehension of suspects. Ms. Pittinger stated that the PBP supported and protected the event without incident.
- On 7/26/16, The Fraternal Order of Police, Fort Pitt Lodge #1 announced that they will appeal the terms of the four year agreement recently awarded by arbiters. Among the terms to be appealed are a pay increase of 1% this year and 2% in 2017 and 2018 and a substantial rise in the share of health benefits.
- On 7/12/16, "Moving the Lives of Kids" (MLK Mural) partnered with PBP Officer Smolinski to paint an anti-gun violence building wall mural in Homewood; the event was well attended by the community and media. The MLK Mural community project offers youth muralists positive community work and artistic expression; several murals have been painted across the city. CPRB Member, Mr. Green, CPRB Assistant Director, Carolyn Gaskin, and CPRB Intern Megan Schmid attended.

### **Case Review**

Dr. Darby moved to the case review agenda (copy attached), each case was voted upon as recorded and copies of the agenda were made available to the public.

### **Public Comment**

Dr. Darby invited public comment, Mr. Mark Ozark offered comment.

### **Next Meeting**

Dr. Darby announced that the next monthly board meeting is scheduled for 6:00 p.m., Tuesday, September 27, 2016, located at the City Council Chambers, 5<sup>th</sup> FL, 414 Grant Street, Pittsburgh, PA 15219.

The meeting adjourned at 7:15 p.m.

Respectfully submitted,

Carolyn L. Gaskin  
Assistant Executive Director

Attachments (2):

1. 7/26/16 Case Review/Board Actions
2. 7/26/16 Executive Director's Report

*A video recording of this meeting will be made available at [www.CPRBpgh.org](http://www.CPRBpgh.org)*

*Minutes/Notes of the Independent CPRB meetings and public documents are available at the website cited above.*

## CPRB CASE REVIEW AGENDA

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
<b>PUBLIC HEARING (0)</b>				
<b>FULL INVESTIGATION (1)</b>				
112-16/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that when called, the S.O.s refuse to take police reports.	AUTHORIZED FULL INVESTIGATION  Waters/Williams 4-0	Preliminary evidence suggests more investigation time is needed.
<b>30 DAY EXTENSION OF FULL INVESTIGATION (5)</b>				
04-16/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges that the S.O.s neglected to follow-through with the investigation in a timely manner.	AUTHORIZED 30 DAY EXTENSION  Williams/Waters 4-0	Investigator will request PBP documents.
60-16/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6)	Cx. alleges that the S.O. did not permit her tow truck drivers to tow any vehicles.	AUTHORIZED 30 DAY EXTENSION  Williams/Waters 4-0	Investigator will request PBP documents.
72-16/GAMBLE	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 62-10, 2.10) Crash Response Investigation/Reports (PBP 41-30, 3.0)	Cx. alleges that the S.O. did not investigate his vehicle accident in a professional manner.	AUTHORIZED 30 DAY EXTENSION  Williams/Waters 4-0	Witness #2 needs to be contacted and interviewed.
101-16/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6)	Complainant alleges the Subject Officers entered her residence with a warrant looking for the Victim even though she stated he was not there.	AUTHORIZED 30 DAY EXTENSION  Williams/Waters 4-0	Investigator will continue trying to reach the Cx.
103-16/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Use of Force (PBP 12-6, 3.7)	Executive Director opened an inquiry into an alleged incident that occurred on 6/1/16 in East Liberty.	AUTHORIZED 30 DAY EXTENSION  Williams/Waters 4-0	The Victim needs to be located and interviewed.

