



INDEPENDENT CITIZEN POLICE REVIEW BOARD

816 Fifth Avenue, Suite 400
Pittsburgh PA 15219
412-765-8023 Telephone – 412-765-8059 Facsimile
cprb@pittsburghpa.gov

Draft for
07/25/2023
Review

NOTES of the CPRB Meeting Held on June 27, 2023 (Mtg. No. 255)

Online Zoom Webinar # 854 0367 9472

Pittsburgh, PA 15219

Neighborhood: Citywide

Video of the meeting: <https://cprbpg.org/511112>

Members Present: Dr. Mary Jo Guercio, Chair Mr. Raymond Robinson, Vice Chair Ms. Lakeisha Brown 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: Ms. Karen McLellan, LEP* Mr. Sheldon Williams, LEP* Dr. Emma Lucas-Darby Absent: None Vacancy: None *Law Enforcement Professional Excused staff: All present.
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The entire meeting may be viewed here: [Independent CPRB Meeting 06/27/2023](#)

Dr. Mary Jo Guercio, Chair, called the online Zoom meeting to order at approximately 6:16 pm. Dr. Guercio acknowledged the excused members, Ms. McLellan, Dr. Darby and Mr. Williams. Ms. Pittinger, Executive Director, informed the Chair that Mr. Green communicated that he would attend and with his attendance, there would be a quorum. Dr. Guercio asked Ms. Pittinger to proceed with her report.

Executive Director's Report:

Ms. Pittinger reported to the Board that the intake thus far is 116 complaints received, which is on track with the total complaints of last year.

Ms. Pittinger reminded the Board of the Executive Director's Inquiry (EDI) into the request for the training material related to supervisors and Leadership preparation of the PBP supervisors. In November 2022, an EDI was opened into two high-profile incidents that occurred in 2022 that may have been due to some supervisor oversight. To understand that process, CPRB approached the Bureau to obtain their leadership and skill development curricula for newly promoted supervisors (Sergeants, Lieutenants and Commanders). The Bureau's policy does require some criteria to be in place. Material extracted directly from their policy and procedures is what was requested.

In last month's Board meeting, Mr. Robinson asked, with the Chief just coming on should we apprise him of the plans to subpoena the training material to see if Chief Sciroto is interested in fulfilling the request or if he would be allowed to fulfill it. Ms. Pittinger will meet with the Chief later in the week, extend the courtesy, ask about the requested material, and report back in the July board meeting.

Ms. Pittinger and Ms. Hampton met with a Delegation from the Republic of Armenia last Thursday, 6/22/2023. The United States Department of State sponsors a program called the International Visitor Leadership Program ([IVLP](#)). The program brings delegations from reforming or emerging democracies to the US so they can study the United States' system and how we do things that are common to both countries. Discussed were culture and law enforcement policies and practices. Their theme was [Strengthening Law Enforcement Public Relations and Community Outreach](#). They met with the Office of Community Engagement in the Bureau of Police, Big Brothers & Big Sisters, along with various groups in Minneapolis and Washington DC.

Armenian law enforcement is a national police force with three divisions. The Armenian Constitution addresses police powers, how the police are structured and when force is permissible. They place a very high value on their constitutional foundation of policing and maintain the [Educational Complex](#) which provides rigorous, standardized, police training and professional development equivalent to higher education and post-graduate degrees in the US. [GlobalPittsburgh](#) is the local host for State Delegations.

The Juneteenth celebration in the City was a great success overall. One incident raised some controversy. The incident occurred as Mr. Parker was expressing dissatisfaction with Mayor Gainey as the Mayor was walking in the Juneteenth parade. There is a dispute about the facts, so an EDI was opened. Mr. Parker alleged that Chief Sciroto ordered an officer to take him to the ground and that the Chief participated in restraining him. The Chief denies Mr. Parker's accusations.

There has been a significant development in Minnesota in the wake of George Floyd's death. In Minnesota, there is a Department of Human Rights (MDHR) at the state government level. MDHR investigated Minneapolis City and the Minneapolis Police Department. Among MDHR's findings were discriminatory practices, use of excessive force and civil rights violations. MDHR, the City of Minneapolis, and the Minneapolis Police Department agreed to file a [consent decree](#), enforceable by the state court. On June 16th, it was announced by [Attorney General Merrick B. Garland](#) that, as a result of the investigative findings by the Department of Justice, there was an agreement between the U.S. Department of Justice, Minneapolis City and the Minneapolis Police Department to enter into a [consent decree at the federal level](#). ([CBS News Article](#)) The first consent decree in the country was in Pittsburgh, 1997.

