



## INDEPENDENT CITIZEN POLICE REVIEW BOARD

816 Fifth Avenue, Suite 400

Pittsburgh PA 15219

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

[cprb@pittsburghpa.gov](mailto:cprb@pittsburghpa.gov)

Approved  
03/22/2022

Minutes of the CPRB Special Meeting Held on February 22, 2021 (Mtg. No. 241)

Online Zoom Webinar # 881 7040 7510

Pittsburgh, PA 15219

Neighborhood: Citywide

Video of the meeting: <https://cprbpgb.org/150210>

<b>Members Present:</b> Dr. Emma Lucas-Darby, Chair Dr. Mary Jo Guercio Ms. Lakeisha Brown Mr. Raymond Robinson Mr. Sheldon Williams, LEP* Mr. Elwin Green  <b>Solicitor:</b> Atty. William F. Ward  <b>Staff Present:</b> 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	<b>Excused Members:</b> N/A Ms. Karen McLellan, LEP*  <b>Absent:</b>   <b>Vacancy:</b> None  <b>Excused staff:</b> All present.  *Law Enforcement Professional
---	--

The entire meeting may be viewed here: [Independent CPRB Meeting 02/22/2022](#)

Dr. Emma Lucas-Darby, Chair, called the online Zoom meeting to order at approximately 6:02 p.m. and recognized the presence of a quorum.

Dr. Lucas-Darby called for corrections or additions to the Board meeting minutes conducted on January 25, 2022. No modifications or additions were offered, and hearing no objection, Dr. Lucas-Darby declared the minutes adopted as distributed.

### **Opening remarks by Chair:**

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

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

Ms. Elizabeth Pittinger, Executive Director, updated the Board on the visitor from last month's Board meeting, Mr. Brown, who had requested staff follow-up. Mr. Brown does have an active case with CPRB. The investigator and Ms. Hampton have been in communications with him.

The TASER briefing will be deferred until the March Board meeting.

At the last Board meeting, Mr. Robinson asked for additional analysis related to traffic stops and how many traffic stops resulted in arrests. After pulling all the arrest data from 2020 to 2021, further research must be undertaken. This report is also deferred to the March meeting. The data to be analyzed will include citations that would have followed a traffic stop related to Driving Without Registration, Reckless Driving, Careless Driving, and Unauthorized Use of a Vehicle. Ms. Pittinger asked if Mr. Robinson would like anything else included in the report to please let her know. Mr. Robinson responded no and thanked Ms. Pittinger.

An offer was extended to a qualified candidate for an Investigator position. Unfortunately, the candidate declined. Accordingly, the search and selection of a candidate will resume

Ms. Pittinger reported that the circumstances around the death of Mr. Rogers has been referred by the District Attorney (DA) to an investigating Grand Jury. The Grand Jury will assist the DA in determining whether there is criminal culpability on the part of any officer in the death of Mr. Rogers. It was reported in December, 2021, ([view here](#)), that discipline was initiated for the eight (8) employed officers, including a Sergeant, for their actions or inactions at the scene. The senior ranking officer on-scene, a Lieutenant, retired immediately following the incident.

The mayoral transition stalled the disciplinary process. The Director of Public Safety at the time of Mr. Rogers' death departed the position in December and an Assistant Director was appointed as the Acting Director. On February 15, 2022, Council confirmed the appointment of the Acting Director to the Director's position. The Director then terminated the suspended Sergeant, overturning the Chief's recommendation of an oral reprimand ([view here](#)), bringing the total to eight (8) officers terminated. The media have reported that the [U.S. Attorney, Cindy Chung](#), has conferred with the DA, but no news has come from that meeting.

Ms. Pittinger announced Wednesday, March 9, 2022, as the opening night of the Citizen's Police Academy (CPA), Spring session. The City Code requires all staff and Members to participate in the CPA. Ms. Hampton did share with Ms. Brown and Mr. Robinson the upcoming Spring session; however, registration was closed due to limited capacity. Ms. Hampton will convey the CPA registration information for the Fall session when it becomes available.