<b>CPRB CASE NO. INVESTIGATOR</b>	<b>ALLEGATION(S)</b>	<b>SUMMARY</b>	<b>RECOMMENDATION</b>	<b>RATIONALE</b>
<b>UNSUSTAINABLE (1)</b>				
89-16/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges the S.O. was rude while controlling traffic.	DISMISSED AS UNSUSTAINABLE  <b>Hughes/Waters 4-0</b>	Investigator could not prove or disprove the Cx.'s allegations.
<b>UNFOUNDED (1)</b>				
57-16-P/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Truthfulness (PBP 16-1, 3.19) Towing and Tow Pound Procedures (PBP 41-4, 1.1)	Cx. alleges that the S.O. illegally towed his vehicle.	DISMISSED AS UNFOUNDED  <b>Waters/Hughes 4-0</b>	The evidence does not support the Cx.'s allegations.
<b>SUSPENSIONS (10)</b>				
10-16-ED/GAMBLE	Discharge of Firearms (PBP 12-7, 4.4) Motor Vehicle Pursuits (PBP 4-5, 1.2)	Executive Director opened an inquiry into an alleged incident involving a motor vehicle pursuit that occurred on 1/22/16.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING  <b>Hughes/Williams 4-0</b>	Pending the conclusion of the DA's investigation.
16-16-ED/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Use of Force (PBP 12-6, 3.0)	Executive Director opened an inquiry into an alleged incident that occurred on 11/25/15 at Heinz Field.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING <b>Hughes/Williams 4-0</b>	Pending the outcome of the S.O.s criminal and arbitration proceedings.
17-16-P/BRIDGETT	Unbiased Policing (PBP 11-3, 4.1;2) Obedience to Orders &/or Laws (PBP 16-1, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6)	Cx. alleges that the S.O. has a personal vendetta against him.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING <b>Hughes/Williams 4-0</b>	Investigator will attempt to interview more Witnesses.
45-16/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. is harassing and preventing him from conducting business.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING <b>Hughes/Williams 4-0</b>	Investigator will attempt to interview Witnesses.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
47-16/BRIDGETT	Unbiased Policing (PBP 11-3, 4.1;2) Use of Force (PBP 12-6, 3.1;3) TASER (PBP 12-13, 11.1;4) Conduct Unbecoming a Member (PBP 16-1, 3.6;5) Conduct Toward the Public (PBP 16-1, 3.7;6) Property of Prisoners (PBP 50-2, 7.2)	Cx. alleges that the S.O.s used unnecessary force against the Victim.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING  <b>Hughes/Williams 4-0</b>	Investigator will attend the Cx.'s court hearing.
65-16-ED/BRIDGETT	Use of Force (PBP 12-6, 3.7)	Executive Director opened an inquiry into an alleged incident involving a S.O. who pushed the victim on 4/13/16.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING  <b>Hughes/Williams 4-0</b>	PBP documents need to be requested.
186-15/BRIDGETT	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;4) Eyewitness ID Procedure (PBP 43-17, 9.0;5)	Cx. alleges that the S.O. tampered with evidence and intimidated a witness during his trial.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING  <b>Hughes/Williams 4-0</b>	Pending the conclusion of the Cx.'s court proceeding.
198-15-ED/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1,3.7) Use of Force (PBP 12-6, 3.1)	Executive Director opened an inquiry into an incident that occurred on 10/07/15 at PNC Park.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING  <b>Hughes/Williams 4-0</b>	Pending Executive Director's review.
241-15-ED/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Use of Force (12-6, 3.0)	Executive Director opened an inquiry into two alleged incidents that occurred downtown on 12/16/15 at the Wood Street T-Station.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING  <b>Hughes/Williams 4-0</b>	Pending Executive Director's review.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
266-12-ED/ GAMBLE/CARSON/BRIDGETT	Use of Force (PBP 12-6, 3.1) Discharge of Firearms (PBP 12-7, 4.3) Incompetency (PBP 16-1, 3.12) Neglect of Duty (PBP 16-1, 3.13)	On 11/12/12, the Executive Director ordered an inquiry about an incident that occurred on 11/11/12.	AUTHORIZED SUSPENSION  UNTIL THE SEPTEMBER MEETING  Hughes/Williams 4-0	Pending the Victim's lawyer's release to communicate with the Investigator.
<b>OTHER (1)</b>				
81-16/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. has repeatedly ticketed her vehicle without cause.	ACCEPTED CX'S REQUEST TO WITHDRAW WILLIAMS  Williams/Hughes 4-0	Cx. has requested to withdraw the complaint.

