

Date: September 29, 2022
To: Board Members, Citizen Complaint Authority
From: Gabriel Davis, Director
Subject: Investigation Summary – October 3, 2022 Board Meeting

RECOMMENDATION SUMMARIES

#1

Topic	Tracking System: Contact Card Policy/Procedure
Recommendation #	R2214
CCA Case #	20227

#R2214: Tracking System: Contact Card Policy/Procedure

To help improve citizen-police relations, CCA recommends that CPD expand Contact Card reporting to facilitate the tracking of stops based on suspected drug activity. by a) including “Drug Activity” as a recordable “Reason for Stop” on Contact Cards; and b) revising Contact Card policy to require officers to list “Drug Activity” as a reason for the stop on all police stops where suspicion of drug activity is a motivating factor for the stop, irrespective of whether other factors such as traffic offenses were also reasons for the stop.

#2

Topic	Disability & Accessibility
Recommendation #	R2211
CCA Case #	21123

#R2211: Disability & Accessibility

CCA recommends the Cincinnati Police Department strengthen its policies regarding interactions with people who are suspected to be physically or developmentally disabled and review existing policies to ensure the handling, detention, and transportation of such persons complies with the Americans with Disability Act (ADA). CPD Policy 12.110 outlines how officers should interact with “Suspected Mentally Ill Individuals,” and Policy 18.103 outlines how officers should treat “People Who are Deaf or Hearing

Impaired;” a similar policy should be created regarding physically or developmentally disabled persons that specifies ADA-compliant standards for moving, detaining, or otherwise handling such persons. At a minimum, CPD should follow the example of the Columbus Police Division for the treatment of “Non-Ambulatory” prisoners, and (a) require its officers “to make reasonable accommodations to ensure their safety;” (b) require officers to transport such prisoners in a manner that “allows the prisoner to remain in his or her mobility device,” such as a wheelchair; (c) mandate that officers must transport such disabled persons in an “ADA accessible vehicle;” and (d) require a supervisor to respond to the scene when “there is a question concerning whether a non-ambulatory prisoner needs to be transported by a medic or other ADA accessible vehicle.” *See* Columbus PD Division Directive 3.03. CPD’s new policy should also adopt the IACP’s (International Association Chief of Police) guidance that “when reasonable and practical, avoid physical restraints,” which can “injure the person or limit the person’s ability to communicate,” or limit the person’s ability to “move independently (e.g., someone who uses a wheelchair).”

#3

Topic	Corrective & Disciplinary
Recommendation #	R2212
CCA Case #	21123

#R2212: Corrective & Disciplinary

Given recurring violations of police policy by Specialist Kevin Newman during a consecutive multi-year period—including repeated improper enforcement activity that resulted in four (4) Sustained findings from CCA for Improper Search, Discrimination, and Discourtesy in 2020 and 2021, as well as numerous Sustained findings in the present 2021 case for Abuse of Authority, Discourtesy, Discrimination, and Excessive Force—CCA recommends that CPD review Specialist Newman’s performance and begin Supervisory Monitoring. Moreover, given repeated Sustained findings for Discrimination relating to discriminatory speech directed towards detained citizens by Specialist Newman, as well as the patent mistreatment of a prisoner in this case by Specialist Newman, CCA also recommends that CPD take all appropriate disciplinary action under CPD’s Disciplinary Table/Matrix, including action such as suspension, requiring a disciplinary hearing.

#4

Topic	Corrective & Disciplinary
Recommendation #	R2213
CCA Case #	21123

#R2213: Corrective & Disciplinary

Given recurring violations of police policy by Police Officer Michael Smith during a consecutive multi-year period—including repeated improper enforcement activity that resulted in eight (8) Sustained findings from CCA for Excessive Force, Discourtesy, and Improper Procedure in 2018, 2019, and 2021, as well as numerous Sustained findings in the present 2021 case for Abuse of Authority, Discourtesy, Discrimination, and Excessive Force—CCA recommends that CPD review Officer Smith’s performance and begin

Supervisory Monitoring. Moreover, given repeated Sustained findings for Discourtesy, as well as the patent mistreatment of a prisoner in this case by Officer Smith, CCA also recommends that CPD take all appropriate disciplinary action under CPD's Disciplinary Table/Matrix, including action such as suspension, requiring a disciplinary hearing.

