



INDEPENDENT CITIZEN POLICE REVIEW BOARD

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Final
05/24/202
2 Review

Minutes of the CPRB Meeting Held on April 26, 2021 (Mtg. No. 243)

Online Zoom Webinar # 873 0105 6073
Pittsburgh, PA 15219
Neighborhood: Citywide

Video of the meeting: <https://cprbpg.org/201854>

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

The entire meeting may be viewed here: [Independent CPRB Meeting 04/26/2022](#)

Dr. Mary Jo Guercio, Acting Chair called the online Zoom meeting to order at approximately 6:11 pm and recognized the presence of a quorum.

Dr. Guercio recognized excused members, Ms. McLellan, Mr. Robinson, and Dr. Darby, with no absent members.

Ms. Pittinger requested an amendment to the Board meeting minutes conducted on April 26, 2022. No modifications or additions were offered, and hearing no objection, Dr. Guercio declared the minutes of the April 26, 2022 were adopted as distributed.

Opening remarks by Chair:

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

Executive Director's Report:

Ms. Pittinger reminded the Board that corrections were made to the February meeting minutes documented in the March meeting minutes that the Board adopted.

Ms. Pittinger reported the intake year to date is 61 complaints of which three (3) are Out of Jurisdiction (OJ), (1) is outside the CPRB time limits (SL), four (4) were of a general service nature and eliminated from consideration by the Board.

Ms. Hampton and Ms. Gamble are preparing the allegations, activities, dispositions and demographic information for 2021. That report is anticipated to be ready for the May meeting.

On April 10, 2022, a community forum on Policing and Social Justice was convened under the theme: "[Saving Lives, Keeping the Peace.](#)" The event was sponsored by the United Methodist Pittsburgh District Anti-racism team, the Quaker Working Group Against Racism, the Black Political Empowerment Project (B-PEP) and The Alliance for Police Accountability (APA) and held at the [First United Methodist Church](#), 5401 Centre Avenue, Pittsburgh, PA in memory of James Rogers and George Floyd. Mr. Tim Stevens, B-PEP, and Chief Scott Schubert, PBP, delivered remarks to the gathering. Rev. Liddy Barlow, Chair of the Commission on Human Relations and Executive Minister of Christian Associates of Southwest Pennsylvania, facilitated a discussion among panelists: the Honorable Bethany Hallam, Allegheny County Council Member, Ms. Brandi Fisher, APA, Tim Stevens, B-PEP, Assistant Chief Lavonnie Bickerstaff, PBP, and Ms. Pittinger, CPRB.

Dr. Guercio and Ms. Hampton will graduate from the [FBI Citizens Academy](#) on Wednesday, April 27, 2022. The academy consists of one class in each week of eight (8) weeks. Ms. Pittinger asked Dr. Guercio and Ms. Hampton if they were exposed to the concept of stopping the threat while at the range during the Officer Involved Shooting class. Ms. Hampton responded yes, and she anxious during the simulated experience. Dr. Guercio agreed that the anxiety was high. Dr. Guercio remarked that throughout the exercise the instructor's words stuck with her: *"you have to answer for whatever decision you make. The public will want to know. You have seconds, if seconds, to make a decision when a threat is looking at you, and you have to live with the decision for the rest of your life"*. Both Dr. Guercio and Ms. Hampton enjoyed the experience and encouraged anyone interested to go through the FBI Citizens Academy.

Dr. Guercio asked if CPRB could arrange a "shoot/don't shoot" or force simulation opportunity for the community during a general public meeting or forum. Ms. Pittinger asked Mr. Williams for his thoughts regarding such an activity. Mr. Williams responded yes that it would be valuable to widen the net of understanding but the Board would need to think through how we could do a forum that would be cost-effective and also fulfill the Board's intention.

Investigator Tiffani Hunt will complete the Pittsburgh Police-sponsored Citizens Police Academy in May. Pittinger noted that Investigator Hunt's daughter is a member of the current Student Police Academy.

Ms. Pittinger reminded the Board of two (2) reports distributed to all board members, the After Action Report (AAR) prepared with the assistance of the Densus Group and the Taser Briefing for 2022. Included in the AAR are the concept and discussion papers related to model policies related to [Crowd Management, International Association of Chiefs of Police](#). Ms. Pittinger asked the Board to send desired changes or recommendations to the reports to her email, and she would make the updates.

