



INDEPENDENT CITIZEN POLICE REVIEW BOARD

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Final
01/25/2022
Review

Minutes of the CPRB Special Meeting Held on December 7, 2021 (Mtg. No. 239)

Online Zoom Webinar # 881 7040 7510
Pittsburgh, PA 15219
Neighborhood: Citywide

Video of the meeting: <https://cprbpg.org/2874>

Members Present: Dr. Emma Lucas-Darby, Chair Dr. Mary Jo Guercio Ms. Lakeisha Brown Mr. Raymond Robinson Ms. Karen McLellan, LEP* Mr. Sheldon Williams, LEP* Mr. Elwin Green Solicitor: Atty. William F. Ward Staff Present: Ms. Elizabeth C. Pittinger, Exec. Director Ms. Stephanie Hampton, Asst. Exec. Director Ms. Michelle Gamble, Lead Investigator Ms. Sherri Bridgett, Investigator Mr. David Ellwood, Investigator Ms. Tiffani Hunt, Investigator	Excused Members: N/A Absent: N/A Vacancy: Excused staff: All present. *Law Enforcement Professional
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The entire meeting may be viewed here: [Independent CPRB Meeting 12/07/2021](#)

Dr. Lucas-Darby, Chair, called the online Zoom meeting to order at approximately 6:06 p.m. and identified there is a quorum. Dr. Darby welcomed the two (2) newest board members, Ms. Lakeisha Brown and Mr. Raymond Robinson, and asked them to introduce themselves.

Ms. Brown Thanked the Board for the opportunity to serve her community which she has dedicated the majority of her life doing.

Mr. Robinson said he is also glad to be here and looking forward to serving on the Board and giving back to the community in this way.

Dr. Darby also recognized Mr. Williams as present along with herself and will be expecting other board members to attend.

Dr. Lucas-Darby called for corrections or additions to the minutes of the Board meeting conducted on December 07, 2021. No corrections or additions were heard, and Dr. Darby declared the minutes approved as distributed according to the new Robert's Rules of Order.

Opening remarks by Chair:

Dr. Darby had no opening remarks and moved to the Executive Director's Report.

Executive Director's Report:

Ms. Pittinger is looking forward to working with Ms. Brown and Mr. Robinson and said their contributions would be complementary to that of their colleagues here on the Board. Ms. Pittinger informed that Ms. Brown and Mr. Robinson can contact the CPRB at any time about any case or anything that may be going on in the community.

Ms. Pittinger acknowledge last Wednesday that Ms. Brown and Mr. Robinson were sworn in by the Council President, Theresa Kail-Smith. Council represents the people and that's who we are here to advocate for, protect, and to promote a positive relationship between our community and the police.

Ms. Pittinger reported that 221 complaints were received as of December 7, 2021. Of those complaints, four (4) were Executive Director Inquiry (ED), Ten (10) were general service (GS) and thirteen (13) were administratively closed meaning the time was exceeded to file a complaint when the individual came to us or they were out of our jurisdiction (OJ) meaning they were not within the City of Pittsburgh involving City of Pittsburgh Police Officers. In these cases, our Intake/Lead Investigator, Ms. Gamble, helps the individuals get in touch with their local jurisdiction. She has made it her referral service. Ms. Pittinger informed the support services within the City have been expanding which allows for more opportunities for CPRB to help and redirect people to sources of support.

Ms. Pittinger informed there has been no public update on the Death of Mr. Jim Rodgers. A critical incident occurred on October 13, 2021, involving a Pittsburgh police officer's deployment of a Taser several times. Mr. Rogers was transported by Pittsburgh Police to the hospital where he died the next morning. We are waiting for the Medical Examiner's determination on cause and manner of death as well as the District Attorney's assessment as to whether or not there is some criminal culpability. Ms. Pittinger reminded that during a criminal investigation, CPRB is required by law, to step aside and allow for the completion of the criminal inquiry to be disposed of but the same does not apply if there is a civil lawsuit. A civil lawsuit does not pause the CPRB's investigation.