INVESTIGATION SUMMARIES

1

Complaint #	20215
Complainant	Marlon Johnston
Incident Date	October 27, 2020
Investigator	Ikechukwu Ekeke
Allegations	<u>Original Allegations</u> Improper Stop Improper Pointing of a Firearm Discrimination Improper Search <u>Collateral Allegations</u> Improper Search Discourtesy Improper Procedure (Use of Force)

COMPLAINT SUMMARY

On October 27, 2020, Mr. Marlon Johnston and his brother, Mr. Brandon Johnston, were stopped by CPD for an improper change of course. During the stop, the Johnston's alleged that officers improperly searched the vehicle and improperly pointed firearms at them.

FINDINGS

Original Allegations

(Complainant Marlon Johnston and Involved Citizen Brandon Johnston)

Officer Cameron Fehrman
Officer Jason Wallace

Improper Stop – EXONERATED
Improper Pointing of a Firearm – UNFOUNDED
Discrimination – UNFOUNDED

(Complainant Marlon Johnston)

Officer Thomas Back
Officer Alyssa Twehues
Officer Brian Follrod

Improper Search – EXONERATED

(Complainant Marlon Johnston)

Officer Tyler Lane

Improper Search – SUSTAINED

(Involved Citizen Brandon Johnston)

Specialist Kevin Newman

Improper Search – SUSTAINED

Collateral Allegations

(Complainant Marlon Johnston)

Officer Cameron Fehrman

Improper Search – SUSTAINED

(Involved Citizen Brandon Johnston)

Specialist Kevin Newman

Discourtesy – SUSTAINED

(Complainant Marlon Johnston and Involved Citizen Brandon Johnston)

Officer Thomas Back

Officer Casey Carver

Improper Procedure (Use of Force) – EXONERATED

■

2

Complaint #	20227
Complainant	Jermaine Watson
Incident Date	November 11, 2020
Investigator	Makiedah Messam
Allegations	Improper Stop Improper Seizure Improper Search

Improper Pointing of a Firearm
Improper Procedure (Contact Card)
Improper Procedure (BWC)

COMPLAINT SUMMARY

Date: November 11, 2020
Time: 5:15 p.m.
Location: Hopple Street

Mr. Jermaine Watson stated that he was on his way to his second shift job as a youth advocate for at risk youth when he stopped at a BP gas station on Hopple Street because his vehicle was low on engine oil. He pulled in front of the gas station store and lingered in his vehicle for about 3-4 minutes as he was watching a documentary on his phone. *“From the time I pulled up to the gas station and watched the documentary I never spoke to anyone, waved to anyone, head nod or anything. So, I got out the car, walked inside of the store, I got my things, I came back outside. At this time, I still never spoke to anyone, said nothing to anyone or anything. I opened up the hood of my car and put the oil inside of the engine I closed the hood, still didn’t speak to or said nothing to anyone, got back in my car, drove off headed to get my youth.”*

He further stated, *” [n]ext thing I know I see about 7-8 police officers behind me with their lights on but this time I’m thinking that something just happened on the other side like Westwood side of town, I thought they were just going past me. I see a Charger, like a dark gray Charger just get in front of me and it slowed down so I’m looking, and the police are still behind me so at that time I start slowing down. And I’m confused as to what’s going on, so I put my hands on the steering wheel because I’m licensed to carry I had my gun in the car and I put my hands on the steering wheel and the police officers that were in the back of me they got out their car with their guns drawn.”*

FINDINGS

Sergeant Luke Putnick
Specialist Kevin Newman
Officer Michael Smith

Improper Stop – EXONERATED
Improper Seizure – EXONERATED

Sergeant Luke Putnick
Specialist Kevin Newman
Officer Michael Smith
Officer Thomas Back