It seems that the "double standards" often associated with police-involved incidents are beginning to diminish. For example, a recent incident in San Antonio, the three police officers who shot and killed a woman who was in a behavioral health crisis were immediately suspended and within a day or three, they were all charged with murder. A few years ago, it is unlikely that the officers would have been charged. In contrast, there is an eight-million-dollar settlement between the City of Pittsburgh and the estate of Mr. Jim Rogers but still no disposition on any criminal culpability of the officers involved in Mr. Rogers' death because the district attorney has not disclosed a disposition. He continues to say that another agency is looking at the incident. From the PBP's own reporting and their critical incident review, a major factor in the incident was ineffective supervision.

Ms. Pittinger acknowledged Mr. Green's attendance and the Chair recognized the presence of a quorum.

Ms. Pittinger reminded the Board of the Statements of Financial Interest (SoFi) that each Board Member (public officials) and CPRB employees (public employees) must file annually by May 1st. The filing is required by the City and State Ethics Codes. The State Ethics Statute establishes standards at the state and political subdivisions. In the Office of Municipal Investigation (OMI), there are civilian investigators and police officers detailed to OMI and assigned as OMI investigators. The civilian members of OMI's staff must file a SoFi, disclose any conflict of interest and report gifts, but the police officers that are detailed and assigned to OMI as investigators do not have to follow the same process and file the annual SoFi. That raises a question about the application of the ethics rules in both the city and the state. The regulations of the State Ethics Commission exempts police officers from ethics filings, including the annual SoFi. The ethics statute however, does not exempt police.

Ms. Pittinger asked the Board if they would oppose her presenting the question to the local and state ethics commissions, whether or not police officers below rank, lieutenants down to patrol should be subjected to the ethics code. Commanders on up do file. Police officers exercise discretion and have more than a de minimis effect on others. Why the distinction, and would it be appropriate for a change?

Mr. Green asked for clarification of the names of the two separate forms, Sofi being the first, and Ms. Pittinger replied that the second was the disclosure of any conflict of interest. Mr. Green said he would like to know more about the discrepancy between the two groups of people, OMI civilian investigators and OMI police officer investigators. Ms. Pittinger replied that the police exemption raised the broader question of whether or not sworn police officers are public employees covered by the ethics act and if not, why not.

Dr. Guercio asked if the firefighter must complete the SoFi, and Ms. Pittinger replied that she did not know but would find out.

Dr. Guercio asked if a motion was required for Ms. Pittinger to proceed, and Mr. Ward replied you have a quorum, and it's the safest way to proceed in a public proceeding with a motion,

A motion for Ms. Pittinger, Executive Director, to pursue inquiries regarding civilian and sworn police officers doing the same job being treated differently under the state ethics code was offered by Mr. Green, seconded by Ms. Brown, and approved unanimously.

Mr. Robinson asked if we get the response to the question or some feedback, will it change anything that the Board does or would it just be informative? Ms. Pittinger replied that it would depend on the information received and how the Board analyzes its effect on community/police relations. It could lead to asking the Ethics Commission to review its regulation exempting police officers.

Ms. Pittinger informed the Board interviews are underway for the Administrative Assistant and the Community Liaison position. The two positions should be filled by the end of the summer, and the investigator position will reopen in September.

The PBP is planning on two recruit classes this year. If there is a change, Ms. Pittinger will inform the Board. Chief Sciroto has articulated his desire and may already have created a recruitment unit consistent with what the Board recommended 21 years ago. To have the best, brightest, most attractive officers, the most enthusiastic officers on recruitment duty.

The entire meeting may be viewed here: [Independent CPRB Meeting 06/27/2023](#)

Dr. Guercio recognized the presence of a quorum and that a vote was needed to accept the meeting minutes from May's meeting and return to the business meeting agenda.

A motion to approve the 05/23/2023 board meeting minutes was offered by Mr. Robinson, seconded by Mr. Green, and approved unanimously.

Opening remarks by the Chair:

Dr. Guercio had no opening remarks.

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.

Public Comment:

Mr. & Mrs. Ozark greeted the Board.

Next Meeting:

Dr. Guercio announced the time and location of the next Board meeting: Tuesday, July 25, 2023, at 6:00 pm via Zoom. The meeting link will be posted on the cprbpg.org website and Facebook page.

Ms. Pittinger acknowledged Nigel Parry who has been extraordinarily supportive in the last couple of months getting the CPRB website back up to date and providing plain observational summaries of Board meetings, highlighting points of interest for the general public. Ms. Pittinger thanked Mr. Parry for his patience and support of the Board.

