



INDEPENDENT CITIZEN POLICE REVIEW BOARD

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Final for
06/27/2023
Review

NOTES of the CPRB Meeting Held on May 23, 2023 (Mtg. No. 254)

Online Zoom Webinar # 854 0367 9472

Pittsburgh, PA 15219

Neighborhood: Citywide

Video of the meeting: <https://cprbpg.org/490131>

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| <p>Members Present:</p> <p>Dr. Mary Jo Guercio, Chair Dr. Emma Lucas-Darby Mr. Raymond Robinson, Vice Chair Ms. Lakeisha Brown 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:</p> <p>Ms. Karen McLellan, LEP* Mr. Sheldon Williams, LEP*</p> <p>Absent: None</p> <p>Vacancy: None</p> <p>*Law Enforcement Professional</p> <p>Excused staff: All present.</p> |
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The entire meeting may be viewed here: [Independent CPRB Meeting 05/23/2023](#)

Dr. Mary Jo Guercio, Chair, called the online Zoom meeting to order at approximately 6:13 pm. Dr. Guercio acknowledged the presence of a quorum.

Ms. Hampton, Assistant Executive Director, informed the Board that Ms. McLellan would not attend tonight's meeting, but Mr. Green is expected.

Dr. Guercio reminded the Board that there was no quorum for March or April's board meeting and, therefore, no meeting minutes to approve, but February meeting minutes did need approved. Dr. Guercio called for a motion to approve the February meeting minutes.

A motion to approve the 02/28/2023 board meeting minutes was offered by Mr. Green, seconded by Dr. Lucas-Darby, and approved unanimously.

Ms. Pittinger informed the Board that the meeting agenda distributed in the packet was dated April 23, 2023, and the date should be corrected to May 23, 2023. Ms. Pittinger noted that the information within the agenda was appropriate for the evening's meeting.

Mr. Ward, the solicitor for the board, asked if the Board should acknowledge the notes that were prepared for the board meetings held on March 28 and April 25, where each had no quorum. The Board unanimously agreed to recognize the prepared notes.

Opening remarks by the Chair:

Dr. Guercio had no opening remarks.

Executive Director's Report:

Ms. Pittinger informed the Board that City Council confirmed Larry Scirotto as the new Chief of Police. Acting Chief Scirotto's public comments, since being vetted by City Council, have been consistent with goals and aspirations that the board has made over the many years.

Ms. Pittinger congratulated the Board's 26th birthday on Saturday, May 20.

Some of the ideas expressed by acting Chief Scirotto were:

- Developing a Cadet program
- Creating a specific recruiting unit
***Currently, all recruiting efforts go through the Department of Human Resources without police involvement
- Focus on officer wellness
- Operationally go paperless
*** There has been controversy around the development of software that the bureau used by a company named B3 for electronic Run Sheets. The software may or may not be operating currently. The software was proprietary, which caused many issues.
- Create an online system to report minor infractions like vandalism.
- Civilianizing some positions

Ms. Pittinger informed the Board that she plans to meet with Acting Chief Scirotto before the June meeting and extend an invitation to attend a board meeting to meet the Board before the Board's August break.

The City's settled with the Jim Rodger's family for \$8 million, yet, the District Attorney's office still has not closed the case. CPRB cannot actively investigate something that is still the subject of a criminal investigation. In this instance, training would be something that would be looked at.

The Community Liaison position has been posted. CPRB hopes to have someone in place by late summer in time for the [NACOLE](#) conference, which would enable CPRB to provide some top-notch state-of-the-art training for the individual. The Administrative Assistant position is pending but should be posted within the next week. The investigator position is still open. The active candidate list is set to expire in August. Once the current list of candidates expires, the position will open again.

Term expiration notifications will be sent to the Mayor's office and City Council by June 1st. A public notice was made last month.

Much time has been consumed with the controversy around the selection of the Chief of Police process. CPRB will support the chief as long as he follows best practices, follows the contract and ensures that any misconduct will be dealt with swiftly but also giving him time to get established. The process of getting to whom the City has selected remains of interest and concern to many people.

