



Approved
10/22/19

INDEPENDENT CITIZEN POLICE REVIEW BOARD

816 Fifth Avenue, Suite 400

Pittsburgh PA 15219

412-765-8023 Telephone – 412-765-8059 Facsimile

cprb@pittsburghpa.gov

Minutes of the Regular CPRB Meeting Held on July 23, 2019 (Mtg. No. 217)

Council Chambers

414 Grant Street

Pittsburgh, PA 15219

Neighborhood: Citywide

Video of the meeting <https://cprbpg.org/2534>

Members Present: Dr. Emma Lucas-Darby Mr. Thomas C. Waters Assistant Chair Dr. Mary Jo Guercio Mr. Elwin Green Solicitor: Atty. William F. Ward Staff Present: Ms. Elizabeth C. Pittinger, Exec. Director Ms. Stephanie Dorman, Asst. Exec. Director Ms. Sherri Bridgett, Investigator Ms. Michelle Gamble, Investigator	Excused: Ms. Karen McLellan Vacancy: None Excused staff: None
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Dr. Darby, Chair, called the meeting to order at approximately 6:12 p.m.

Dr. Darby recognized the members present and the excused member, Ms. McLellan.

Dr. Darby called for a motion to approve the minutes of the regular Board meeting conducted on July 23, 2019. Sr. Patrice pointed out a correction that in the June 25, 2019 board meeting, Dr. Darby called a motion to approve the June 25, 2019 meeting minutes when it should have been a motion to approve the May 28, 2019 meeting minutes. The correction was accepted. A motion to approve the 6/25/19 meeting minutes was offered by Dr. Guercio, seconded by Sr. Patrice and approved unanimously.

The entire meeting may be viewed here: [Independent CPRB Meeting 7/23/19](#)

Opening remarks by Chair

Dr. Darby said today was a somber day for the City of Pittsburgh and that the CPRB was well represented at the funeral of Officer Calvin Hall along with fellow officers not only in the City of Pittsburgh but other neighboring jurisdictions. Dr. Darby described Officer Hall as a caring person with a caring heart and desire for the City of Pittsburgh to be a better place than it was before he came and he did that for a community that really needed him where he patrolled, North View Heights and Allegheny Dwellings. Dr. Darby spoke about Officer Hall smiling all the time which allowed the children not to be afraid of police officers. Dr. Darby said

today was a day we lost a real soldier, an officer that made a difference in the City of Pittsburgh Officer Hall reflecting that he was taken too soon. Dr. Darby said let's do all we can to carry Officer Hall's legacy by reaching out to individuals in the community that may need help.

Executive Director's Report

The Executive Director read the statement released on the passing of PO Hall. The Statement is also attached to these minutes.

Ms. Pittinger observed that not long after Officer Hall's family and colleagues were gathering at his grave site there was news of another police involved shooting, this one on McKnight Road. The encounter was related to an undercover drug transaction and ended with the suspect dead and a police officer wounded.

As a result of the tragic death of PO Hall, Ms. Pittinger has had discussions with some of our community friends about how we can complement the work that each of us do. Dr. Darby is working vigorously to develop a curriculum for social workers specializing in police social work. Ms. Pittinger has had conversation with the Sergeant from the Group Violence Initiative. The Sargent says we all need to have the same message and use the same words. Mr. Richard Stewart, the President of the NAACP and Ms. Valerie Dixon of the Center for Victims of Violent Crime have been included in the conversations.

The "You and the Police" brochure has been a tremendous success. It continues to be embraced by a variety of organizations and groups. It has been appropriately modified and distributed to advocates in Cleveland, OH, York City and Harrisburg Regional areas.

The Executive Director's report is attached to these minutes.

Ms. Pittinger provided a status update on the following terms and appointment process:

(1) Board Terms & Appointments

Mayor Peduto informed City Council on 6/25/19 that he has reappointed:

Dr. Emma Lucas-Darby to Seat #6
Term: 11/01/19 expiring on10/31/2023

Mr. Sheldon Williams to Seat #7
A Law Enforcement Professional Seat
Term: 11/01/19 expiring on10/31/2023

The following Seats are pending action by City Council:

Seat #1 City Council Appointment: Mr. Thomas C. Waters
Term: 11/01/15 expiring on10/31/2019

Seat #3 City Council Appointment: Mr. Elwin Green
Term: 11/01/15 expiring on10/31/2019

