



FINAL
3/24/20

INDEPENDENT CITIZEN POLICE REVIEW BOARD

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0Minutes of the Regular CPRB Meeting Held on February 25, 2020 (Mtg. No. 220)

Council Chambers

414 Grant Street

Pittsburgh, PA 15219

Neighborhood: Citywide

Video of the meeting <https://cprbpg.org/2625>

<p>Members Present: Dr. Emma Lucas-Darby Mr. Thomas C. Waters Assistant Chair Mr. Elwin Green Sr. Patrice Hughes</p> <p>Solicitor: Atty. William F. Ward</p> <p>Staff Present: Ms. Elizabeth C. Pittinger, Exec. Director Ms. Stephanie Dorman, Asst. Exec. Director Ms. Michelle Gamble, Lead Investigator Ms. Sherri Bridgett, Investigator Mr. David Ellwood, Investigator</p>	<p>Excused: Dr. Mary Jo Guercio Ms. Karen McLellan Mr. Sheldon Williams</p> <p>Absent: None</p> <p>Vacancy: None</p> <p>Excused staff: None</p>
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Dr. Darby, Chair, called the meeting to order at approximately 6:19 p.m.

Dr. Darby recognized the members present and the excused members, Dr. Guercio, Ms. McLellan and Mr. Williams

Dr. Darby called for a motion to approve the minutes of the regular Board meeting conducted on December 3, 2019. *A motion to approve the 12/3/19 meeting minutes was offered by Sr. Patrice, seconded by Mr. Waters and approved unanimously.*

The entire meeting may be viewed here: [Independent CPRB Meeting 02/25/2020](#)

Opening remarks by Chair

- No opening remarks.

Executive Director's Report:

- Final intake for 2019 256 cases which includes sworn, pending, out of jurisdiction, statute of limitations and general service. All will be included in a full report for the year of 2019
- Renewal of our service agreement with Mr. Ward as the CPRB Solicitor has been approved. The agreement will carry through 2020, 2021 and 2022.
- The staff of CPRB attended the Implicit Bias training in January offered by the Allegheny County Bar Association and presented by the Pittsburgh Police Officers and the County Police Officers. Training was enjoyed by al. If any board member is interested in attending the training, please let our office know and we will get the training set up for you.
- Ms. Pittinger informed the board she would be traveling to Austin, Texas to attend the National Association for Civilian Oversight of Law Enforcement (NACOLE) training for the Oversight of Jails, Prisons, and Police on Friday, March 6, 2020, and Ms. Pittinger will participate in the Executive Leadership session on Saturday, March 7, 2020.
- Countywide Review Board proposed ordinance was voted down in 2019. New County Council members were installed in January. Council Woman Olivia Bennet is the current chairperson of the Public Safety Committee for Allegheny County Council. Ms. Pittinger met with Council Woman Bennet and Ms. Bennet invited CPRB to present to the committee on March 18, at 4:30pm. All members are invited to come to the meeting. A neighborhood meeting was held on February 19, 2020 in The City of Duquesne. The meeting was sponsored by Pittsburgh Interfaith Impact Network (PIIN) for the purpose of providing public comment to Council Woman Bennet regarding the oversight in the County.
- CPRB continues to experience delays related to access of various information that we have sought to obtain. We are working with the City's OMI department to clear up the matter along with Bill Ward. Kopy's bar is one of the cases that we are waiting for information to be received.

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.

Public Comment:

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

Next Meeting

- Dr. Darby announced the time and location of the next Board meeting: Tuesday, 3/24/2020, 6:00 p.m. at the Freedom Unlimited, 2201 Wylie Avenue, Pittsburgh PA 15219.

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

Respectfully Submitted,



Stephanie M. Dorman
Assistant Executive Director

Attachments (1):

