



CITIZEN POLICE REVIEW BOARD

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Pittsburgh PA 15219
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Approved
7/25/17

Minutes of CPRB Meeting Held on June 27, 2017 (Mtg. No. 197)
City Council Chambers
510 City County Building
414 Grant Street
Pittsburgh, PA 15219
Neighborhood: Citywide

Members Present:	Dr. Emma Lucas-Darby, Chair Mr. Thomas C. Waters, Vice Chair Mr. Elwin Green Dr. Mary Jo Guercio Sr. Patrice Hughes, SC	Excused:	Ms. Karen McLellan Mr. Sheldon Williams
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Absent:	None
Vacancies:	None

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
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Administrative Matters:

Dr. Darby, Chair called the meeting to order at 6:20 PM.

A motion to approve the May 23, 2017 Board Meeting Minutes was offered by Sr. Patrice seconded by Mr. Waters, and approved unanimously.

Executive Director's Report

- Ms. Pittinger and Solicitor Ward updated the Board on the status of CPRB Case #70-15. The public hearing convened on 1/26/17; however, the Subject Officer did not appear as directed by subpoena. Two witness Officers appeared but through Attorney Bryan Campbell, declined to testify. Attorney Campbell contested CPRB's ability to compel testimony, referencing a clause in the collective bargaining agreement between the FOP and City of Pittsburgh. On 4/27/17, Solicitor Ward filed a petition to enforce compliance of the subpoenas. On 5/15/17, Judge McVay heard arguments and on 5/23/17 granted the motion, which requires officers to appear and testify; failure to comply shall be punishable as a Contempt of Court. Judge McVay also referenced the 2003 Commonwealth Court decision, wherein CPRB was distinguished as an independent board and not an agent of the City, which rejects the FOP's argument that the CPRB is subjected to Section 21-C of the Working Agreement between the City and the FOP. On 6/13/17, the FOP and officers applied to the Court for a stay of CPRB proceedings pending their appeal to the Commonwealth; Judge McVay will hear arguments on the application for a

stay on 7/14/17. Solicitor Ward added that he intends to argue about the appropriateness of including the FOP as party to the subpoena issue, as CPRB is only interested in the standing of the involved PBP officers and that CPRB should continue with the public hearing proceedings until such time there is a final order of the court.

- Ms. Pittinger updated the Board on the status of CPRB Case #72-16; the public hearing convened as scheduled on 3/27/17. The Subject Officer appeared but through Attorney Chris Cimballa, declined to testify. On 5/31/17, Solicitor Ward filed a petition to enforce the subpoena. On 6/19/17, the FOP and officers answered the petition, maintaining their position that the CPRB is an agent of the City and subject to the terms of the working agreement between the FOP and the City of Pittsburgh and that CPRB does not have subpoena power. On 6/20/17, Judge O'Brien granted the CPRB's petition and ordered compliance. (*Please see attached*).
- Ms. Pittinger and the Board congratulated Sr. Patrice Hughes, who was re-appointed by the Mayor, with the consent of City Council on 6/13/17. Sr. Patrice accepted graciously and will continue serving in Seat #5; the successive term will commence on 11/1/17 and expire on 10/31/21. Two additional CPRB Member terms are set to expire on 10/31/17: Ms. Karen McLellan (Seat #2 – City Council; Law Enforcement Professional) and Dr. Mary Jo Guercio (Seat #4 – City Council). Ms. Pittinger noted that pursuant to the City Code, the proper notifications have been published in the media and provided to the appointing authorities and that Council has been notified of Ms. McLellan's and Dr. Guercio's willingness to remain seated.
- Ms. Pittinger stated that the legislation submitted to City Council for final payment to Clark Hill for professional legal services rendered by former CPRB Solicitor, Elizabeth Collura has been approved. City Council also authorized CPRB to enter into a professional service agreement with Judge William F. Ward of Rothman Gordon, PC to serve as CPRB Solicitor for the remainder of 2017, and all of 2018 and 2019.
- Ms. Pittinger announced that Mr. Thomas Waters, CPRB Vice Chair, Ms. Carolyn Gaskin, CPRB Assistant Executive Director, and CPRB Investigators' Michelle Gamble and Sherri Bridgett completed and received certification for a Federal Mediation and Conciliation Service training. The 2-part session, which was held in memory of Deborah Walker, offered instructional information and role-play activities for managing personnel and organizational problem solving and conflict resolution.
- Ms. Pittinger reported on the status of the National Institute for Building Trust and Justice research project; which was established in 2014 and is designed to improve relationships and increase trust between communities and the criminal justice system (trustandjustice.org), wherein the city of Pittsburgh was chosen as one of six pilot cities. Ms. Pittinger stated that the researchers are reviewing information from several organizations to determine the efficacy of civilian police oversight. CPRB was contacted and provided demographical and allegation