The entire meeting may be viewed here: [Independent CPRB Meeting 05/23/2023](#)

Unfinished Business:

None

New Business:

None

Case Review:

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

Mr. Robinson asked if the suspended case number 200-22 EDI was the case that we attempted to obtain the training material related to supervisors' training. Ms. Pittinger responded yes that it was the case that we had been trying to get the training material related to supervisors' training since November 15th or 16th, 2022, with resistance. A subpoena was issued, and an attempt to resolve the issue with the Law Department was made.

Mr. Ward explained that the Law Department has not responded since May 8th. MR. Robinson asked what was shared on the May 8th email. Mr. Ward explained that the email was on Thursday, May 4th, when the Law Department informed us that they would be happy to provide us a copy of the policies that are a public record from the Pittsburgh Police policies and procedural manual. He said that on May 8th, he emailed the City Solicitor that their response fell far short of the materials that the Board had been attempting to obtain since November 15, 2022. a reply was requested by Monday, May 22, but a response has yet to be received. He gave a courtesy nudge on May 23, and still nothing.

Dr. Guercio asked what the next recourse of action should be. Mr. Ward answered that the formal recourse is if the subpoena has not yet been issued or served to do so, but if it has been issued, then it would be going to the Court of Common Pleas to request the enforcement.

Dr. Guercio asked if a subpoena had been issued, and Ms. Pittinger replied No but that a subpoena would be issued. Mr. Ward said a 20-day response time would be reasonable.

Dr. Guercio asked if they have nothing to produce, do we force the hand or move on to some stronger recommendations? Mr. Ward informed the Board that we're not required to debate litigation strategy on the record, but several strategies exist.

Mr. Robinson asked, with the Chief just coming on should we apprise him of the plans to subpoena the training material to avoid souring the relationship with a new chief coming in? All were in agreeance it would

be a good idea. Mr. Ward informed the Board that the City Solicitor did offer that if the Board had any recommendations or advice on the PBP policies, they would be happy to set up a meeting for a review.

Next Meeting:

Dr. Guercio announced the time and location of the next Board meeting: Tuesday, June 27, 2023, at 6:00 pm via Zoom. The meeting link will be posted on the cprbpg.org website and Facebook page.

Public Comment:

Mr. & Mrs. Ozark said hello to the Board.

WPXI were in attendance

A motion to adjourn the meeting was offered by Mr. Green, seconded by Dr. Darby, and approved unanimously.