Improper Search – EXONERATED

Officer Thomas Back

Improper Pointing of a Firearm – EXONERATED

Officer Michael Smith

Improper Procedure (Contact Card) – SUSTAINED

Officer Thomas Back

Officer Cameron Fehrman

Improper Procedure (BWC) – SUSTAINED

RECOMMENDATION

#R2214: Tracking System: Contact Card Policy/Procedure

To help improve citizen-police relations, CCA recommends that CPD expand Contact Card reporting to facilitate the tracking of stops based on suspected drug activity by a) including “Drug Activity” as a recordable “Reason for Stop” on Contact Cards; and b) revising Contact Card policy to require officers to list “Drug Activity” as a reason for the stop on all police stops where suspicion of drug activity is a motivating factor for the stop, irrespective of whether other factors such as traffic offenses were also reasons for the stop.

■

3

Complaint #	20232
Complainant	William Doll
Incident Date	November 23, 2020
Investigator	Makiedah Messam
Allegations	Discrimination Discourtesy

COMPLAINT SUMMARY

Date: November 23, 2020

Time: 10:49 a.m.

Location: 3015 Glenhills Way

On November 23, 2020, Mr. William Doll stated he was shopping at St. Vincent DePaul Donation Center

around 10 a.m. He was looking at an item on a shelf when a group of people came behind him and pushed him aside to look at the object. A woman was among the group of persons who pushed him. He told the woman he wanted to purchase the item and she yelled at him stating he touched her. Mr. Doll further stated that when the police arrived, they confronted him and were very direct with him. Mr. Doll felt the police did not give him a chance to speak on his version of the story. Mr. Doll stated, “I feel [*sic*] unsafe, disrespected, and treated as a criminal for a situation that I did not deserve this. ...I believe that the situation was handled poorly.”

FINDINGS

Officer Darwin Gulley
Officer James Bolt

Discrimination – EXONERATED

Officer James Bolt

Discourtesy – SUSTAINED

Officer Darwin Gulley
Officer Richard Minella

Discourtesy – UNFOUNDED

■

4

Complaint #	21018
Complainant	Kellie Boyd-Barnes
Incident Date	February 9, 2021
Investigator	Ikechukwu Ekeke
Allegation	Improper Procedure

COMPLAINT SUMMARY

Dr. Boyd-Barnes alleged that on Tuesday, February 9, 2021 around 5:51p.m. at 3190 Woodford Road (the parking lot of UDF), Sergeant Sulton arrived on the scene and escalated his tone of voice rather than de-escalate the issue when interacting with Dr. Boyd-Barnes and her son (B/M/26). Dr. Boyd-Barnes advised Sergeant Sulton, Officer Keith West, and Officer Joshua Flora that her son was experiencing a psychotic episode. Dr. Boyd-Barnes’s complaint pointed out the lack of securing the scene and that Evendale Police worked with the paramedics for assistance.

FINDINGS

Officer Christopher Sulton

Improper Procedure – EXONERATED

■

5

Complaint #	21025
Complainant	Valentina Moreno Cheek
Incident Date	February 22, 2021
Investigator	Morgan Givens
Allegations	Discrimination Lack of Service

COMPLAINT SUMMARY

Ms. Moreno-Cheek stated that on February 22, 2021, at approximately 3:45 PM, she was involved in a hitskip accident and called 911 for assistance; Officers Norman and Brown responded to the scene. She alleged that the officers did not do an investigation based on the information she provided, and that one of the officers stated that she should use “Gorilla Glue” to address the damage to her vehicle. Mrs. Moreno-Cheek took the Gorilla Glue recommendation to be racially motivated because she is black.

FINDINGS

Officer Tamera Brown
Officer Shayna Norman

Discrimination – UNFOUNDED

Lack of Service – UNFOUNDED

■

6

Complaint #	21035
Complainant	Renett Taltoan
Incident Date	March 10, 2021

Investigator	Morgan Givens
Allegations	Discrimination Improper Stop Discourtesy

COMPLAINT SUMMARY

Complainant alleged that on Wednesday, March 10, 2021 2:30 PM at 580 Livingston Avenue, Officer Elliot Miller initiated a traffic stop due to her race and Officer Shayna Norman was discourteous.