(2) PBP Transfers announced 6/26/19

- (a) Cmdr. Lando from Zone 5 to Narcotics & Vice
- (b) Cmdr. Kacsuta from Narcotics & Vice to Zone 2
- (c) Cmdr. Zett from Zone 2 to Zone 6
- (d) Cmdr. Vinansky from Zone 6 to Zone 5

(3) PO Calvin Hall

- (a) On 7/14/19, Officer Hall received multiple gunshots in the back while off-duty and attempting to deescalate a neighborhood situation. He was critically wounded and succumbed to those injuries on 7/17/19.
- (b) On 7/20/19, an End of Watch ceremony was held in front of Zone 1, Officer Hall's duty station.
- (c) On 7/22/19, Christian Bey was arrested and charged with the homicide of Officer Hall.
- (d) On 7/23/19, Officer Hall's funeral was conducted with full honors.
- (e) A copy of the statement we released at a press conference on 7/17/19 is attached.

(4) Policy Briefing: Undercover Operations and Behavioral Guidelines

- (a) Our intern De'Mesha Carpenter is researching best practices.
- (b) Recommend scheduling the policy review hearing in early September. A briefing will be distributed prior to the hearing.

(5) Public Hearing: #173-17

- (a) #173-17: Reutzel v. Schweitzer: the hearing was conducted on Thursday, 5/30/19. The presiding Panel was comprised of Ms. McLellan, Panel Chair, Dr. Guercio and Mr. Waters. Solicitor Ward facilitated the proceeding as Hearing Officer.
- (b) The transcript and letters of closing from the Attorneys were distributed to the panel on 7/18/19.
- (c) Recommend scheduling deliberations in mid-August. Ms. McLellan is unavailable 7/25-7/31/19

Sr. Patrice thanked Ms. Pittinger for the letter she sent and the single white rose sent to Officer Hall's family on behalf the board.

Dr. Darby asked if we need to look at a possible date for deliberations. Dr. Guercio said we would need to wait for the Chair of the public meeting, Ms McLellan who was not in attendance.

Dr. Darby asked if there was any unfinished business. Mr. Waters asked that the policy hearing be posted to all of the CPRB's social media's so that the community knows that the hearing will be happening.

Dr. Darby called for any new business.

Mr. Waters expressed his interest in evaluating the manner in which our public hearings are conducted. He would like to explore the effectiveness of our current model to fulfill our mission of improving community/police relations and resolving a dispute fairly for all involved. Mr. Green asked if the dialogue would be between us and the public or just the board and Mr. Waters said he's not sure what is allowed but he wants to explore options that may be permissible under the Board's guiding documents. Dr. Darby asked if we could get origination documentation on our public hearing procedures. Ms. Pittinger said we would recirculate the public hearing handbook electronically.

Case Review:

Dr. Darby moved to the Case Review Agenda (copy attached). Each group of recommendations was voted upon as recorded on the attached Case Review Actions. Copies of the agenda were available to the public.

Mr. Waters asked if the plainclothes officers have body cams and Ms. Pittinger answered no not as of yet. Mr. Waters asked when a plainclothes car requests a marked car as back up, is the gender of the officer part of the request. Mr. Williams responded that plainclothes and undercover have some distinction. Mr. Williams explained that plainclothes officers can be a little more regulated and identifiable while undercover officers are trying not to blow their cover. Mr. Williams said general policy is to try and have that same gender but it is possible that the gender will not be the same.

Mr. Waters questioned that the cops would be able to smell marijuana when the stop was in January. Mr. Williams said marijuana has a distinct smell and it doesn't matter what time of the year it is, the smell is distinct and wafting.

Mr. Waters thanked us for adding the links to the policies.

Next Meeting

Dr. Darby announced the time and location of the next Board meeting: Tuesday, 9/24/19, 6:00 p.m. at the Kingsley Association, 6435 Frankstown Avenue, Pittsburgh PA 15206.

Public Comment:

Dr. Darby invited public comment and asked commenters to limit remarks to 3-minutes.

Ms. Stormie Miramontez offered comment to the Board

Ms. Loretta Brown offered comment to the Board. Dr. Darby invited Ms. Brown to reach out to the CPRB. A CPRB investigator did reach out to Ms. Brown and invited her to come to the office for an interview.