The entire meeting may be viewed here: [Independent CPRB Meeting 06/27/2023](#)

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

Respectfully Submitted,

Stephanie M. Dorman

Stephanie M. Dorman

Assistant Executive Director

Attachments (1): 06/27/2023 Draft Case Review Agenda

CPRB CASE REVIEW AGENDA 06/27/2023

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
PUBLIC HEARING (0)				
FULL INVESTIGATION (1)				
083-23 Bridgett	16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public	The Cx alleges that the SO pulled her son (W#1) over at the West End Exit near Rt. 51 because he hesitated before taking the exit.	Authorized Full investigation 4-0	Preliminary Inquiry (PI) Supports the cause to investigate if SOs violated PBP Policy and Procedures.
30-DAY EXTENSION OF FULL INVESTIGATION				
071-23 EDI Hunt	16-1 (3.6) Conduct Unbecoming a Member 16-1 (3.7) Conduct Toward the Public 12-6 Use of Force 42-05 Strikes	An Executive Directory Inquiry (EDI) has been opened due to information received by the CPRB that during a Post-Gazette worker's strike when approximately 25 PBP officers came to break /enforce the picket line.	Authorized 30-day investigation 4-0	More time is needed to determine if SOs 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 she was being followed by a suspicious male.	Authorized 30-day investigation 4-0	More time is needed to determine 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 30-day investigation 4-0	More time is needed to determine 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 30-day investigation 4-0	More time is needed to determine if SOs violated PBP Policy and Procedures.
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 him. The Cx alleges that the SO made a false report against him to humiliate him due to the nature of the charges.	Authorized 30-day investigation 4-0	More time is needed to determine if SOs violated PBP Policy and Procedures.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
016-23 EDI Bridgett	11-3 Unbiased Policing 12-6 Use of Force 16-1 (3.06) Conduct Unbecoming a Member or Employee 16-1 (3.07) Conduct Toward the Public 40-4 (3.0) Motor Vehicle Stops	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 30-day investigation 4-0	More time is needed for the investigator to talk with the victim.
UNFOUNDED (1)				
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 and was rude and discourteous.	Authorized Dismiss as Unfounded 4-0	The evidence gathered shows that there was no violation of the PBP policy by the SOs.
UNSUSTAINABLE (3)				
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 Dismiss as Unsustainable 4-0	The Commander addressed the issue with the SOs involved.
143-22 Ellwood	016-1.3.06 Conduct Unbecoming 016-1.3.07 Conduct Toward the Public	The Cx alleges that the SO was rude and unprofessional toward her during her encounter and arrest.	Authorized Dismiss as Unsustainable 4-0	The evidence gathered does not prove the SO violated Policy and Procedures.
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 Dismiss as Unsustainable 4-0	The evidence gathered does not prove the SO violated Policy and Procedures.
OTHER (2)				
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 Dismiss as Out of Jurisdiction 4-0	The Investigator found that the SO is no longer employed by the PBP as of 05/23/2023.
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 (8.1.2) 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 Dismiss as resolved 4-0	The SO was given a verbal reprimand and the Cx is satisfied.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
SUSPENSION (3)				
028-23 Ellwood	16-1.3.7 Conduct Toward the Public 16-1.3.13: Neglect of Duty 40-19 Reports	The Cx (grandmother) 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 suspension until July 2023 4-0	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 40-19 Reports 69-03 (8.1.2) Body Worn Camera	The Cx alleges that he was in a motor vehicle accident, and the SO refused to provide him with an accident report.	Authorized suspension until July 2023 4-0	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.
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 suspension until July 2023 4-0	More time is needed to determine if SOs violated PBP Policy and Procedures regarding the search of the Cx's vehicle.

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

**CONTINUED SUSPENSIONS (15)
SUMMARIES PROVIDED UPON REQUEST OF MEMBERS**

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
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
187-22 Ellwood	16-1.3.13: Neglect of Duty 40-19 Reports 41-3.3.4.4 Crash Response Investigation and Reports	More time is needed to determine if the SO took a traffic accident report.	TBD
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.	More time is needed to review BWC to determine if SOs violated PBP Policy and Procedures.	TBD
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	More time is needed to determine if SOs violated PBP Policy and Procedures.	TBD
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

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	REASON FOR CONTINUED INVESTIGATION	POSSIBLE CLOSING DATE
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	More time is needed to determine if the SOs violated PBP Policy and Procedures when interacting with the Cx during two separate incidents.	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
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	More time is needed to determine if SOs violated PBP Policy and Procedures.	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
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

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 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