FINDINGS

Officer Elliot Miller

Improper Stop – EXONERATED
Discrimination – UNFOUNDED

Officer Shayna Norman

Discourtesy – UNFOUNDED

■

7

Complaint #	21072
Complainant	Demarr Evans
Incident Date	April 8, 2021
Investigator	Joseph Vesper
Allegations	Harassment Improper Seizure Improper Search

COMPLAINT SUMMARY

Date: April 8, 2021

Time: 3:41 PM

Location: [REDACTED]

Mr. Demarr Evans, M/B/36 alleged that Officers from the District 5 Violent Crimes Squad, specifically identified as Officer Howard Fox and other unknown officers, at the direction of Officer Fox, had harassed

Mr. Evans over the course of 2020 to 2021 when they stopped him multiple times in traffic stops. Mr. Evans believed the harassment stems from his unwillingness to be a police informant. Additionally, Mr. Evans believed there was an improper seizure of money during an arrest on April 14, 2020, and an improper search was conducted at his residence and the parking lot of his residence on April 8, 2021. Attempts to contact Mr. Evans have been futile. The phone number associated with the Complainant is out of service, there has been no response via email, and Mr. Evans has not responded despite attempts via US mail to both his supplied addresses.

FINDINGS

Officer Howard Fox
 Officer Barry Rogers
 Officer John Brown
 Officer Cody Dotson
 Officer Delecia Grisby
 Officer John Wolff
 Sergeant Craig Copenhaver

Harassment – UNFOUNDED

Officer Barry Rogers
 Officer Delecia Grisby
 Officer John Wolff

Improper Search – EXONERATED

Officer John Brown

Improper Seizure – EXONERATED

■

8

Complaint #	21087
Complainant	Travis Crumpler
Incident Date	May 19, 2021
Investigator	Morgan Givens
Allegation	Excessive Force

COMPLAINT SUMMARY

On Wednesday, May 19, 2021 at 9:53 AM, CCA received notification from the Emergency Communication Center (ECC) for a potential death in custody involving Officers Pitts and Mauric. CCA responded to 1900 Vine Street. Mr. Crumpler did not succumb to his injuries; consequently, CCA investigated the incident as a potential excessive force incident. Mr. Crumpler was hanging outside of the building before Officers Mauric and Pitts reached the top of the stairwell.

FINDINGS

Officer Aubrey Pitts
Officer Matthew Mauric

Excessive Force - UNFOUNDED

■

9

Complaint #	21123
Complainant	Anthony Hogan
Incident Date	July 7, 2021
Investigator	Morgan Givens
Allegations	<u>Original Allegations</u> Discourtesy Excessive Force <u>Collateral Allegations</u> Improper Procedure Abuse of Authority Discrimination Improper Procedure (BWC)

COMPLAINT SUMMARY

Mr. Anthony Hogan alleged that on July 7, 2021, he visited the Kroger Store located at 4777 Kenard Avenue to address an issue with a previously issued money order. During the incident, Mr. Hogan operated an electric wheelchair owned by Kroger. A dispute transpired at the customer service counter and a Kroger manager ultimately called 911.

Mr. Hogan advised the officers he was disabled. He alleged he was dragged out of Kroger and put into a cruiser. Upon arriving at the Hamilton County Justice Center (HCJC), the officers laughed at his condition

and stated that he was “faking” and could walk. He also stated that his arms and wrists hurt because of the way he was handcuffed. A nurse at the HCJC ultimately refused to accept Mr. Hogan and he was taken to his residence. Mr. Hogan asked for a supervisor but was not granted the opportunity to speak with one.