Rachael Reagle asked if there was only going to be a public hearing on policy and no other additional actions on the behavior of the officers in the Kopy's Bar. Ms. Pittinger said no other actions were going to be taken against them and they will remain on the force. Ms. Pittinger said we will have a public hearing on the related policy.

Ms. Reagle also offered comment to the Board about the Mayor's comment that there was a "thorough investigation" done. She asked if she should be worried about her twenty year old daughter who attends Pitt University because the police are punching people.

Dr. Darby also asked if there were any comments from Board members. No comments were offered by Members of the Board.

Dr. Darby called for a motion to adjourn. Sr. Patrice moved, Mr. Green seconded, and the motion to adjourn was adopted unanimously.

Respectfully Submitted,

Stephanie M. Dorman

Officer Calvin Hall, #4673

On behalf of the Independent Citizen Police Review Board and staff, I extend our condolences to Officer Hall's family, fiancé and police colleagues.

As Tennyson observed, God's finger touched him, and he slept. BUT his slumber began as another inhumane, senseless and cowardly act of violence. We have lost a young man who selflessly embraced the community, our City, with fierce courage and compassion. Now, his dreams lay beneath our feet as we anxiously await news of yet another senseless act of violence that will forever change another family. It must stop.

We have a shared responsibility to keep each other and our police safe, as they too are important to their families & children. Collectively, we must assume the courage exemplified by Officer Hall. To keep our families and children safe, we must have that same courage so that when we see or hear something that scares us, we will tell the people who can help us, the police. Officer Hall would want it that way. That will honor his memory.

Rest in Peace Officer Hall, #4673.

E.C.Pittinger
July 17, 2019
Independent Citizen Police Review Board

CPRB CASE REVIEW AGENDA 7/23/19

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
PUBLIC HEARING (1)				
202-18-ED BRIDGETT	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) TRUTHFULNESS 16-1 (3.19) FALSE REPORT 62-1 (2.10) USE OF FORCE 12-6 (3.1)	<u>ED INQUIRY</u> : VICTIM WAS ARRESTED & TAKEN INTO CUSTODY WITH AN UNREASONABLE AMOUNT OF FORCE.	AUTHORIZED A PUBLIC HEARING 6-0	EVIDENCE SUGGESTS SO VIOLATED PBP POLICIES & PROCEDURES
FULL INVESTIGATION (4)				
263-18 GAMBLE	UNBIASED POLICING 11-3 (4.1) CONDUCT UNBECOMING A MEMBER 16-1 (3.6) NEGLECT OF DUTY 16-1 (3.13) POLICE RESPONSE TO DOMESTIC VIOLENCE 40-12	CX ALLEGES THE SO RESPONDED INAPPROPRIATELY TO A DOMESTIC VIOLENCE CALL.	AUTHORIZED FULL INVESTIGATION 6-0	PRELIMINARY EVIDENCE SUGGESTS TO CONTINUE INVESTIGATION
065-19 BRIDGETT	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARDS THE PUBLIC 16-1 (3.7) TOWING & TOW POUND PROCEDURES 41-4	CX ALLEGES THAT A FAMILY MEMBERS VEHICLE WAS TOWED WITHOUT PROPER WARNINGS.	AUTHORIZED FULL INVESTIGATION 6-0	PRELIMINARY EVIDENCE SUGGESTS TO CONTINUE INVESTIGATION
094-19 BRIDGETT	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARDS THE PUBLIC 16-1 (3.7) MOTOR VEHICLE STOPS 40-4 (3.2)	CX ALLEGES THE SO'S ARE HARASSING THE VICTIM WITH MULTIPLE TRAFFIC STOPS.	AUTHORIZED FULL INVESTIGATION 6-0	PRELIMINARY EVIDENCE SUGGESTS TO CONTINUE INVESTIGATION
095-19 BRIDGETT	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) INCOMPETENCY 16-1 (3.12) NEGLECT OF DUTY 16-1 (3.9)	CX ALLEGES THAT THE SO WRONGFULLY ARRESTED HIM FOR AN INCIDENT AT A BAR.	AUTHORIZED FULL INVESTIGATION 6-0	PRELIMINARY EVIDENCE SUGGESTS TO CONTINUE INVESTIGATION
30 DAY EXTENSION OF FULL INVESTIGATION (1)				
102-19 GAMBLE	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARDS THE PUBLIC 16-1 (3.7) NEGLECT OF DUTY 16-1 (3.13)	CX ALLEGES THE SO NEGLECTED HIS DUTIES WHEN RESPONDING TO A 911 CALL FOR HARASSMENT AT A PARK.	AUTHORIZED 30 DAY EXTENSION 6-0	MORE INFORMATION IS NEEDED FOR INVESTIGATION