1. 2/25/20 Case Review Agenda

CPRB CASE REVIEW AGENDA 2/25/2020

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
PUBLIC HEARING (0)				
FULL INVESTIGATION (11)				
06-20 Ellwood	Crash Response, Investigations and Reports 41-03 (3.3.6, 3.4.4, 4.1.1, 4.1.3)	Cx alleges the SO's were not helpful at the scene of a vehicle accident.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
05-20 Bridgett	Unbiased Policing 11-3 (4.1) 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 Warrantless Search & Seizures 45-2 (5.1) False Report 62-1 (2.10)	The Cx alleges the SOs pulled him over under false pretenses.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
252-19 Bridgett	Conduct Unbecoming a Member 16-1 (3.6) Conduct Toward the Public 16-1 (3.7) False Report 62-1 (2.10)	Cx alleges the SO and security personnel made her delete a video that was taken in the emergency dept.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
251-19 Ellwood	Reports Forms 40-19 (7.3.1.12) Applying for a Summons 52- 1,(5.0)	Cx alleges SO filed an arrest report for Cx dealing with inappropriate contact with 911, and filing a false report.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
242-19 Bridgett	Conduct Unbecoming a Member 16-1 (3.6) Neglect of Duty 16-1 (3.13)	The Cx alleges the SOs did not file charges against his neighbor who was harassing him	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
243-19 Bridgett	Use of Force 12-6 (3.1) Conduct Unbecoming a Member 16-1 (3.6) Conduct Toward the Public 16-1 (3.7)	The Cx alleges that she witnessed the SO use excessive force on an unresponsive male.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
238-19 Ellwood	Use of Force 12-2 (3.2) Level 5 Deadly Force 12-8 (3.1.5.1)	Cx states that SO used excessive force when handcuffing the Cx causing severe injury to his shoulder.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
233-19 Bridgett	Unbiased Policing 11-3 (4.1) Use of Force 12-6 (3.1) Conduct Unbecoming a Member 16-1 (3.6) Conduct Toward the Public 16-1 (3.7) Warrantless Searches & Seizures 45-2 (5.1)	The Cx alleges the SOs used excessive force and were unprofessional when they detained him and W#1 as possible robbery suspects.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
230-19 Ellwood	Warrantless Searches and Seizures Building Search 45-2 (10.0) Use of Force 12-06 Hot Pursuit Searches 45-2 (11.2.3)	Cxs alleges PBP officer stopped the vehicle for suspicious driving when the son stopped at the side of the road.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
217-19 Ellwood	Conduct Toward the Public 16-01 (3.7)	Cx States that SO was unprofessional in his interaction with him on the evening of 09-22-2019 in conducting a Domestic Violence call.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
148-19 ELLWOOD	Release of Property 37-1 (9.0) Towing/Abandoned Vehicles 41-04.04 PA Title 75 Abandoned Vehicles & Salvors	Cx states that her daughter's car was ticketed and towed and subsequently sold from McGann & Chester Towing Company lot without notice.	Authorized full investigation	Preliminary evidence provides cause to advance the investigation.
30 DAY EXTENSION OF FULL INVESTIGATION (5)				
206-19 Bridgett	Conduct Unbecoming a Member 16-1 (3.6) Incompetency 16-1 (3.12) Neglect of Duty 16-1 (3.13) Lost/Stolen/Abandoned Property 31-5(3.3)	The Cx alleges that the SO neglected to properly maintain her property after he placed her under arrest.	Authorized 30 day extension	More time is needed for the investigation.
199-19 Bridgett	Conduct Unbecoming a Member 16-1 (3.6) Conduct Toward the Public 16-1 (3.7) Incompetency 16-1 (3.12) Neglect of Duty 16-1 (3.13)	The Cx was arrested as the result of mistaken identity.	Authorized 30 day extension	More time is needed for the investigation.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
190-19 Bridgett	Conduct Unbecoming a Member 16-1 (3.6) Conduct Toward the Public 16-1 (3.7) Police-Response-to-Domestic-Violence-Incidents 40-12	Cx alleges the SO's were unprofessional during an incident at her residence	Authorized 30 day extension	More time is needed for the investigation.
188-19 Bridgett	Unbiased Policing 11-03 Employee Gender Identity & Expression 20-02 Police-Chaplain 14-16 Training-General-Regulations 70.03	An anonymous letter was received on 9/18/19 regarding the alleged incidents involving the SO who is a lead instructor at the PBP Academy.	Authorized 30 day extension	Additional review of potential bias.
60-19 Bridgett	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 that SO failed to investigate the traffic accident the Cx. was involved in.	Authorized 30 day extension	Information must be verified
UNSUSTAINABLE(1)				
288-17 GAMBLE	Conduct Unbecoming A Member 16-1 (3.6)	Complainant alleges the Subject Officers acted inappropriately while serving a warrant.	Dismissed as unsustainable	The Available Evidence Does Not Support The Allegations.
UNFOUNDED (4)				
223-19 Bridgett	Conduct Unbecoming A Member 16-1 (3.6) Conduct Towards The Public 16-1(3.7)	The Cx alleges the SO did not immediately respond to his call into zone 3.	Dismissed as unfounded	The available evidence does not support the allegations.
210-19 Ellwood	Mandatory Reports By Bureau Policy 40-19 (5.0)	Cx alleges the SO did not take an assault report after Cx was punched in Market Square.	Dismissed as unfounded	The available evidence does not support the allegations.
200-19 Bridgett	Conduct Unbecoming a Member 16-1 (3.6) Truthfulness 16-1 (3.19) Incompetency 16-1 (3.12)	The Cx alleges the SO has failed to properly investigate the murder of her son (Victim).	Dismissed as unfounded	The available evidence does not support the allegations.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
	Neglect of Duty 16-1 (3.13)			
054-19 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 and did not allow him to get pictures or speak to another driver after a vehicle accident.	Dismissed as unfounded	The available evidence does not support the allegations.
New Suspensions (7)				
192-19 Ellwood	Conduct Toward The Public (16-1. 3.7) Conduct Unbecoming A Member (16-1. 3.6) Incompetency (16-1 3.12) Truthfulness (16-1 3.19) Investigative Operations: Eyewitness Identification Procedures (43-17, 2.1.8, 3.12, 3.13, 4.2, 4.5, 9.11, 9.14	Cx states that SO failed to conduct a proper investigation.	Authorized suspension until March 2020 meeting	Awaiting civil action result
146-19 Bridgett	Conduct Unbecoming A Member 16-1 (3.6) Conduct Towards The Public 16-1 (3.7) Neglect Of Duty 16-1 (3.13)	The Cx alleges the SO failed to properly investigate an incident and acted inappropriately toward him.	Authorized suspension until March 2020 meeting	More time is needed for the investigation.
143-19 Ellwood	Conduct Toward the Public (16-1. 3.7)Conduct Unbecoming a Member (16-1. 3.6)	Cx alleges that the SOs responded to her 911 call but instead of performing their duties, they made inappropriate comments to her and W#1.	Authorized suspension until March 2020 meeting	More time is needed for the investigation.
102-19 Ellwood	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 suspension until March 2020 meeting	More time is needed for the investigation.
094-19 Bridgett	Motor vehicle stops 40-04 Unbiased policing 11-3(4.1)	Witness #1 alleges that multiple Zone 1 officers are constantly stopping the Victim without probable cause to stop him.	Authorized suspension until March 2020 meeting.	Investigator will email questions to the FOP attorney for the SO's to answer.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
58-19 BRIDGETT	Conduct Unbecoming A Member 16-1 (3.6) Conduct Towards The Public 16-1 (3.7) Truthfulness 16-1 (3.19) Motor Vehicle Stops 40-4 (3.2) Warrantless Searches & Seizures 45-2 (5.1)	The Cx states the SO pulled him over on 4/1/19 for driving erratically which he denies.	Authorize suspension until March 2020 meeting	Must be reviewed for Conduct Unbecoming
38-19 Bridgett	Conduct Unbecoming A Member 16-1 (3.6) Conduct Towards The Public 16-1 (3.7) Truthfulness 16-1 (3.19) Motor Vehicle Stops 40-4 (3.2, 5) Use Of Force 12-6 (3.1)	The Cx alleged that on 1/17/19 at approximately 2152 hours, he was pulled over by four plainclothes narcotics detectives who accused him of running through two stop signs	Authorize suspension until March 2020 meeting	More time is needed for the investigation.
Other(3)				
179-19 ELLWOOD	Conduct Toward he Public 16-1 (3.7) Conduct of Check For Welfare Calls	Cx states that he was awoken in his residence by PBP who banged loudly on his front door, but did not identify themselves as PBP during a Check for Welfare Call.	Dismiss as resolved	Cx will accept sending recommendation for new check welfare training
147-19 Gamble/ Ellwood	Unbiased Policing 11-3 (4.1) Conduct Unbecoming A Member 16-1 (3.6) Conduct Toward The Public 16-1 (3.7) Truthfulness 16-1, (3.9) Towing & Tow Pound Procedures 41-4.01 (2.2) & 41-01.4 (2.0)	Cx alleges the SO illegally towed his vehicle and has harassed him with numerous citations.	Dismiss lack of cooperation	Cx will not cooperate.
109-18 Bridgett	Conduct Unbecoming A Member 16-1 (3.6)	On 6/11/18 an undisclosed source reached out to the Complainant and informed her of allegations made against the Subject Officer at a PCRA hearing involving	Withdraw	Investigator was unable to follow up with witness