MEMORANDUM

To: Dr. Emma Lucas-Darby, Chair  
Honorable Members of the Board  
From: Elizabeth C. Pittinger  
Executive Director  
Date: July 26, 2016  
Re: Executive Director's Report: 7/26/16

Suite 400  
816 Fifth Avenue  
Pittsburgh PA 15219

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Intake Summary through 7/25/16: 138 complaints received

Citizen Complaints: 22 Pending Citizen Action: 98 EDI: 04 Total Intake: 138  
Out of Jurisdiction: 12 Statute of Limitation: 02

(Actual Totals for 2015:	CC: 41; PCA: 179; OJ: 23; SL: 03	EDI: 07	Total: 253)
(Actual Totals for 2014:	CC: 61; PCA: 219; OJ: 12; SL: 02	EDI: 05	Total: 299)
(Actual Totals for 2013:	CC: 73; PCA: 224; OJ: 32; SL: 07	EDI: 05	Total: 341)
(Actual Totals for 2012:	CC: 49; PCA: 194; OJ: 23; SL: 06	EDI: 01	Total: 273)
(Actual Totals for 2011:	CC: 38; PCA: 215; OJ: 18; SL: 09	EDI: 02	Total: 282)
(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. Member appointment: Sister Patrice Hughes was interviewed by City Council on 7/20/16 for confirmation of her appointment to Mayoral Seat #5, succeeding Ms. LeShonda Roberts and to complete the term expiring on 10/31/17. Sister's appointment was confirmed by final vote of City Council today, 7/26/16. Sister will be installed at tonight's CPRB meeting. The CPRB is now at full complement of seven members.
2. Miscellaneous:
  - a. City migration to Office 365: During the week of July 11<sup>th</sup>, our office completed migration from Google based services to Microsoft Office 365. In that transition some changes to past electronic management practices have occurred. Among them, a loss of Google drive from which we shared Board meeting documents. We are working on a fix so future sharing will be accessible to all of us, be simple and remain secure.
  - b. Moving the Lives of Kids 7/12/16: A gathering on Homewood Avenue to celebrate artistic expression by kids in protest of gun violence. Several youth muralists in partnership with PBP PO Smolinski painted a building wall mural



pleading to "Stop the Violence". The event was attended by CPRB Member Mr. Green, CPRB Assist. Exec. Dir. Ms. Gaskin and CPRB Intern Ms. Schmid.

- c. Trust & Justice Campaign: This national initiative sponsored by the Department of Justice was created in 2014. In March of 2015 Pittsburgh was named one of six pilot cities. As part of the project, fourteen City officers were trained as trainers competent to recognize & intervene in actions reflecting implicit bias and promote practices that ensure procedural justice. The Bureau projects that all officers will be trained through peer-to-peer method by the end of the year. Commander Cristyn Zett stated "We're hoping that ... we are able to have a real impact on the officers' daily lives and their interactions with the community," she said. "So that we're able to build our legitimacy as a department and as guardians of the community." (WESA 90.5, 7/20/16)
- d. Black Lives Matter 7/21/16 protest: Approximately 300 protestors participated in a protest in the vicinity of the Wood Street T Station, from 4:30 until about 5:30. The event was part of the BLM National Day of Action demanding police accountability for police killings of African Americans. Locally, the demands included the resignation of DA Zappala, the termination of PAT Officer Brian O'Malley's employment (Bruce Kelly Jr.'s death) and a termination of the practice of deploying police canines for the pursuit & apprehension of people. City & Port Authority police secured the event with no adverse incidents.
- e. PIIN Gathering 7/21/16: The Pittsburgh Interfaith Impact Network convened a community meeting to discuss community/police relations and police accountability. That meeting was held at St. James AME Church. Chief McLay extended an apology for the past, ""As chief of police, I apologize for our police role in our bad shared history. I apologize for what you went through. I apologize for some of the aspects of the war on drugs had on the communities we serve." It has been reported that PIIN intends to host additional meetings on this topic.
- f. Chief McLay to address the DNC: Chief McLay will deliver remarks to the DNC in Philadelphia about the Trust & Justice Project as well as his strategy to transform the Bureau's operational philosophy to a genuine community oriented philosophy. He is scheduled to appear between 8 – 9 pm, Tuesday, 7/26/16.
- g. Working Agreement City & FOP: The FOP announced today, 7/26/16, that they will appeal the terms of the four year agreement awarded by arbiters on Monday. The FOP contract expired at the end of 2014 though extended through the period of negotiation. The contract award is retroactive to 2015. Among the terms of that award is a raise of 1% this year and 2% in 2017 and 2018. The officers' share of health insurance premiums rises from 8.8% to 15%.