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
UNSUSTAINABLE (0)				
UNFOUNDED (1)				
055-19 GAMBLE	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARDS THE PUBLIC 16-1 (3.7)	CX ALLEGES THE SO WAS RUDE & AGGRESSIVE WHEN HE APPROACHED HIM AT AN ATM.	DISMISSED AS UNFOUNDED 6-0	EVIDENCE DOES NOT SUPPORT THE ALLEGATIONS
NEW SUSPENSIONS (2)				
053-19 BRIDGETT	USE OF FORCE 12-6 (3.1) CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARD THE PUBLIC 16-1 (3.7)	CX ALLEGES THE SO WAS AGGRESSIVE DURING A TRAFFIC STOP.	AUTHORIZED 30 DAY EXTENSION 6-0	MORE TIME IS NEEDED FOR THE INVESTIGATION.
54-19 GAMBLE	UNBIASED POLICING 11-3 (4.1) CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARDS THE PUBLIC 16-1 (3.7)	CX ALLEGES THE SO WAS UNPROFESSIONAL AT A VEHICLE ACCIDENT.	AUTHORIZED 30 DAY EXTENSION 6-0	MORE TIME IS NEEDED FOR THE INVESTIGATION.
OTHER (2)				
222-18-ED GAMBLE	UNBIASED POLICING 11-3(4.1) CONDUCT UNBECOMING A MEMBER 16-1 (3.6) USE OF FORCE 12-6 (3.1)	<u>ED INQUIRY:</u> SO'S ENGAGED IN A BAR FIGHT, USING EXCESSIVE FORCE WHILE CONSUMING ALCOHOL.	RESOLVED WITH PUBLIC HEARING ON PBP POLICY 6-0	CPRB MEMBER VOTE AT 6/25/19 MEETING
04-19 GAMBLE	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) TRUTHFULNESS 16-1, (3.9) WARRANTLESS SEARCHES & SEIZURES 45-2 (5.1) MOTOR VEHICLE STOPS 40-4 (3.2)	CX'S ALLEGES THE SO'S ACTED INAPPROPRIATELY DURING A TRAFFIC STOP BY CONDUCTING AN AUTHORIZED SEARCH.	DISMISSED DUE TO CX'S LACK OF COOPERATION 6-0	CX'S FAILED TO PROVIDE EVIDENCE & DID NOT RETURN CALLS TO INVESTIGATOR.

**CONTINUED SUSPENSIONS UPDATES (15)
SUMMARIES PROVIDED UPON REQUEST**

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
10-19 BRIDGETT	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) <u>POSSIBLE:</u> LEAVING POST / ASSIGNED DUTY 16-01 (3.17) LEAVING THE CITY WHILE ON DUTY 16-01 (3.18) WEARING THE BUREAU POLICE UNIFORM 31-01 (4.0)	WAITING TO RECEIVE & REVIEW SO STATEMENTS FROM OMI.	9/24/19
15-19 BRIDGETT	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) NEGLECT OF DUTY 16-1(3.13)	WAITING TO RECEIVE INSURANCE INFORMATION FROM THE CX.	9/24/19
16-19 BRIDGETT	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) NEGLECT OF DUTY 16-1(3.13)	WITNESS 1 HAS NOT BEEN APPREHENDED.	TBD
29-19 BRIDGETT	OBEDIENCE TO ORDERS/ LAWS 16-1 (3.1) CONDUCT UNBECOMING A MEMBER 16-1 (3.6) INSUBORDINATION, 16-1 (3.9) TRUTHFULNESS 16-1 (3.19) FALSE REPORT 62-1 (2.10)	WAITING TO RECEIVE & REVIEW MULTIPLE DOCUMENTS FROM OMI & PBP AND ALSO THE CX'S ARBITRATION HEARING TRANSCRIPTS.	TBD
109-18 BRIDGETT	CONDUCT UNBECOMING A MEMBER 16-1 (3.6)	WAITING FOR AN UPDATE FROM OMI ON INTERNAL INVESTIGATION.	TBD
142-18 BRIDGETT	UNBIASED POLICING 11-3 (4.1) CONDUCT UNBECOMING A MEMBER 16-1 (3.6) TRUTHFULNESS 16-1 (3.19) FALSE REPORT 62-1 (2.10)	WAITING FOR CX'S CRIMINAL TRIAL THAT IS SCHEDULED 8/19/19.	9/24/19
145-18 BRIDGETT	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) NEGLECT OF DUTY 16-1 (3.13)	INVESTIGATOR IS WAITING FOR A REPLY FROM THE SO'S ATTORNEY.	TBD
221-18 BRIDGETT	USE OF FORCE, 12-6, 3.1 TASER, 12-13, 5.3 CONDUCT UNBECOMING A MEMBER 16-1, 3.6 TRUTHFULNESS, 16-1 (3.19) FALSE REPORT 62-1 (2.10)	WAITING FOR SO STATEMENTS FROM OMI	TBD
36-19 GAMBLE	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARDS THE PUBLIC 16-1 (3.7) TRUTHFULNESS 16-1 (3.9) MOTOR VEHICLE STOPS 40-4 (3.2)	WAITING FOR WITNESSES TO COOPERATE & TO PROVIDE SWORN STATEMENTS.	09/24/19