Ms. Pittinger anticipates the After-Action Report (AAR) for the March 22, 2022 Board meeting. The AAR will be a final report of the police interaction on May 30-June 1, 2020.

Ms. Pittinger updated Members that the Performance Audit of the Pittsburgh Bureau of Police conducted jointly by the City Controller's office and the CPRB is concluding. The report should be available in the next month or so.

Dr. Guercio asked to clarify if Ms. Pittinger was talking about the federal training that she and Ms. Hampton would be attending. Ms. Pittinger replied no that they will be attending the FBI's CPA also slated to open on March 9, 2022. Mr. Robinson asked if there would be a notification for the Fall CPA class, and Ms. Pittinger responded yes, and a spot would be reserved for him and Ms. Brown in the fall. Mr. Robinson asked Mr. Williams, (LEP), what law enforcement's view was of the academy? Is it valuable, or are there some concerns about the residents learning too much about police work? Mr. Williams responded that from his perspective and experience, the Board is not received warmly by most law enforcement officers. Still, to be familiar with the police function and give credibility to the Board they appreciate the Board receiving the background training from the academy. Ms. Pittinger added that if there is a topic that the Board would like to have a

session with the training academy staff to let her know, it can be arranged for them to come to a Board meeting and give a briefing or presentation.

Related to Mr. Rogers' death, Pittinger noted that there was an immediate response from the PBP regarding revisions to procedures following a police use of force. Those changes include the requirement that anytime force is used, a supervisor must report to the scene and assess the individual upon whom force was used; when TASER is deployed police must call immediately for Emergency Medical Service (EMS) response to assess the individual's condition and ascertain that they are breathing and stable; and increasing the efficiency and effectiveness of the internal review of critical incidents and uses of force. Ms. Pittinger recalled that City Council adopted an ordinance, [Duty to Intervene](#), applicable to this incident. Several officers were on-scene but did not intervene. Ms. Pittinger believed the Bureau announced publicly that they would do remedial work with all officers related to the Duty to Intervene ([Press Release](#)).

Mr. Robinson asked, were the policy changes implemented by the PBP, or were they just suggested? Ms. Pittinger replied that was their commitment, and they announced they were implementing the changes. Mr. Robinson asked for clarification if an individual is tased do they have to be seen by EMS or sent to the hospital to be evaluated? Ms. Pittinger replied that an emergency assessment must be conducted on the scene or hospital. Typically, a medical clearance is given before being transported to the Allegheny County Jail (ACJ) if they have been tased or if a barb must be removed, whether by EMS or an Emergency Room. Ms. Pittinger asked Mr. Williams if that was the standard from the first deployment of Taser in the City. Mr. Williams responded yes when the taser was first deployed; medics arrived at the scene immediately. Police cannot remove the prongs (barb) because it is viewed as a procedure for the medics or an Emergency Room. Mr. Williams' added that he believed there was a change in requirements for training officers as far as emergency care. Mr. Williams asked whether it was mentioned. Ms. Pittinger said they would all be First Responders. Mr. Williams added that officers receive the emergency training but do not act as First Responders and asked if that would change. Ms. Pittinger said she was not sure but would find out.

Dr. Lucas-Darby asked if OMI was cooperating with the Densus Group and where does that stand? ~~Ms. Pittinger responded that OMI is not cooperating with Densus, and the Bureau of Police did not cooperate.~~ Corrected during the March 22<sup>nd</sup> board meeting to say: Ms. Pittinger responded that OMI was not involved in the After Action Assessment review conducted by Densus and the Pittsburgh Bureau of Police did not cooperate. The team was met with resistance from officers named in litigation related to the June 1, 2020, incident. Others who were directed to make appointments with the Densus Group for interviews failed to do so. The report that CPRB presents to the Board will reflect that.

Ms. Pittinger requested that the public hearing pre-hearing conference be scheduled for next month's meeting, March 22, 2022, at 5:45 pm.

The entire meeting may be viewed here: [Independent CPRB Meeting 02/22/2022](#)

Dr. Lucas-Darby moved on to new business.

#### **Unfinished Business:**

No unfinished business was presented.