Ms. Pittinger informed the Board there are lots of things going on at the state level. She reminded the Board she is involved with the PA State Law Enforcement Citizen Advisory commission (PSLECAC). The discussion this week on Friday will be "Use of Force" and the need for independent prosecutors and independent investigations when there is a critical incident involving a police officer. Anyone who may be interested in attending can go to the ([PSLECAC](#)) web page and all links to the meeting and reports can be found there. Last week there was a discussion about independent investigations and independent prosecutors. Mr. Tim Stevens, Chairman, CEO of The Black Political Empowerment Project [B-PEP](#) joined the meeting and gave comments to the Commission Review Committee which is something the Board will recall we referred to as the "Due Process Project" that we worked with community partners to develop a proposal for the legislature related to independent or special prosecutors in the cases of death or serious bodily injury to someone as a result of police action. Ooftentterpreted as a conflict of interest because of the codependency between police officers and district attorneys. Attention being drawn back to the issue will hopefully bring some changes to be made in the state legislature.

Ms. Pittinger informed that the budget has not been completed but the budget hearings are underway and City Council should complete all hearings by the end of the week. Council will then decide how to allocate the public money adopt the operating and capital budget for 2022 for the City.

Dr. Darby asked if there were any questions for Ms. Pittinger. Hearing none, Dr. Darby moved to unfinished business.

The entire meeting may be viewed here: [Independent CPRB Meeting 12/07/2021](#)

Unfinished Business:

Dr, Darby moved to the 2022 CPRB meeting calendar that was included in the packet and informed if the Board had any questions to please let us know. Dr. Darby asked if anyone in the audience had any questions regarding the calendar.

Dr. Darby called for a motion to accept the calendar of meeting dates for 2022. *A motion to accept the calendar of meeting dates for 2022 was offered by Mr. Williams and seconded by Mr. Green and the motion was approved unanimously.*

Dr. Darby reminded the Board about the short briefing received at the last meeting related to the use of taser and its efficacy as a less-lethal weapon alternative to other levels of force during last month's board meeting and asked Ms. Pittinger to bring the Board up to date.

Ms. Pittinger reported that in 2004 and 2005 the Board issued briefings related to the use of taser and its efficacy as a less-lethal weapon alternative to other levels of force. These briefings can be found [here](#). Taser promised for the potential of giving officers a tool of greater control when they are not getting compliance from an individual without causing extreme injury or death to the person being non-compliant. Today we are seeing some lethal outcomes.

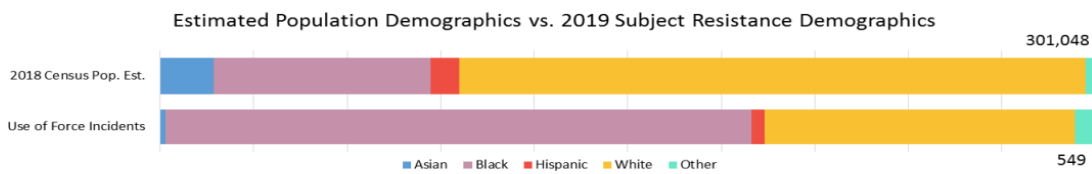
[Police order 12-13 Taser](#)

[PBP 12-08 Matrix of Control](#)

- 1.2 The Pittsburgh Bureau of Police has approved the use of the TASER 7 to provide officers with an additional use of force option. This is a less lethal device that falls under Level 3, "Compliance Techniques," as defined in Procedural Order #12-08 "Matrix of Control" and is to be used to control actively resisting subjects, aggressive non-compliant subjects, violent or potentially violent subjects.

Ms. Pittinger asked if the Board would like to review, revise, or, reissue a statement on the value and recommendations on the level of force that taser should be placed? PBP has moved it down to a level three (3) an intermediary kind of force from its higher level. The chart below pulled from the 2019 Annual Statistical Report shows the frequency in which the taser is being used.

Diagram A: PBP 2019 Statistical Annual Report The link to the PBP 2019 Annual Statistical Report is [here](#).