Respectfully Submitted,



Stephanie M. Dorman
Assistant Executive Director

Attachments (1): 05/23/2023 Draft Case Review Agenda

CPRB CASE REVIEW AGENDA 05/23/2023

| CPRB CASE NO. INVESTIGATOR | ALLEGATION(S) | SUMMARY | RECOMMENDATION | RATIONALE |
|-------------------------------------|--|---|--------------------------------------|--|
| PUBLIC HEARING (0) | | | | |
| FULL INVESTIGATION (9) | | | | |
| 071-23 Ellwood/Hunt/ Bridgett | 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public 12-6 Use of Force 42-05 Strikes | During a Post-Gazette worker's strike approximately 25 PBP officers came to break the picket line. One officer batoned a woman to the ground during the incident. | Authorized Full Investigation 5-0 | More time is needed to determine if the SO violated PBP Policy and procedures. |
| 055-23 Ellwood | 16-01.3.6 Conduct Unbecoming 16-1(3.7) Conduct Towards the Public 16-01.3.13 Neglect of Duty | The Cx alleges the SO neglected his duty when he refused a police escort to her destination when a suspicious male followed her. | Authorized Full Investigation 5-0 | More time is needed to determine if the SO violated PBP Policy and procedures when he allegedly failed to provide the Cx with a police escort. |
| 043-23 Hunt | 12-6 Use of Force 16-1 (3.6) Conduct Unbecoming a Member/Employee 16-1 (3.7) Conduct toward the public | The Cx alleges that SO#1 and other unknown PBP Officers harassed him and used excessive force to remove him from Tequila Cowboy Bar for unknown reasons. | Authorized Full Investigation 5-0 | Preliminary Inquiry (PI) Supports the cause to investigate if SOs violated PBP Policy and Procedures. |
| 035-23 Hunt | 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public | The Cx alleges the SO has been intimidating her during criminal court proceedings by staring at her. | Authorized Full Investigation 5-0 | Preliminary Inquiry (PI) Supports the cause to investigate if SOs violated PBP Policy and Procedures. |
| 029-23 Ellwood | 16-01.3.7.2 Conduct Toward the Public 40-19.5.1.5 Mandatory Reports by Bureau Policy | The Cx alleges that the SO broke PBP policies by being rude to her and not taking a report when one was requested. | Authorized Full Investigation 5-0 | More time is needed to determine if the SO violated PBP Policy and procedures when he allegedly failed to provide the Cx with a report that she requested. |
| 025-23 Ellwood | 16-01.3.6 Conduct Unbecoming 16-01.3.19 Truthfulness 40-19.3.4 Reports General | Cx alleges that the SO was not truthful in his charges against the Cx. The Cx alleges that the SO made a false report against the Cx to humiliate him due to the nature of the charges. | Authorized Full Investigation 5-0 | Preliminary Inquiry (PI) Supports the cause to investigate if SOs violated PBP Policy and Procedures. |

| CPRB CASE NO. INVESTIGATOR | ALLEGATION(S) | SUMMARY | RECOMMENDATION | RATIONALE |
|---|---|--|--|--|
| 017-23 Hunt | 11-3 Unbiased Policing 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public | The Cx alleges that he was racially profiled and harassed when the SO approached him outside an Airbnb, asked him what he was doing there, then pressured him to let him search his vehicle. | Authorized Full Investigation 5-0 | Preliminary Inquiry (PI) Supports the cause to investigate if SOs violated PBP Policy and Procedures. |
| 016-23 EDI Bridgett | Unbiased Policing 11-3 Use of Force 12-6 Conduct Unbecoming a Member or Employee 16-1 (3.06) Conduct Toward the Public 16-1 (3.07) Motor Vehicle Stops 40-4 (3.0) | An Executive Director Inquiry (EDI) has been opened because CPRB was made aware of a traffic stop on January 16, 2023, in the 7600 block of Frankstown Avenue. | Authorized Full Investigation 5-0 | More time is needed to interview the victim and the witnesses. |
| 005-23 Bridgett | 16-01 (3.13) Conduct Unbecoming a Member | The Cx alleges the SOs acted unprofessional while weaving their motorcycles in and out of the bicycle lane safety posts in a highly populated area. | Authorized Full Investigation 5-0 | More time is needed to determine the training standards for the motorcycle units and to request and receive documents. |
| 30-DAY EXTENSION OF FULL INVESTIGATION (5) | | | | |
| Ellwood 028-23 | 16-1.3.7 Conduct Toward the Public 16-1.3.13: Neglect of Duty 40-19 Reports | The Cx alleges that SO#1 and SO#2 were rude and discourteous to her and W#1, her daughter, when dealing with an incident involving W#2, a juvenile. | Authorized 30-day investigation 5-0 | More time is needed to determine if SOs violated PBP Policy and Procedures. |
| 010-23 Hunt | 11-3 Unbiased Policing 16-1 (3.6) Conduct Unbecoming a Member 16-1(3.7) Conduct Towards the Public 16-1(3.13.1) Neglect of Duty 40-9 Reports | The Cx alleges that he was in a motor vehicle accident and the SO refused to provide him with an accident report. | Authorized 30-day investigation 5-0 | More time is needed to determine if SOs violated PBP Policy and Procedures. |
| 004-23 Ellwood | 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public | The Cx alleges that the SO came to her home while she was working and arrested her for disorderly conduct, he was rude and discourteous. | Authorized 30-day investigation 5-0 | More time is needed to determine if SOs violated PBP Policy and Procedures. |
| 206-22 Bridgett | 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public 36-02 Property Room Procedures 45-2 Warrantless & Search and Seizure | The Cx alleges that the SOs conducted a search warrant at her boyfriend's (W#1) residence and ended up taking several of her electronics and searching her vehicle. | Authorized 30-day investigation 5-0 | Waiting for the SO statements and to review the BWC footage. |