**New Business:**

No new business was introduced.

**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.

Dr. Darby commented that the narrative for #192-20, recommending a public hearing, was not robust enough and asked if the charge sheets were available for the Board to review? Mr. Ellwood replied that the charge sheets were written and passed on to Ms. Hampton for review. Dr. Darby asked for the case to be held for the March meeting so the Board may have time to review the charge sheets. Dr. Guercio agreed.

Dr. Lucas-Darby called for a motion to hold case 192-20 for the March meeting pending additional information and the motion was offered by Ms. Brown and: seconded by Mr. Robinson and the motion was adopted unanimously.

**Next Meeting:**

Dr. Darby announced the time and location of the next Board meeting: Tuesday, March 22, 2022, at 6:00 p.m. via Zoom. The meeting link will be posted on the cprbpg.org website and Facebook page.

**Public Comment:**

Dr. Lucas Darby asked if there were any questions from the audience? Ms. Hampton responded that Mark and Tris sent greetings. Ms. Pittinger read a question from the audience "Judy asked why #221-21 was held?" Judy was unmuted and asked if she wanted to comment or offer any information to the Board related to #221-21? Dr. Darby replied that Judy could reach out to Ms. Pittinger and the staff in the coming days. Investigator Hunt, assigned to the case, responded that she would reach out to the complainant and explain the process, and tonight's action moved the case forward to a Full Investigation and will be reviewed at next month's meeting.

Dr. Darby called for a motion to adjourn, and the motion was offered by Mr. Green and: seconded by Dr. Guercio and the motion was adopted unanimously.

The entire meeting may be viewed here: [Independent CPRB Regular Meeting 02/22/2022](#)

Respectfully Submitted,



Stephanie M. Dorman  
Assistant Executive Director

Attachments (1): 02/22/2022 Case Review Actions

Action Date: 02/22/2022

(8) Cases

## CPRB CASE REVIEW AGENDA 02/22/2022

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
<b>192-20 REQUEST PUBLIC HEARING (1)</b>				
192-20 Ellwood	11-3, 4.1.1 4.1.2 Unbiased Policing 12-6, (3.1) Use of Force 12-9 3.0 Continuum Of Control	Cx alleges the SOs racially profiled her son, the Victim. Cx states that during a traffic stop, the SOs punched the Victim in the face and pointed a gun at his head while profanity towards him. Cx states the SOs also had the Victim's vehicle towed.	Authorize a public hearing	The evidence establishes facts that support the allegations.
<b>FULL INVESTIGATION (0)</b>				
<b>30 DAY EXTENSION OF FULL INVESTIGATION (2)</b>				
221-21 Hunt	12-06.3.2 Use of Force 16-1 (3.6) Conduct Unbecoming A Member 316-1 (3.7.1) (3.7.2) Conduct Towards the Public 44-1 Arrests	Cx alleges the SOs used excessive force against his Grandson and Daughter (V#1 & V#2) for unknown reasons while they were leaving a bar called Tequila Cowboy.	Authorize 30-day Extension	More time is needed to determine if the SOs violated PBP Policy and Procedures.
177-21 Hunt	16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.13) Neglect of Duty 45-2 Warrantless Searches & Seizures 54-01 Traffic Citations	Cx alleges that SO's illegally stopped him for a traffic violation, towed his vehicle, and searched it without cause.	Authorize 30-day Extension	More time is needed to determine if the SOs violated PBP Policy and Procedures.
<b>UNSUSTAINABLE (3)</b>				
126-21 Bridgett	16-1(3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Towards the Public 54-01 Traffic Citations	The Cx alleged he was issued a citation out of retaliation because he contacted the supervisor over his street being blocked by the PBP and PWSA.	Dismiss as unsustainable	The evidence gathered shows an officer has discretion when issuing a citation there is nothing that prohibits him/her from doing so when a violation occurs.
038-21 Ellwood	44-1(4.0) Arrests-Physical, Summons, or Warrant 12-06 (3.0) Use of Force	Cx alleges that he was arrested while trying to enter his home while the SOs were serving a search warrant to obtain video from his surveillance system from a	Dismiss as unsustainable	The evidence gathered was unable to prove or disprove the Cx's allegations.