Officer Presence	1116	Impact Weapon	7
Verbal Commands	898	Police Canines	6
Forcible Handcuffing	646	Intentional Discharge of Weapon	4
Other (Explain in Narrative)	476	Neck Restraint (to retrieve narcotics)	3
Take-Down	407	Palm Strike	5
Taser	100	Elbow Strike	8
Punch	59	Road Spikes	3
Knee Strike	31	Neck Restraint	2
Maximal Restraint (cuff hands/feet)	31	Kick	4
OC Spray	25	Grand Total	3831

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Do you want to direct CPRB to revise or reissue to give to the Board to consider a statement on the efficacy of taser continuing to be a level three (3) an intermediary level of force or should it be higher? Would you want CPRB to do the revision, look at the research, update what was done by the Board years 2004 2005?

Dr. Darby asked for comments from other board members. Mr. Green expressed with all the changes that have occurred, he votes yes for a reassessment. Mr. Robinson said if the City has made the taser a lower-tier use of force then he votes yes. Mr. Williams expressed that when officers utilize the taser tool it's actually not just to stop threats but a means of gaining control for which officers are obligated to do. When an officer arrives on the scene they would need to gain, regain or maintain control of the situation and or subject.

Mr. Williams explained if there is some information that shows where the deployment of the taser seems to be disproportionate when it's used in certain situations that's more of addressing the issue but not the changes to the tool itself. He agrees a taser is an intermediary tool from his personal use and experience, going from the use of blackjacks, nightsticks, and expandable buttons and such the taser minimized injury and death that were caused by some of the other tools.

Dr. Darby expressed if the Board could understand the data that was used in making the change of lowering the level of taser use so that the Board can understand why the law enforcement felt that it could be a lower level than it had been previously. The collection of the data will better inform the Board.

Ms. Pittinger explained we are trying to change the way people think, how officers are trained to think so that they know they have the flexibility to slide down in level of force just as they can slide up the level of force and that there is no rigid commitment to a particular level of force.

Dr. Guercio replied that we also need to look at folks dealing with mental illness and being able to decipher mental health issues vs non-compliance.

Dr. Darby called for a motion to review the current taser policy from the perspective of looking at the data that was used with the tiering of the taser and with any other changes that have taken place because of the use of the taser.

Mr. Ostrosky (audience member) commented that he thinks the correlation with mental illnesses is something that should receive the utmost attention considering his recent run-in with PBP.

A motion to accept review the current taser policy from the perspective of looking at the data that was used with the tiering of the taser and with any other changes that have taken place because of the use of the taser. was offered by Mr. Robinson and seconded by Mr. Green and the motion was approved unanimously.

Ms. Hampton reported on the Densus project. Ms. Hampton and Mr. Ellwood met with the Densus Group last Wednesday. We asked them to move forward with the report even though we have not received any cooperation from the PBP. The Densus Group is awaiting a phone call back from Lieutenant Palermo for any additional information he would be able to provide to be included in the report. Ms. Pittinger added that CPRB will incorporate the Densus report into our report back to the Board so the Board can decide whether to adopt, add to and wrap up the project.

Dr. Darby thanked the staff for being diligent and trying to move the project forward even with the lack of cooperation from the PBP. The information would have made for a more solid report

Mr. Green asked who issued the orders for officers to cooperate and were any statements made to the officers to have consequences for not cooperating?

Ms. Pittinger responded the Chief and the Director of Public Safety directed an assistant chief to direct the officers to cooperate. The assistant chief was on vacation for a few weeks. The directive then went out from the assistant chief to all the officers. The respondents in the civil lawsuit did come back and say they did not want to take part which we respected and understood. It trickled down to where it just fell apart. There was also not any cooperation from the community or the community activist.

New Business:

No new business

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.

Next Meeting:

Dr. Darby announced the time and location of the next Board meeting: Tuesday, January 25, 2022, at 6:00 p.m. via Zoom. The meeting link will be posted on the cprbpg.org website and FaceBook page.

Public Comment:

The meeting was dismissed without a motion of adjournment. The entire meeting may be viewed here: [Independent CPRB Regular Meeting 12/07/2021](#)

Respectfully Submitted,

Handwritten signature of Stephanie M. Dorman in cursive script.

Stephanie M. Dorman
Assistant Executive Director

Attachments (1): 12/07/2021 Case Review Actions