FINDINGS

Original Allegations

Officer Michael Smith
Specialist Kevin Newman

Discourtesy – Sustained
Excessive Force – Sustained

Collateral Allegations

Officer Michael Smith
Specialist Kevin Newman

Improper Procedure – Sustained
Abuse of Authority – Sustained
Improper Procedure – Sustained
Improper Procedure – Sustained

Specialist Kevin Newman

Discrimination – Sustained

Officer Michael Smith

Improper Procedure (BWC) – Sustained

RECOMMENDATIONS

#R2211: Disability & Accessibility

CCA recommends the Cincinnati Police Department strengthen its policies regarding interactions with people who are suspected to be physically or developmentally disabled and review existing policies to ensure the handling, detention, and transportation of such persons complies with the Americans with Disability Act (ADA). CPD Policy 12.110 outlines how officers should interact with “Suspected Mentally Ill Individuals,” and Policy 18.103 outlines how officers should treat “People Who are Deaf or Hearing Impaired;” a similar policy should be created regarding physically or developmentally disabled persons that specifies ADA-compliant standards for moving, detaining, or otherwise handling such persons. At a

minimum, CPD should follow the example of the Columbus Police Division for the treatment of “Non-Ambulatory” prisoners, and (a) require its officers “to make reasonable accommodations to ensure their safety;” (b) require officers to transport such prisoners in a manner that “allows the prisoner to remain in his or her mobility device,” such as a wheelchair; (c) mandate that officers must transport such disabled persons in an “ADA accessible vehicle;” and (d) require a supervisor to respond to the scene when “there is a question concerning whether a non-ambulatory prisoner needs to be transported by a medic or other ADA accessible vehicle.” *See* Columbus PD Division Directive 3.03. CPD’s new policy should also adopt the IACP’s (International Association Chief of Police) guidance that “when reasonable and practical, avoid physical restrains,” which can “injure the person or limit the person’s ability to communicate,” or limit the person’s ability to “move independently (e.g., someone who uses a wheelchair).”

See <https://www.theiacp.org/sites/default/files/2018-08/IntellectualDevelopmentalDisabilityPolicy.pdf>

Officers should note that people experience physical or developmental disabilities on a spectrum; a person may appear to have a range of mobility, but still be disabled.

With respect to the use of force, if the physically or developmentally disabled person presents an immediate threat, the threat should be neutralized, and a supervisor should immediately be requested regardless of if force is used. If the person presents no physical threat, then consistent with IACP guidance (particularly for persons with developmental disabilities), the supervisor should be called before going hands on with said person. CPD policy should require supervisors to make the ultimate decision regarding next steps and transportation to the HCJC if it is determined necessary.

CPD policy on handling persons with disabilities should be reviewed for compliance with the Americans with Disability Act (ADA), Title II, which prohibits discrimination in the services of public entities. *See e.g., The Americans with Disabilities Act (ADA) and On-the-Street Police Encounters*, published by the Congressional Research Service, 9/30/2021 (stating that “The courts have consistently held that police departments are ‘public entities and that Title II applies to at least some state and local law enforcement functions.)

#R2212: Corrective & Disciplinary

Given recurring violations of police policy by Specialist Kevin Newman during a consecutive multi-year period—including repeated improper enforcement activity that resulted in four (4) Sustained findings from CCA for Improper Search, Discrimination, and Discourtesy in 2020 and 2021, as well as numerous Sustained findings in the present 2021 case for Abuse of Authority, Discourtesy, Discrimination, and Excessive Force—CCA recommends that CPD review Specialist Newman’s performance and begin Supervisory Monitoring. Moreover, given repeated Sustained findings for Discrimination relating to discriminatory speech directed towards detained citizens by Specialist Newman, as well as the patent mistreatment of a prisoner in this case by Specialist Newman, CCA also recommends that CPD take all appropriate disciplinary action under CPD’s Disciplinary Table/Matrix, including action such as suspension, requiring a disciplinary hearing.