Ms. Pittinger would like to delay the discussion of traffic stops and racial disparities until the May meeting or until Mr. Robinson is present as he was particularly interested in the issue.

Ms. Pittinger informed the Board of a pending proposal in Pittsburgh City Council related to "stop and frisk" stops by police in the City. Discussion of codification of the circumstances under which a police officer may

approach someone and what they need to disclose to the individual before the officer can frisk or detain the individual. Ms. Pittinger described a mere encounter as an officer approaching an individual simply to talk to the person. If the person does not want to talk, they are free to go and that's the end of the encounter. If the officer is going to pat someone down, the proposal requires the officer to have reasonable suspicion along with suspecting they are carrying something that could be harmful to the officer. Mr. Williams responded affirmatively that that was the definition of a "Terry Frisk or Stop" ([Terry Frisk](#)).

The sub-committee on Public Safety Services will review the legislation at City Council on May 4, 2022. Council meetings are available to the general public on a live stream through the [Legislative Information Center](#) and the [City YouTube Channel](#). The meetings begin on Tuesdays at 10:00 a.m. for legislative action and Wednesdays at 10:00 a.m. for sub-committee meetings.

Regarding action on the After Action Report and TASER Briefing for 2022, Mr. Williams said the two reports were very well put together and informative and he would prefer to defer action until all Members were present. The Board agreed to wait until the May meeting to discuss and vote on the reports. Mr. Williams asked that it be communicated to all Board members how important their presence at the May meeting

The entire meeting may be viewed here: [Independent CPRB Regular Meeting 04/26/2022](#)

Unfinished Business

No unfinished business was presented.

New Business:

No new business was introduced.

Case Review:

Dr. Guercio asked for an update on the 230-19 public hearing. Ms. Pittinger replied the case was ordered to a public hearing with the hearing panel appointed as Dr. Guercio, Dr. Darby, and Mr. Green. Since the public hearing was ordered, new information was shared that the officers had received a disciplinary action and the other accusation was proven untrue. The information was requested earlier in the investigation but no one would speak to CPRB until a subpoena to appear at a public hearing was issued. Ms. Pittinger requested a withdrawal of the case based on the internal resolution and close the case as resolved.

Dr. Guercio called for a motion to accept Ms. Pittinger's request to withdraw Case No. 230-19. Mr. Williams moved that the case be closed as resolved, seconded by Mr. Green, and the motion was adopted unanimously.

Dr. Guercio moved to the Case Review Agenda (copy attached). Each group of recommendations was voted upon as recorded on the attached report, Case Review Actions.

Ms. Pittinger added comment to Case No. 230-19. The rationale for the recommended action listed on the Case Review Agenda indicates that the Subject Officers' Counsel communicated a request that the case be Dismissed. The case was recommended for closure for the reasons explained earlier in the meeting.

Ms. Pittinger asked Dr. Guercio, as Acting Chair, to appoint a hearing panel for Case No. 192-20. Dr. Guercio asked for volunteers for the hearing panel. Dr. Guercio and Mr. Williams volunteered. Members will be polled

Case Review Action 04/26/2022

to identify a third panel member. The Pre-hearing Conference will be conducted immediately preceding the May 24, 2022 meeting.

Public Comment:

No public comment offered.

Next Meeting:

Dr. Guercio announced the time and location of the next Board meeting: Tuesday, May 24, 2022, at 6:00 p.m. via Zoom. The meeting link will be posted on the cprbpg.org website, Twitter feed and Facebook page.

