



## CITIZEN POLICE REVIEW BOARD

816 Fifth Avenue, Suite 400  
Pittsburgh PA 15219  
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Approved  
9/26/17

### Minutes of CPRB Meeting Held on July 25, 2017 (Mtg. No. 198)

City Council Chambers  
510 City County Building  
414 Grant Street  
Pittsburgh, PA 15219  
Neighborhood: Citywide

**Members Present:** Mr. Thomas C. Waters, Vice Chair (Remote participation)  
Mr. Elwin Green  
Sr. Patrice Hughes, SC  
Mr. Sheldon Williams

**Excused:** Dr. Emma Lucas-Darby, Chair  
Dr. Mary Jo Guercio  
Ms. Karen McLellan

**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

### **Administrative Matters:**

Mr. Williams called the meeting to order at 6:20 PM.

A motion to approve the June 27, 2017 Board Meeting Minutes was offered by Sr. Patrice seconded by Mr. Green, and approved unanimously.

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

- Ms. Pittinger reported on the progress of the CPRB intranet; which is an online secure portal designed to simplify Board processes, including member and staff sign-ins and document sharing. Ms. Pittinger noted that the portal is near completion and anticipates its full deployment prior to the Board's September meeting.
- Ms. Pittinger reminded the Board of two rescheduled public hearings dates:
  1. CPRB Case #70-15 (Sorock v. Gardner): scheduled to reconvene on Thursday, 8/24/17 at 6:00PM in City Council Chambers (Presiding panel members: Dr. Guercio, Chair, Sr. Patrice, and Ms. McLellan).
  2. CPRB Case #72-16 (Crawley v. Lippert): scheduled to reconvene on Thursday, 8/31/17 at 6:00PM in City Council Chambers (Presiding panel members: Mr. Waters, Chair Dr. Guercio, and Sr. Patrice).

Ms. Pittinger and Solicitor Ward further updated the Board on the court proceedings regarding the two CPRB cases set for public hearing. With respect to CPRB Case #70-15, on 7/14/17,

Judge McVay conducted a hearing on the Subject Officer's application for a stay of the Court's order to comply with the CPRB subpoena pending their appeal of the matter to the Commonwealth Court. As regards to CPRB Case #72-16, on 7/13/17, PBP Officer Lippert appealed Judge O'Brien's order to comply with the CPRB subpoena to the Commonwealth Court.

### **Case Review**

Mr. Williams 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**

Mr. Williams invited public comment. Ms. Rita Atlanta Ford offered comment.

### **Next Meeting**

Mr. Williams announced that the next monthly board meeting is scheduled for 6:00 p.m., Tuesday, September 26, 2017, located at City Council Chambers, 510 City County Building, 414 Grant Street, Pittsburgh, PA 15219.

*A motion to adjourn the meeting was offered by Mr. Green seconded by Sr. Patrice, and approved unanimously.*

The meeting adjourned at 6:55 PM.

Respectfully submitted,

Carolyn L. Gaskin  
Assistant Executive Director

Attachments (3):

1. 7/25/17 Case Review/Board Actions
2. 7/25/17 Executive Director's Report

*Video recording of this meeting is 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.*

**Action Date: July 25, 2017**  
(13 Cases Reviewed)

## CPRB CASE REVIEW AGENDA

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
<b>PUBLIC HEARING (0)</b>				
<b>FULL INVESTIGATION (2)</b>				
158-17/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 that on several occasions he has been physically assaulted by the S.O.s	AUTHORIZED FULL INVESTIGATION  <b>GREEN/HUGHES 4-0</b>	Preliminary evidence suggests more investigation time is needed.
159-17/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)	Complainant alleges the S.O. used inappropriate force against the Victim.	AUTHORIZED FULL INVESTIGATION  <b>GREEN/HUGHES 4-0</b>	Preliminary evidence suggests more investigation time is needed.
<b>30 DAY EXTENSION OF FULL INVESTIGATION (2)</b>				
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 30 DAY EXTENSION  <b>HUGHES/GREEN 4-0</b>	S.O. needs to be interviewed.
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 30 DAY EXTENSION  <b>HUGHES/GREEN 4-0</b>	S.O. needs to be interviewed.
<b>UNSUSTAINABLE (2)</b>				
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 UNSUSTAINABLE  <b>HUGHES/GREEN 4-0</b>	Submitted for Board Reconsideration.