information for each complaint received from the year 2000 to present; which generated a 168-page document.

- Ms. Pittinger reported that the Federal Criminal trial for former PBP Sergeant Stephen Matakovich concluded on 5/27/17; Investigator Michelle Gamble attended. Ms. Pittinger noted that Mr. Matakovich was terminated from employment as a Pittsburgh police officer in February 2016 and that the results of this trial and impending state trial could affect his eligibility to be reinstated.
- Ms. Pittinger reported on the Executive Director's inquiry that was opened into an incident regarding PBP Officer Raymond Toomey's use of force against Mr. Nathan Stanley III. The incident was captured on video and shows Mr. Stanley lying prone on the sidewalk with hands visible and Officer Toomey is seen kicking Mr. Stanley in the head and face area. Since the initial video was released, additional photos/videos have emerged; one such photo shows Mr. Stanley against a pole with his knee appearing to be in the groin area of an officer and his left hand appearing to be grasping an officer's neck. Ms. Pittinger stated that because the District Attorney's office has announced the probability of investigating the incident, CPRB will continue to monitor, but must defer, pending the conclusion/outcome of the investigation. Ms. Pittinger further noted that PBP Officer Toomey has been reassigned to the PBP warrant office.
- On 5/30/17, Ms. Pittinger met with Commissioners of the Pittsburgh Commission on Human Relations (HRC) to discuss respective roles of HRC & CPRB related to police conduct.

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. Ms. Rita Atlanta Ford, Mr. Mark Ozark and Mr. Richard Steward, Jr. offered comment.

Next Meeting

Dr. Darby announced that the next monthly board meeting is scheduled for 6:00 p.m., Tuesday, July 25, 2017, located at City Council Chambers, 510 City County Building, 414 Grant Street, Pittsburgh, PA 15219.

The meeting adjourned at 8:00 PM.

Respectfully submitted,

Carolyn L. Gaskin
Assistant Executive Director

Attachments (3):

1. 6/27/17 Case Review/Board Actions
2. 6/27/17 Executive Director's Report
3. 6/20/17 Judge O'Brien's decision re: Subpoena Enforcement (CPRB Case #72-16)

Video recording of this meeting is not available.