| CPRB CASE NO. INVESTIGATOR | ALLEGATION(S) | SUMMARY | RECOMMENDATION | RATIONALE |
|----------------------------|---|---|--|---|
| 085-22 Bridgett | 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public | The Cx alleges the SO conducted a search warrant at her home and the target of the investigation (W#1) does not reside there. | Authorized 30-day investigation 5-0 | Waiting for the SO statements and to review the BWC footage. |
| UNFOUNDED (1) | | | | |
| 186-22 Hunt | 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 neglected their duties when they failed to investigate her ongoing identity theft Case. | Authorized 30-day investigation 5-0 | More time is needed to determine if SOs violated PBP Policy and Procedures. |
| UNSUSTAINABLE (2) | | | | |
| 171-22 Hunt | 11-3 Unbiased Policing 12-6 Use of Force 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward The Public 16-1 (3.19.1) Truthfulness | Cx alleges that the SOs lied about their reason for entering his apartment and then forcefully put him into handcuffs, causing more injury to a pre-existing condition. | Authorized Dismiss as Unsustainable 5-0 | Nothing gathered in the evidence points to the SO violating Policy and Procedures. |
| 138-21 Ellwood | 12-06.3.2 Use of Force 16-01.3.06 Conduct Unbecoming 16-01.3.07 Conduct Toward the Public | Cx alleged that PBP officers detained him unlawfully and forced him to provide his ID without suspecting him of a crime. | Authorized Dismiss as Unsustainable 5-0 | Nothing gathered in the evidence proves the SO violated Policy and Procedures. |
| OTHER (1) | | | | |
| 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 was unprofessional during an incident at her residence. | Authorized Dismiss as resolved 5-0 | The SO was given a verbal reprimand and the Cx is satisfied. |
| SUSPENSION (6) | | | | |
| 200-22 EDI Bridgett | 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public | According to multiple news reports, PBP Officers failed to show up and provide security at a youth football game on 08/14/2022 and a funeral for a homicide victim on 10/28/2022. | Authorized suspension until May June 2023. 5-0 | Waiting on documents that were requested from the PBP. |
| 187-22 Ellwood | 16-1.3.13: Neglect of Duty 40-19 Reports 41-3.3.4.4 Crash Response Investigation and Reports | The Cx alleges that the SO neglected his duty when he failed to take a police report after the Cx called 911 for a traffic accident. | Authorized suspension until May June 2023. 5-0 | More time is needed to gather information to determine if the SO violated PBP policies and procedures when he neglected his duty to take a report for a traffic accident. |

| CPRB CASE NO. INVESTIGATOR | ALLEGATION(S) | SUMMARY | RECOMMENDATION | RATIONALE |
|-------------------------------|---|--|--|--|
| 181-22 Bridgett | 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward The Public 16-1 (3.13) Neglect of Duty PBP 41-03 Crash Response. | The Cx alleges that he was the victim of a hit and run accident and the SOs refused to take a report or file charges against the person who hit his vehicle and would not provide a badge number | Authorized suspension until May June 2023. 5-0 | More time is needed to determine if SOs violated PBP Policy and Procedures. |
| 175-22 Hunt | 16-1 (3.6.1 & 3.6.3) Conduct Unbecoming a Member 16-1 (3.7.2) Conduct Toward the Public 16-1 (3.19.1) Truthfulness 29-01-01(14.10,14.11) Secondary Details 69-03 (8.0) Body Worn Camera | The Cx states that he encountered the SO while riding his bike through downtown Pittsburgh and noticed an illegally parked vehicle in the bike lane | Authorized suspension until May June 2023. 5-0 | More time is needed to determine if SOs violated PBP Policy and Procedures. |
| 102-22 Ellwood | 12-06 Use Of Force 16-1.3.06: Conduct Unbecoming 16-1.3.07: Conduct Toward The Public 16-1.3.13: Neglect of Duty | Cx alleges that the SOs used excessive force in arresting her and that it was illegal to arrest her because she was trying to protect her wounded son from the police during his arrest. | Authorized suspension until May June 2023. 5-0 | More time is needed to determine if the SOs violated PBP Policy and Procedures when interacting with the Cx during two separate incidents. |
| 099-22 Hunt | 11.3 (3.0) Un-biased Policing 12-6 Use of Force 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward The Public | Cx#1 and Cx#2 alleged that SOs were inappropriate and used excessive force toward them when they (SOs) responded to a shoplifting call. | Authorized suspension until May June 2023. 5-0 | More time is needed to determine if SOs violated PBP Policy and Procedures. |