<b>CPRB CASE NO. INVESTIGATOR</b>	<b>ALLEGATION(S)</b>	<b>SUMMARY</b>	<b>RECOMMENDATION</b>	<b>RATIONALE</b>
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.	DISMISSED AS UNSUSTAINABLE  <b>HUGHES/GREEN 4-0</b>	The Cx.'s allegations cannot be sustained.
<b>UNFOUNDED (1)</b>				
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.	DISMISSED AS UNFOUNDED  <b>GREEN/HUGHES 4-0</b>	The evidence and witness statements do not support the Cx.'s allegations.
<b>SUSPENSIONS (6)</b>				
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/GREEN 4-0</b>	Pending the outcome of the S.O.s criminal and arbitration proceedings.
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 SUSPENSION  UNTIL THE SEPTEMBER MEETING  <b>HUGHES/GREEN 4-0</b>	Investigator is awaiting Subject Officer Statements.

<b>CPRB CASE NO. INVESTIGATOR</b>	<b>ALLEGATION(S)</b>	<b>SUMMARY</b>	<b>RECOMMENDATION</b>	<b>RATIONALE</b>
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 SEPTEMBER MEETING  <b>HUGHES/GREEN 4-0</b>	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 (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/GREEN 4-0</b>	Investigator will attempt to attend the Cx.'s forthcoming court hearing.
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 SUSPENSION  UNTIL THE SEPTEMBER MEETING  <b>HUGHES/GREEN 4-0</b>	Investigator is awaiting the outcome of the DA's investigation.
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  <b>HUGHES/GREEN 4-0</b>	Pending the Victim's lawyer's release to communicate with the Investigator.
<b>OTHER (0)</b>				

## MEMORANDUM

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

**From:** Elizabeth C. Pittinger  
Executive Director

**Date:** July 25, 2017

**Re:** Executive Director's Report: 07/25/17

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816 Fifth Avenue  
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Intake summary as of 7/24/17:

Citizen Complaints: 20	Pending Citizen Action: 117	EDI: 04	Total Intake: 180
Out of Jurisdiction: 27	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) Public Hearing/Subpoena Enforcement Updates:

#### a) #70-15 Sorock v. Gardner:

- i) The public hearing is scheduled to re-convene on 8/24/17 at 6:00 p.m. in City Council Chambers. Panel members: Dr. Guercio, Chair, Sr. Patrice, Ms. McLellan.
- ii) 7/14/17: Judge McVay conducted a hearing on the Subject Officers' application for a stay of the Court's order to comply with the CPRB Subpoena pending their appeal of the matter to the Commonwealth Court (docketed at #758 CD 2017).

#### b) #72-16 Crawley v. Lippert:

- i) The public hearing is scheduled to re-convene on 8/17/17 at 6:00 p.m. in City Council Chambers. Panel members: Mr. Waters, Chair, Dr. Guercio, Sr. Patrice.

*Executive Director's Report: 07/25/17*

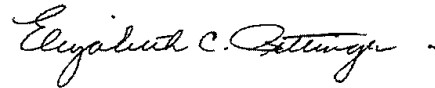
ii) 7/13/17: SO Lippert appealed Judge O'Brien's Order to comply with the CPRB subpoena to the Commonwealth Court (docketed at #955 CD 2017)

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) Miscellaneous**

a) CPRB Board & Staff intranet is approaching a final model and will be shared for testing among Members in the near future. We anticipate its full deployment in advance of the Board's September 26<sup>th</sup> meeting.

Respectfully submitted,

A handwritten signature in cursive script, reading "Elizabeth C. Stenger".

07/25/17