		homicide that happened in his neighborhood.		
CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
012-21 Bridgett	16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public 16-1 (3.13) Neglect of Duty	The Cx alleges that she called 911 for a domestic dispute between her neighbors and when the SOs arrived they accused her of lying and making up the incident	Dismiss as unsustainable	The investigator is unable to prove or disprove the Cxs allegations
UNFOUNDED (0)				
OTHER (0)				
SUSPENSION (2)				
165-21 Ellwood	<del>PA Code 234 Rules of Criminal Procedure Rule 207</del> <del>PA Title 18 Chapter 39</del> subchapter B § 3921. Theft by unlawful taking or disposition. 36-01 Evidence Procedure 36-02 Property Room Procedure 40-12.8 Police Response to Domestic Violence	Cx alleges that the PBP sent units to execute a search warrant at his home for guns after violating a PFA order to turn in his weapons.	Authorize suspension until March 2022	More time is needed to determine who the SOs are because the CAD is not clear on which officers acted in what capacity and manner.
107-21 Ellwood	16-1.3.06.03: Conduct Unbecoming 16-1.3.13: Neglect of Duty 16-1-3.19 Truthfulness 44-13: Arrests	Cx alleges that the SOs did not conduct a proper investigation and did not follow up on the evidence that the SO presented.	Authorize suspension until March 2022	More time is needed to gather documentation to corroborate the conflicting statement of the Cx and SOs.

\*\*\*\*\*Suspensions to follow\*\*\*\*\*

**CONTINUED SUSPENSIONS (25)**  
**SUMMARIES PROVIDED UPON REQUEST OF MEMBERS**

<b>CPRB CASE NO. INVESTIGATOR</b>	<b>ALLEGATION(S)</b>	<b>REASON FOR CONTINUED INVESTIGATION</b>	<b>POSSIBLE CLOSING DATE</b>
162-21 Hunt	16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.13) Neglect of Duty 16-1 (3.19.1) Truthfulness	More time and information are needed to determine if the SO violated PBP Policy and Procedures.	TBD
160-21ED Ellwood	11-3 (3.1, 3.2, 4.1.2) Unbiased Policing 12-6 (3.0, 4.0, 5.0) Use of Force 12-8 (3.0, 4.0) Matrix of Control 12-13 Taser 16-1 (3.06) Conduct Unbecoming a Member 16-1 (3.07) Conduct Towards the Public	More time is needed to view the ER video footage to view the conduct of the officer.	TBD
148-21 Bridgett	16-1 (3.6.) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public 12-6 (5.0) Use of Force	More time is needed to review SO statements that were received on 2/7/22.	TBD
138-21 Ellwood	12-06.3.2 Use of Force 16-01.3.06 Conduct Unbecoming 16-01.3.07 Conduct Toward the Public	More time is needed to determine if the SO violated PBP Policy and Procedures.	TBD
126-21 Bridget	Conduct Unbecoming a Member 16-1(3.6 Conduct Towards the Public 16-1 (3.7) Traffic Citations 54-01	More time is needed to determine if the SO violated PBP Policy and Procedures by citing them for a nonemergency 911 call.	TBD
121-21 Ellwood	11-3 Unbiased Policing 16-01.3.06 Conduct Unbecoming 16-01.3.19 Truthfulness	More time is needed to determine if the SO violated PBP Policy and Procedures.	TBD
099-21 Ellwood	12-06.3.2 Use of Force 16-01.3.06 Conduct Unbecoming 16-01.3.07 Conduct Toward the Public 16-01.3.13 Neglect of Duty 16-01.3.19 Truthfulness	More time is needed to determine if the SO violated PBP Policy and Procedures.	TBD
104-21 Ellwood	16-01 (3.7.1) Conduct Toward the Public 16-1 (3.06) Conduct Unbecoming 54-01 Traffic Citations	More time and information are needed to determine if the SO violated PBP Policy and Procedures.	TBD