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
PUBLIC HEARING (0)				
FULL INVESTIGATION (2)				
91-17/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Records/Reports/Files (PBP 62-1, 2.13)	Cx. alleges that she is being harassed by the S.O.'s friends.	AUTHORIZED FULL INVESTIGATION GUERCIO/WATERS 5-0	Preliminary evidence suggests more investigation time is needed.
121-17/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 S.O. will not conduct a proper investigation.	AUTHORIZED FULL INVESTIGATION GUERCIO/WATERS 5-0	Preliminary evidence suggests more investigation time is needed.
30 DAY EXTENSION OF FULL INVESTIGATION (4)				
28-17/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) Truthfulness (PBP 16-1, 3.19) False Report (PBP 62-10)	Cx. alleges the S.O. racially profiled her during the encounter.	AUTHORIZED 30 DAY EXTENSION GUERCIO/WATERS 5-0	Investigator is awaiting Subject Officer Statements.
86-17/GAMBLE	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) Warrantless Search & Seizure (PBP 45-2, 6.3) False Report (PBP 62-10, 2.10)	Cx. alleges that the S.O.s searched her vehicle without cause.	AUTHORIZED 30 DAY EXTENSION GUERCIO/WATERS 5-0	Investigator will attempt to attend the impending Cx's court.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
105-17/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 S.O. was unfair and acted inappropriately during the encounter.	AUTHORIZED 30 DAY EXTENSION GUERCIO/WATERS 5-0	Investigator is awaiting documentation.
120-17-ED/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Use of Force (PBP 16-1, 3.1)	Executive Director opened an inquiry into the alleged incident that occurred on 5/7/17 on the South Side.	AUTHORIZED 30 DAY EXTENSION GUERCIO/WATERS 5-0	Investigator is awaiting the outcome of the DA's investigation.
UNSUSTAINABLE (3)				
57-17-P/BRIDGETT	Use of Force (PBP 12-16, 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.s used excessive force during his arrest.	DISMISSED AS UNSUSTAINABLE GUERCIO/WATERS 5-0	Investigator cannot prove or disprove the Cx.'s allegations.
62-17-ED/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Executive Director opened an inquiry into an alleged incident that occurred on 3/20/17 at Westwood Elementary School.	DISMISSED AS UNSUSTAINABLE GUERCIO/WATERS 5-0	Investigator cannot prove or disprove the Cx.'s allegations.
217-14/BRIDGETT	Obedience to Orders &/or Laws (PBP 16-1, 3.1;2) Conduct Unbecoming a Member (PBP 16-1, 3.6)	Cx. alleges that the S.O.s mishandled a search warrant.	DISMISSED AS UNSUSTAINABLE GUERCIO/WATERS 5-0	Pursuant to the information contained within the search warrant.
UNFOUNDED (3)				
53-17-P/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.s acted inappropriately during the encounter.	DISMISSED AS UNFOUNDED HUGHES/WATERS 5-0	Evidence does not support the Cx.'s allegations.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
78-17/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) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges the S.O. racially discriminated against her during the encounter.	DISMISSED AS UNFOUNDED HUGHES/WATERS 5-0	Evidence does not support the Cx.'s allegations.
82-17/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) Reports (PBP 40-19, 5.1)	Cx. alleges that the S.O.s refused to file police reports.	DISMISSED AS UNFOUNDED HUGHES/WATERS 5-0	Evidence does not support the Cx.'s allegations.
SUSPENSIONS (4)				
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 JULY MEETING GUERCIO/WATERS 5-0	Pending the outcome of the S.O.s criminal and arbitration proceedings.
38-17/GAMBLE	Use of Force (PBP 12-6, 3.1) TASER (PBP 12-13, 5.3) 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 used excessive force on the Victim during the arrest.	AUTHORIZED SUSPENSION UNTIL THE JULY MEETING GUERCIO/WATERS 5-0	Investigator is awaiting medical records.
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	Cx. alleges that the S.O.s used unnecessary force against the Victim.	AUTHORIZED SUSPENSION UNTIL THE JULY MEETING GUERCIO/WATERS 5-0	Investigator will attempt to attend the Cx.'s forthcoming court hearing.

	(PBP 50-2, 7.2)			
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 JULY MEETING GUERCIO/WATERS 5-0	Pending the Victim's lawyer's release to communicate with the Investigator.
OTHER (2)				
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.	DISMISSED DUE TO CX'S LACK OF COOPERATION HUGHES/WATERS 5-0	Cx. has not responded to Investigator's inquiry for continued participation.
129-17/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Truthfulness (PBP 16-1, 3.19)	Cx. alleges that the S.O.s defaulted on requiring her testimony.	ACCEPTED CX'S REQUEST TO WITHDRAW GREEN/WATERS 5-0	Cx. no longer wishes to pursue the Complaint.