***** Continuing Suspensions Follow *****

**CONTINUED SUSPENSIONS (13)
SUMMARIES PROVIDED UPON REQUEST OF MEMBERS**

| CPRB CASE NO. INVESTIGATOR | ALLEGATION(S) | REASON FOR CONTINUED INVESTIGATION | POSSIBLE CLOSING DATE |
|---------------------------------------|--|---|------------------------------|
| 170-22 Ellwood | 11.3 Unbiased Policing 12.3 Oath of Office 16.3.01 Obedience to orders and laws 16-1.3.06 Conduct Unbecoming 16-1.3.13 Neglect of Duty | The investigator is trying to determine what disciplinary action the SO received. | TBD |
| 143-22 Ellwood | 016-1.3.06 Conduct Unbecoming 016-1.3.07 Conduct Toward the Public | More time is needed to gather officer statements. | TBD |
| 123-22 Ellwood | 016-1.3.06 Conduct Unbecoming 40-04 Motor Vehicle Stops 41-04.01 Towing Procedures, Reasons for Towing 44-02 Arrests, Summary Citations, Non-traffic 44-03 Arrests, Electronic Citations, Traffic and Non-traffic 54-01 Traffic Citations | More time is needed to gather officer statements. | TBD |
| 100-22 Bridgett | 16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public | Verifying if there is body cam footage available. | TBD |
| 063-22 Bridgett | 16-1 (3.6) Conduct Unbecoming a Member 40-4 Traffic Stops | The investigator is trying to determine what disciplinary action the SO received. | TBD |
| 197-22 Ellwood | 16-1.3.06 Conduct Unbecoming 16-01.3.07 Conduct Toward the Public 16-1.3.13 Neglect of Duty | More time is needed to obtain BWC footage, SO statements, | TBD |
| CPRB CASE NO. INVESTIGATOR | ALLEGATION(S) | REASON FOR CONTINUED INVESTIGATION | POSSIBLE CLOSING DATE |

| | | | |
|-----------------------|---|--|-----|
| 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 | More time is needed to obtain BWC footage, SO statements, Affidavit of Probable Cause, receipts for vehicle repairs, and identify witnesses. | TBD |
| 020-22 Hunt | 16-1 (3.6) Conduct Unbecoming a Member or Employee 16-1 (3.7) Conduct Toward the Public 16-1 (3.13) Neglect of Duty 16-1 (3.19.1) Truthfulness 53-01, Court Appearances | The Cx, the victim of a home invasion, alleges that SO#1 was rude and discourteous towards her when she questioned why W#1 did not appear in court that day. | TBD |
| 001-22 ED Bridgett | 16-1 (3.6) Conduct Unbecoming a Member 20-01 (6.4.1, 6.4.5, 6.4.6) No Harassment | Waiting on a response from the Public Safety Director. | TBD |
| 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 Citation | More time is needed to obtain BWC footage, SO statements, affidavits of probable cause, receipts for vehicle repairs, and identify the witnesses. | TBD |
| 252-20 Ellwood | 16-01 (3.7.1) Conduct Toward the 40-04 Public Motor Vehicle Stops | Waiting for SO statements. | 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 from the PBP | 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 |