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
208-18 GAMBLE	USE OF FORCE 12-6 (3.1) CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARDS THE PUBLIC 16-1 (3.7) TRUTHFULNESS 16-1 (3.19) FALSE REPORT 62-10 (2.10)	WAITING FOR THE CX TO PROVIDE VIDEO EVIDENCE FOR INVESTIGATION.	9/24/19
266-18-ED GAMBLE	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) EVIDENCE PROCEDURES 36-1 (3.0, 5.0, 6.0)	WAITING FOR WITNESS COOPERATION & SO IDENTIFICATION.	TBD
193-17 GAMBLE	USE OF FORCE 12-6 (3.1) CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARDS THE PUBLIC 16-1 (3.7) NEGLECT OF DUTY 16-1 (3.13) REPORTS 40-19 (5.1) WARRANTLESS SEARCHES & SEIZURES 45-2 (5.1)	CRIMINAL COURT FOR CX IS SCHEDULED FOR 9/4/19. COURT DOCUMENTS WILL BE AVAILABLE AFTER CRIMINAL CASE IS CLOSED.	9/24/19
248-17-ED GAMBLE	CONDUCT UNBECOMING A MEMBER 16-1 (3.6) CONDUCT TOWARDS THE PUBLIC 16-1 (3.7) USE OF FORCE 12-6 (3.1)	AWAITING CIVIL TRIAL DATE & VICTIM STATEMENT	TBD
288-17 GAMBLE	CONDUCT UNBECOMING A MEMBER 16-1 (3.6)	CRIMINAL COURT SCHEDULED 9/12/19. COURT DOCUMENTS WILL BE AVAILABLE AFTER CRIMINAL CASE IS CLOSED.	9/24/19

MEMORANDUM

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

From: Elizabeth C. Pittinger
Executive Director

Date: July 23, 2019

Re: Executive Director's Report: 07/23/19

Suite 400
816 Fifth Avenue
Pittsburgh PA 15219

412-765-8023 (Voice)
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Citizen Complaints: 16 Pending Citizen Action 99 EDI: 01 Total Intake: 132
Out of Jurisdiction: 10 Statute of Limitation: 00 General Service: 06

(Actual Totals for 2018: CC: 53; PCA: 179; OJ: 19; SL: 04 EDI: 09 GS: 09 Total: 273)
(Actual Totals for 2017: CC: 39; PCA: 198; OJ: 41; SL: 05 EDI: 07 Total: 290)
(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)

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- (c) On 7/22/19, Christian Bey was arrested and charged with the homicide of Officer Hall.
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- (e) A copy of the statement we released at a press conference on 7/17/19 is attached.

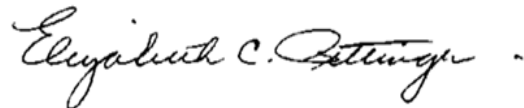
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- (a) Our intern De'Mesha Carpenter is researching best practices.
- (b) Recommend scheduling the policy review hearing in early September.

(5) Public Hearing

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- (b) The transcript and letters of closing from the Attorneys were distributed to the panel on 7/18/19.
- (c) Recommend scheduling deliberations in mid-August. Ms. McLellan is unavailable 7/25-7/31/19

Respectfully submitted,



7/23/19