#R2213: Corrective & Disciplinary

Given recurring violations of police policy by Police Officer Michael Smith during a consecutive multi-year period—including repeated improper enforcement activity that resulted in eight (8) Sustained findings from CCA for Excessive Force, Discourtesy, and Improper Procedure in 2018, 2019, and 2021, as well as numerous Sustained findings in the present 2021 case for Abuse of Authority, Discourtesy, Discrimination, and Excessive Force—CCA recommends that CPD review Officer Smith’s performance and begin

Supervisory Monitoring. Moreover, given repeated Sustained findings for Discourtesy, as well as the patent mistreatment of a prisoner in this case by Officer Smith, CCA also recommends that CPD take all appropriate disciplinary action under CPD’s Disciplinary Table/Matrix, including action such as suspension, requiring a disciplinary hearing.

■

10

Complaint #	22082
Complainant	Issa Guindo
Incident Date	April 18, 2022
Investigator	Robert Stephens
Allegations	<p><u>Original Allegations</u> Improper Pointing of the Firearm Excessive Force</p> <p><u>Collateral Allegations</u> Improper Search</p>

**COMPLAINT
SUMMARY**

Date: April 18, 2022

Time: 8:30 AM

Location: Ferguson Rd, Cincinnati

Mr. Issa Guindo was in a traffic accident on April 18th, 2022. The accident caused his vehicle to be inoperable. The two parties then exchanged information with each other, choosing to not involve the police. Mr. Issa Guindo had his brother push Mr. Guindo’s vehicle with his vehicle to the side of the road. During which, two officers approached him. One officer had his gun drawn. The officer aggressively removed Mr. Issa Guindo from the vehicle, causing injuries to his left elbow. Mr. Issa Guindo was placed in handcuffs that were too tight for his wrists. Regardless of him complaining about the tightness to the officer, they were never loosened. The Officer that had his firearm drawn, kept just saying that he was involved in a hit and run. The officers then towed both vehicles for no reason.

FINDINGS

Original Allegations

Officer Darwin Gulley

Improper Pointing of a Firearm – SUSTAINED

Excessive Force – UNFOUNDED

Collateral Allegations

Officer Darwin Gulley

Improper Search – SUSTAINED

■

11

Complaint #	22096
Complainant	Christel Smith
Incident Date	March 17, 2022
Investigator	Joseph Vesper
Allegations	Excessive Force Improper Entry

**COMPLAINT
SUMMARY**

Complainant alleged that on Thursday, March 17, 2022 at 10:00 PM at [REDACTED], police officers later identified by CCA to be Officer Hughes, Rogers, and Johnson, arrived at her residence and stated Ms. Smith violated a protective order. Ms. Smith retrieved her phone to show the officers she had abided by the temporary protection order (TPO) and opened the door slightly. One officer stuck his foot in between the door and doorframe, and they all entered. Ms. Smith had not given the officers permission. She then tried to explain the situation to the officers but was arrested anyway. The officers handcuffed her too tightly and caused pain to her previously injured right thumb. She was transported to Hamilton County Justice Center (HCJC) and released two days later.

FINDINGS

Officer Jacob Hughes
Officer Steven Rogers
Officer Robert Johnson

Improper Entry – EXONERATED

Officer Jacob Hughes
Officer Steven Rogers

Excessive Force – UNFOUNDED

■

12

Complaint #	22098
Complainant	Deborah Jones
Incident Date	May 10, 2022
Investigator	Kerrie Kimpel
Allegation	Excessive Force

COMPLAINT SUMMARY

Ms. Jones alleged that on Tuesday, May 10, 2022, in the parking lot of [REDACTED] three Cincinnati Police officers, later identified by CCA to be Officers Christopher Lind, Adarius Brown, and Aaron Basford, used excessive force against a male, later determined to be Witness A, when arresting him. Ms. Jones stated to CCA the male attempted to walk away and the officers “got on top of him... for about ten minutes” and “dragged” him to the police cruiser before leaving.

FINDINGS

Officer Christopher Lind
Officer Adarius Brown
Officer Aaron Basford

Excessive Force – EXONERATED

■

13

Complaint #	22101
Complainant	Eugene Garner
Incident Date	March 2, 2022
Investigator	Robert Stephens
Allegation	Improper Seizure

COMPLAINT SUMMARY

Date: March 02, 2022
Time: 11:30 PM
Location: 2644 Cora Ave.

