



INDEPENDENT CITIZEN POLICE REVIEW BOARD

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Draft for
04/26/2022
Review

Minutes of the CPRB Special Meeting Held on March 22, 2021 (Mtg. No. 242)

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

Video of the meeting: <https://cprbpg.org/172667>

<p>Members Present:</p> <p>Dr. Emma Lucas-Darby, Chair Dr. Mary Jo Guercio Ms. Lakeisha Brown Mr. Raymond Robinson Mr. Elwin Green</p> <p>Solicitor: Atty. William F. Ward</p> <p>Staff Present:</p> <p>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</p>	<p>Excused Members: N/A Ms. Karen McLellan, LEP* Mr. Sheldon Williams, LEP* *Law Enforcement Professional</p> <p>Absent:</p> <p>Vacancy: None</p> <p>Excused staff: All present.</p>
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The entire meeting may be viewed here: [Independent CPRB Meeting 03/22/2022](#)

Dr. Emma Lucas-Darby, Chair, called the online Zoom meeting to order at approximately 6:07 p.m. and recognized the presence of a quorum.

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

Dr. Lucas-Darby called for corrections or additions to the Board meeting minutes conducted on March 22, 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. Pittinger reported that 46 complaints were received as of March 2022. Ms. Gamble, Intake/Lead Investigator, broke the complaints down by Zone: Zone 2, (9) complaints, Zone 5, (9) complaints, Zone 3 & 4 t (8) complaints each, Zone 6 , (6) complaints, and Zone 1, (2) complaints. Ms. Hampton and Ms. Gamble are

extracting the annual numbers usually provided to the Board in the Spring. The breakdown consists of allegations by race, gender, and Zone. We anticipate providing the annual summary at the April meeting.

Ms. Pittinger reported that two draft reports were distributed to Board Members: the After-Action Review (AAR) that was completed by CPRB with the assistance of the Densus Group; and the other, the Taser Briefing update completed with the assistance of Charles A. Peters Jr. Mr. Peters is the son of the late Charles A. Peters, an inaugural Member of the CPRB and a former Director of the Allegheny County MH/MR Drug and Alcohol, Hunger & Homeless Program. Both reports are in draft status to allow remaining edits to be made, verifying video links and to receive Members' feedback on what may need to be added, removed, or expanded upon. The reports will be added to the April agenda so members can openly discuss the reports and deliberate on whether to adopt the reports or issue them publicly with no adoption attached to them, whatever the preference of the Board. It will require the Board to deliberate and under the [PA Sunshine Act](#) rules, the deliberation must occur in public.

Ms. Pittinger informed Members that the pre-hearing conference for CPRB No. 230-19, scheduled for this evening before the regularly scheduled Board meeting, has been postponed until further notice. Ms. Pittinger received additional information regarding the internal disposition of the case and additional evidentiary clarification affecting the facts of the complaint as presented to the Board. The case will return to the Board for review in April and appear on the agenda. Any consideration or deliberations related to disposition of the case will be conducted in public.

Ms. Brown asked if there was an update on the letter from the Mayor's office regarding interviews of Members. Ms. Pittinger replied that she had responded to the communication from the Mayor's office and clarified that Members are appointed to terms and, pursuant to a 2020 referendum amendment, can be removed by the Mayor for cause only with 2/3 approval of City Council. Ms. Pittinger noted that she believed the letter to Members was an understandable mistake. She advised Members that they need not schedule an interview. The Mayor's office has not responded.

Ms. Pittinger addressed Dr. Darby and the Board stating that she wanted to correct something she said in February and asked if Mr. Ward (Bill) could direct how to do it properly so the record was correct. Last month, Ms. Pittinger inaccurately informed the Board that OMI did not cooperate with the After-Action Review (AAR) with Densus.

Mr. Ward replied that the minutes had been approved as distributed, but they could be amended and then take a vote. Ms. Brown asked if someone needed to make a motion for the minutes to be amended? Mr. Ward answered before the vote that on page 3 of 10 of the February 22, 2022, minutes, the issue before the Board is "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." Mr. Ward inquired if the amendment is limited to OMI or also to the PBP? Ms. Pittinger answered the amendment was to OMI only; the PBP did not cooperate. Mr. Ward recommended the substitution be that OMI has been cooperating or was cooperating, whichever is more appropriate. Ms. Pittinger stated that OMI was not included in the assessment. They were never approached to participate in the assessment.

Mr. Ward asked if the words on the amended minutes should read, "Ms. Pittinger responded that OMI was not involved in the Densus After Action Assessment." Ms. Pittinger said yes.