MEMORANDUM

To: Dr. Emma Lucas-Darby, Chair
Honorable Members of the Board

From: Elizabeth C. Pittinger
Executive Director

Date: June 26, 2017

Re: Executive Director's Report: 06/27/17

Suite 400
816 Fifth Avenue
Pittsburgh PA 15219

412-765-8023 (Voice)
412-765-8059 (Fax)
cprb@pittsburghpa.gov



Intake Summary through 06/24/17

Citizen Complaints: 16	Pending Citizen Action: 104	EDI: 04	Total Intake: 160
Out of Jurisdiction: 24	Statute of Limitation: 04	General Service: 08	
(Actual Totals for 2016:	CC: 34; PCA: 150; OJ: 23; SL: 04	EDI: 08	Total: 219)
(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) Subpoena Enforcement Update:

a) #70-15 Sorock v. Gardner:

- i) 4/24/17: Petition to Enforce Subpoena was filed by Atty. Ward.
- ii) 5/15/17: FOP & SO filed answer to Petition through Atty. Cimballa.
- iii) 5/15/17: The CPRB's Motion to Enforce a Subpoena was presented by Atty. Ward to Judge McVay.
- iv) 5/23/17: The Court granted the motion to enforce the CPRB subpoena and ordered the officers to appear & testify and went further by declaring agreement with prior Court decisions that Section 21-C of the Working Agreement between the FOP and the City of Pittsburgh did not apply to the CPRB as the CPRB is not an agent of the City.

Executive Director's Report: 06/27/17

- v) 6/6/17: FOP & officers file notice of appeal to the Commonwealth Court.
- vi) 6/8/17: Judge McVay orders the FOP & officers to file a Concise Statement of Issues on Appeal. The statement was filed on 6/20/17 by the FOP & officers.
- vii) 6/13/17: the FOP & officers apply to the Court for a stay of CPRB proceeding pending their Appeal to Commonwealth Court.
- viii) 7/14/17: hearing scheduled on the application for a stay on CPRB proceeding and will be heard by Judge McVay.

b) #72-16 Crawley v. Lippert:

- i) 5/31/17: Petition to Enforce Subpoena was filed by Atty. Ward on behalf of the CPRB.
- ii) 6/19/17: the FOP & officer answered the petition, maintaining their position that the CPRB is an agent of the City subject to the terms of the working agreement between the FOP & City of Pittsburgh and that the CPRB does not have subpoena power.
- iii) 6/20/17: the Petition was heard by Judge O'Brien who granted the CPRB's petition and ordered compliance to the CPRB subpoena.

2) Board Terms

- a) Sr. Patrice Hughes was appointed by the Mayor, with the consent of City Council on 6/13/17, to the term commencing 11/1/2017 and expiring 10/31/2021. (CPRB Seat #5)
- b) The following Board terms will expire on 10/31/2017:
 - i) Seat #2 (CC) LEP: Ms. Karen McLellan was appointed to complete the term vacated by Ms. Deborah L. Walker, LEP. Ms. McLellan was retained by ordinance provision to serve the term expiring 10/31/17.
 - ii) Seat #4 (CC) non-LEP: Dr. Mary Jo Guercio was appointed on 1/26/16 to complete the term vacated by Mr. Paul Homick.
- c) The Chair provided notices of the impending expirations to the public on 5/3/2017 and the Mayor, City Council, and additional parties on 6/1/17.

3) Solicitor

- a) 6/13/17: City Council authorized a warrant to make final payment to ClarkHill for the services rendered by Atty. Elizabeth Collura as our Solicitor through 3/31/2017 and concluding our contract with ClarkHill. (Res. 2017-1573)
- b) 6/20/17: City Council authorized the CPRB to enter into an agreement for professional services with William F. Ward, Esq. as CPRB Solicitor for the years 2017, 2018 & 2019. (Res. 2017-1519)

4) Federal Mediation Training

- a) Mr. Waters and staff completed the mediation training provided by Commissioners of the Federal Mediation & Conciliation Service. The activity consisted of two four-hour sessions conducted on 4/27/17 and 5/31/17.