<b>CPRB CASE NO. INVESTIGATOR</b>	<b>ALLEGATION(S)</b>	<b>REASON FOR CONTINUED INVESTIGATION</b>	<b>POSSIBLE CLOSING DATE</b>
063-21 Ellwood	45-2, (6.0) Investigative Stops and Warrantless Searches of Motor Vehicles 11-3, (1.1.1) Unbiased Policing 16-1, (3.06) Conduct Unbecoming a Member 16-1, (3.07) Conduct Towards The Public	More time and information are needed to determine if the SO violated PBP Policy and Procedures.	TBD
038-21 Ellwood	44-1(4.0) Arrests – Physical, Summons, or Warrant 12-06(3.0) Use of Force	Outstanding details must be resolved	TBD
031-21 Bridgett	16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public 16-1 (3.13) Neglect of Duty	The investigator is waiting to speak with SOs	TBD
019-21 Ellwood	37-01 Lost-Stolen-Abandoned-Property 36-01,(6.0) Evidence Procedures	Waiting for withdrawal	TBD
012-21 Bridgett	16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public Neglect of Duty 16-1 (3.13)	Waiting for SO statements from OMI	TBD
252-20 Ellwood	16-01 (3.7.1) Conduct Toward the 40-04 Public Motor Vehicle Stops	Waiting for SO statements.	TBD
192-20 Ellwood	11-3, (4.1.1, 4.1.2) Unbiased Policing 12-6, (3.1) Use of Force 12-8, (3.0) Continuum of Control	Waiting for SO statements.	TBD
130-20 Bridgett	16-1, (3.6) Conduct Unbecoming a Member 36-2 Property Room Procedures	Waiting on SO statement/Under action review by DENSUS	TBD
122-20 Bridgett	16-1, (3.6) Conduct Unbecoming a Member 16-1, (3.7) Conduct Toward the Public 12-6 Use of Force	Waiting on after-action assessment	TBD

<b>CPRB CASE NO. INVESTIGATOR</b>	<b>ALLEGATION(S)</b>	<b>REASON FOR CONTINUED INVESTIGATION</b>	<b>POSSIBLE CLOSING DATE</b>
112-20 Bridgett	11-3 Unbiased Policing 16-1, (3.6) Conduct Unbecoming a Member 16-1, (3.07) Conduct Toward the Public	Waiting for the Daily Activity Log/ Running Sheet	TBD
041-20 Ellwood	44-1(4.0) Arrests – Physical, Summons, or Warrant 12-06 (3.0) Use of Force	Waiting on BWC from the attorney	TBD
230-19 Ellwood	45-2, (10.0) Warrantless Searches and Seizures 12-06 Use of Force 40-04 (03.2, 03.4) Motor Vehicle Stops	Waiting for transcripts of BWC from OMI	TBD
217-19 Ellwood	16-01 (3.7) Conduct Toward the Public 44-1 Arrest 45-2 Unlawful Search and Seizure	Waiting on Abel's arbitration.	TBD
190-19 Bridgett	16-1, (3.6) Conduct Unbecoming a Member 16-1, (3.7) Conduct Toward the Public 40-12 Police-Response- to-Domestic-Violence- Incidents	The case was sustained at OMI for conduct unbecoming. The is trying to determine what disciplinary action the SO received.	TBD
029-19 Bridgett	16-1, (3.1) Obedience to orders/ laws 16-1, (3.6) Conduct unbecoming a member 16-1 (3.9) Insubordination, 62-1, (2.10) Truthfulness False report	The SO is off on worker's comp and may not return to full duty	TBD
016-19 Bridgett	16-1, (3.6) Conduct unbecoming a member 16-1, (3.13) Neglect of duty	W#1 has not been apprehended as of 01/22/2022. The DAs office will prosecute when W#1 is arrested.	TBD
87-18-ED Gamble	12-6 Use of Force 12-7 Discharge of firearms 16-1 (3.6) Conduct unbecoming a member 16-1, (3.19) Truthfulness 62-1 Records/Reports/Files	Waiting for witnesses to cooperate.	TBD