Dr. Darby called for a motion to amend the February 22, 2022, minutes at the bottom of page 3 of 10 to report: Dr. Lucas-Darby asked if OMI was cooperating with the Densus Group, and where does that stand? 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 motion was offered by Mr. Green and seconded by Dr. Guercio, and the motion was adopted unanimously.

Dr. Darby informed everyone the correct procedure would be to correct the minutes from last month (February's meeting), and the minutes from this month (March's meeting) will indicate the change was made.

Ms. Hampton asked if she was to correct the minutes being referenced now or add the motion to the minutes today? Dr. Darby answered that her understanding, according to the Robert Rules of Order, when you make a change in the minutes, you go back and correct the minutes that should be updated, but it is noted in the current minutes that the correction was made.

Dr. Darby asked about the AAR. When the Board talks about "release the reports," we make them public but do we release them to specific entities? Ms. Pittinger answered yes.

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.

As mentioned earlier, the pre-hearing conference has been postponed, and the Board will consider further action on that case at the April meeting.

Mr. Green asked if in Case # 001-22 paragraph 15: "W#1 was not informed about the hearing or the "so-called" discipline he received." Is that the correct protocol when an officer is the complainant against another officer to not be aware of discipline received in the Discipline Hearing involving the Subject Officer?

Investigator Bridgett replied that she was not sure why Witness #1 was not notified of the hearing and that Ms. Bridgett emailed Witness #1 but believes she is still on military leave.

Next Meeting:

Dr. Darby announced the time and location of the next Board meeting: Tuesday, April 26, 2022, at 6:00 p.m. via Zoom. The meeting link will be posted on the cprbpg.org website and Facebook page.

Public Comment:

Mark and Tris Ozark were recognized as in attendance.

Ms. Pittinger reminded that the Board was to reconsider the monthly board meeting remaining on Zoom whether or not to continue on zoom for the next quarter. Dr. Darby asked that we take that consideration month to month? Ms. Pittinger answered that would be fine.

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

The entire meeting may be viewed here: [Independent CPRB Regular Meeting 03/22/2022](#)

Respectfully Submitted,



Stephanie M. Dorman
Assistant Executive Director

Attachments (1): 03/22/2022 Case Review Actions

Action Date: 03/22/2022

(4 Cases)

CPRB CASE REVIEW AGENDA 03/22/2022

PRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
PENDING DISTRIBUTION PRIOR TO MEETING 192-20 REQUEST PUBLIC HEARING (1)				
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 using profanity towards him.	Authorize a public hearing (Pending distribution before the meeting.)	The evidence establishes facts that support the allegations.
FULL INVESTIGATION (2)				
001-22-ED Bridgett	16-1 (3.6) Conduct Unbecoming a Member or employee 20-01 (6.4.1, 6.4.5, 6.4.6) No Harassment	On December 30, 2021, CPRB received an email from W#1 detailing her sexual assault by a fellow PBP Officer (SO).	Authorize full investigation	Preliminary evidence provides cause to advance the investigation.
018-22-ED Hunt	16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7.1)(3.7.2) Conduct Towards the Public 16-1 (3.19.1) Truthfulness 16-1 (3.13) Neglect of Duty	The Cx alleges that on 12/21/2021, the SO neglected to investigate false charges that were filed against her by W#1, W#2, and W#3.	Authorize full investigation	Preliminary evidence provides cause to advance the investigation.
30 DAY EXTENSION OF FULL INVESTIGATION (0)				
UNSUSTAINABLE (0)				
UNFOUNDED (0)				
OTHER (0)				
SUSPENSION (2)				
221-21 Hunt	12-06.3.2 Use of Force 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7.1) (3.7.2) Conduct Towards the Public 44-1 Arrests	The 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 suspension until April 2022	More time 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 suspension until April 2022	More time is needed to obtain officer statements from OMI and identify witnesses.

**CONTINUED SUSPENSIONS (24)
SUMMARIES PROVIDED UPON REQUEST OF MEMBERS**

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
165-21 Ellwood	36-01 Evidence Procedure 36-02 Property Room Procedure 40-12.8 Police Response to Domestic Violence	More time is needed to determine who the SOs are because the CAD is not clear which officers acted in what capacity and manner.	TBD
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
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
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	More time is needed to gather documentation to corroborate the conflicting statement of the Cx and SOs.	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
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	More time is needed to determine if the SO violated PBP Policy and Procedures.	TBD

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
063-21 Ellwood	16-01.3.19 Truthfulness 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
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
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
CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
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	Waiting for transcripts of BWC from OMI	TBD

	12-06 Use of Force 40-04 (03.2, 03.4) Motor Vehicle Stops		
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 investigator 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 03/08/2022. 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