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

The entire meeting may be viewed here: [Independent CPRB Regular Meeting 04/26/2022](#)

Respectfully Submitted,



Stephanie M. Dorman
Assistant Executive Director

Attachments (1): 04/26/2022 Case Review Actions

CPRB CASE REVIEW AGENDA 04/26/2022

CPRB CASE No. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
192-20 REQUEST PUBLIC HEARING (1)				
192-20 Ellwood	11-3, 4.1.1, 4.1.2, 4.1.3 Unbiased Policing 12-6, (3.1) Use of Force Continuum of Control 12-9 3.0	Cx alleges the SOs racially profiled her son, the Victim. Cx states during a traffic stop the SOs punched the Victim in the face and pointed a gun at his head while using profanity towards him. Cx states the SOs also had the Victim's vehicle towed.	Authorized a public hearing	The evidence establishes facts that support the allegations.
FULL INVESTIGATION (1)				
035-22 Hunt	16-1 (3.6) Conduct Unbecoming A Member 16-1 (3.7) Conduct Toward the Public 16-1 (3.9) Truthfulness 44-1 Arrests 45-2 (5.1) Warrantless Searches & Seizures	The Cx alleges he was pulled over by SO's at gunpoint, handcuffed and was not read his Miranda Rights.	Authorized full investigation	More time is needed to determine if SO's violated PBP Policy and Procedures.
30 DAY EXTENSION OF FULL INVESTIGATION (1)				
001-22 Bridgett	16-1 (3.6) Conduct Unbecoming a Member 20-01 (6.4.1, 6.4.5, 6.4.6) No Harassment	On December 30, 2021, CPRB received an email from W#1 that detailed her sexual assault by a fellow PBP Officer (SO).	Authorized 30-day investigation	More time is needed for the investigation
UNSUSTAINABLE (3)				
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.	Dismissed as unsustainable	The evidence gathered is unable to prove or disprove the Cx's allegations.
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 Cx alleges the SOs failed to investigate allegations against him and he ended up in jail for two months because the false reports violated his probation.	Dismissed as unsustainable	The evidence gathered is unable to prove or disprove the Cx's allegations. The investigator is unable to prove or disprove the Cx's allegations.

CPRB CASE No. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
122-20 Bridgett	16-1, (3.6) Conduct Unbecoming a Member 16-1, (3.7) Conduct Toward the Public 12-6 Use of Force	The Cx alleges that a PBP mounted patrol officer kicked her in the back during a protest near the PPG Paints Arena and the encounter was captured on video.	Dismissed as unsustainable	The evidence gathered is unable to prove or disprove the Cx's allegations
UNFOUNDED (1)				
063-21 Ellwood	45-2, (6.0) Warrantless Search and seizures 11-3, (1.1.1) Unbiased Policing 16-1, (3.06) Conduct Unbecoming a Member 16-1, (3.07) Conduct Towards the Public 40-4 (4.4) Motor Vehicle Traffic Stops	Cx alleges that PBP officers have been harassing her and stopped her vehicle multiple times.	Dismissed as unfounded	The evidence video provided by the Cx shows that the SOs acted in a professional manner.
OTHER (3)				
162-21 Hunt	16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.13) Neglect of Duty 16-1 (3.19.1) Truthfulness	The Cx alleges the SOs failed to investigate the neighbor that is harassing him and his family. Cx also stated that false criminal charges are filed against him.	Authorized withdrawal	Cx has requested to withdraw his complaint.
104-21 Ellwood	16-01 (3.7.1) Conduct Toward the Public 16-1 (3.06) Conduct Unbecoming 54-01 Traffic Citations	Cx alleged that the SO was aggressive during a traffic stop.	Authorized a rude and discourteous hearing	SO stated directly that he lost control of his temper, this violates 16-01 (3.7.1) Conduct Toward the Public.
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	Cxs state that their son was driving a legally titled and registered vehicle and that a PBP officer stopped the vehicle for suspicious driving when the son stopped at the side of the road.	Authorized withdrawal	Information received revealed the matter resolved with internal discipline. An outstanding allegation under review was found untrue.
SUSPENSION (1)				
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.	Authorized suspension until May 2022	More time needed to determine if the SOs violated PBP Policy and Procedures.

CONTINUED SUSPENSIONS (19)
SUMMARIES PROVIDED UPON REQUEST OF MEMBERS

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
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	More time is needed to obtain BWC footage, SO statements, affidavit of probable cause and receipts for vehicle repairs.	TBD
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 unclear on which officers acted in what capacity and manner.	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 officer's conduct.	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 for the investigator to get contact information for the combatants.	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
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
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

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
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 a response from the Chief's office	TBD
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 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 04/01/2022. The DA's 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