5) Southside Incident 5/7/17 around 2:00 am

- a) An incident involving PO Raymond Toomey's use of force against Mr. Nathan Stanley III on Carson Street created controversy after a passerby posted video of the encounter. In the video Mr. Stanley is shown prone on the sidewalk overhanging the curb with hands visible, an officer with hands on Stanley's back and an officer identified as Toomey is seen coming around Stanley's head proceeding to kick Stanley's head/face. Since this initial video was released, additional photos & video have emerged. One such photo shows Mr. Stanley against a pole with his knee appearing to be in the groin area of an officer and his left hand appearing to be grasping the officer's neck.
- b) An Executive Director's inquiry was opened however on 5/10/17 the District Attorney's office announced that they were investigating whether PO Toomey's kicking of Mr. Stanley's head was a reasonable use of force. Accordingly we will step back until the DA's investigation is completed and if charges are filed against PO Toomey until the disposition of those charges is final. (As required by the City Code)
- c) Mr. Stanley was charged on 5/7/17 with (F2) Aggravated assault, (M1) x2 Terroristic Threats, (M2) Resisting Arrest, (M3) Disorderly Conduct, (S) Public Drunkenness. The preliminary hearing is scheduled on 7/27/17.

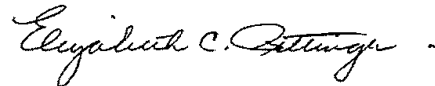
6) Miscellaneous

- a) NIJ Data Project: The inventory of all allegations filed with the CPRB and subsequent disposition of allegations is complete for the period of 1/1/2000-4/25/2017.
- b) 5/30/17: Pittinger met with Commissioners of the Pittsburgh Commission on Human Relations (HRC) to discuss respective roles of HRC & CPRB related to police conduct.

Executive Director's Report: 06/27/17

- c) 6/8/17: Pittinger participated in a video interview conducted by HRC Commissioner Gerhardt related to police enforcement of immigration laws and historical context of local police relations with refugees and also the circumstances leading to the creation of the CPRB.
- d) 5/26/17: A split verdict was rendered by a jury in the federal trial of former PBP Sgt., Stephen Matakovich. Mr. Matakovich was found guilty of using excessive force but not lying about it on the reports he filed. The incident involving off-duty Matakovich & an intoxicated young man on 11/28/15 outside of Heinz Field was observed by witnesses and documented by video. Mr. Matakovich was terminated from employment as a Pittsburgh police officer in February 2016. Sentencing is scheduled for 9/15/17 and the civil rights violation carries up to 10 years imprisonment. Investigator Gamble attended the federal trial.
- i) 6/28/17: Mr. Matakovich is scheduled for a non-jury State trial with Judge Manning. Charges: (M2) Official Oppression, (F3) Perjury, (M2) Unsworn Falsification to Authorities.

Respectfully submitted,



06/27/17

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

IN RE: PITTSBURGH CITIZEN POLICE CIVIL DIVISION
REVIEW BOARD

No.: GD-17- 008094

DEPT. OF COURT RECORDS
CIVIL FAMILY DIVISION
ALLEGHENY COUNTY, PA
17 JUN 20 AM 11:53
FILED

ORDER OF COURT

AND NOW, to wit, this 20th day of June, 2017, upon consideration of the foregoing *Petition to Enforce Compliance with Subpoena* filed by the Pittsburgh Citizen Police Review Board ("CPRB"), IT IS HEREBY ORDERED AND DECREED that said Petition is granted.

IT IS FURTHER ORDERED AND DECREED that Pittsburgh Police Officer Joseph Lippert shall appear at the Public Hearing in CPRB Case No. 72-16 at a date, time and place to be set hereafter by the Pittsburgh Citizen Police Review Board. Officer Joseph Lippert shall be sworn to tell the truth under oath; shall take the witness stand; and, shall respond to all questions on a question-by-question basis. During said testimony, Officer Lippert shall answer each and every question, unless he asserts a valid legal basis to refuse to answer the question.

Failure to comply with this Order shall be punishable as Contempt of Court.

BY THE COURT:



J.
JUDGE W. TERRENCE O'BRIEN