		Witness 1's 2008 murder conviction.		
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CONTINUED SUSPENSIONS UPDATES (10) SUMMARIES PROVIDED UPON REQUEST			
CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
16-19 Bridgett	Conduct unbecoming a member 16-1 (3.6) Neglect of duty 16-1(3.13)	Witness 1 has not been apprehended and the CX is in Russia.	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)	SO is on workman's compensation	TBD
095-19 Bridgett	Conduct Unbecoming A Member 16-1 (3.6) Incompetency 16-1 (3.12) Neglect Of Duty 16-1 (3.9)	SO Statement must be obtained.	Suspend until March 2020
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 for 2/26/20.	TBD
221-18 Bridgett	Use of force, 12-6, 3.1 Taser, 12-13, 5.3 Conduct unbecoming a member 16-1, 3 Truthfulness, 16-1 (3.19) False report 62-1 (2.10)	Currently reviewing the court transcripts.	TBD
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
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 another version of video to be sent from Cx	TBD

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
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)	Waiting for Victim's Response & Formal Statement	TBD
87-18-ED Gamble	Use of Force 12-6 Discharge of firearms 12-7 Conduct unbecoming a member 16-1 (3.6) Truthfulness 16-1(3.19) Records/Reports/Files 62-1	Waiting for witnesses to cooperate.	TBD