Mr. Eugene Garner alleged scrap metal was left on one of his properties. He removed it and placed it on the curb for rubbish pick up the following day. Upon returning to the property later that evening, officers were there and arrested Mr. Garner for criminal damaging. This charge was in reference to the scrap metal that Mr. Garner moved. Mr. Garner felt he should not have been arrested for moving rubbish off his property.

FINDINGS

Officer Maiya Malone
Officer Sydney Morehead

Improper Seizure – EXONERATED

14

Complaint #	22102
Complainant	E. Jennifer Campbell
Incident Date	May 13, 2022
Investigator	Makiedah Messam
Allegation	Improper Seizure

COMPLAINT SUMMARY

Ms. Campbell alleged that on May 13, 2022, at 3400 Woodburn Avenue (Blair Food Market), she was improperly stopped and detained by Officer Butler prior to entering the Blair Food Market. Officer Butler alleged she matched the description of someone who “waived a gun” in the area. Ms. Campbell further alleged that she was detained for twenty-five minutes before she was told she could depart the area.

FINDINGS

Officer Kevin Butler

Improper Seizure – EXONERATED

15

Complaint #	22103
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Complainant	Todd Amison
Incident Date	May 23, 2022
Investigator	Makiedah Messam
Allegation	Improper Stop

COMPLAINT SUMMARY

Mr. Amison alleged that on Monday, May 23, 2022 at 6:41 P.M. he was driving along West Liberty Street heading towards I-75N, when Officer Brown stopped and informed him that the tags to his vehicle did not match and were suspended.

FINDINGS

Officer Adarius Brown

Improper Stop – EXONERATED

■

16

Complaint #	22109
Complainant	Wakeitha Bell
Incident Date	April 6, 2021 and January 1, 2022
Investigator	Joseph Vesper
Allegations	Improper Entry Improper Seizure

COMPLAINT SUMMARY

On April 6, 2021, at 11:00 PM, Ms. Bell believed that fumes were coming into her apartment via cracks in the walls and called the Emergency Communications Center (ECC) to request the Cincinnati Fire Department (CFD). The call was labeled as MHRT and CFD responded along with Cincinnati Police Officers (CPD), (later identified as Officers Mercado and Deon Mack Sr. #PO558, B/M/46), and Mobile Crisis Team 5 (MCT5). Officer Mercado transported Ms. Bell to the University Medical Center Psychiatric Emergency Services (PES), against her will. Ms. Bell believed this was an improper seizure of her person.

On January 1, 2022, at 9:30 AM, Ms. Bell called ECC to request transport to the University of Cincinnati

Medical Center (UCMC) after she believed that she was injured. Ms. Bell stated that she thought she had been kidnapped the night before and had a dent on her head. Officer Mercado and an unknown officer (later identified as Toni Nash #PO463, B/F/55), arrived on the scene to assist. CFD ambulance refused to transport her to UCMC after they evaluated her.

Furthermore, Officer Mercado entered the residence when she was not allowed.

FINDINGS

Officer Deborah Mercado

Improper Seizure – EXONERATED
Improper Entry – EXONERATED

■

17

Complaint #	22111
Complainant	Daveno Brown
Incident Date	June 6, 2022
Investigator	Joseph Vesper
Allegations	Racial Discrimination Discourtesy

COMPLAINT SUMMARY

According to CPD's Form F648 Citizens Complaint filed by Mr. Brown on *June 6, 2022, at 12:00 AM*, *Mr. Brown was on his cell phone while he walked across the crosswalk at Ezgard Charles Drive and Linn Street. He did not know if he had a signal to walk or not. As he was in the street Mr. Brown noticed a CPD cruiser speed towards him. Mr. Brown stated he made eye contact with one of the officers who was in the cruiser, described as a Hispanic male, yelled what Mr. Brown believed was a racial slur at him.*

FINDINGS

Officer Ross McNicol II

Discrimination – NOT SUSTAINED
Discourtesy – NOT SUSTAINED

■

18

Complaint #	22114
Complainant	Jeffrey Pringle
Incident Date	January 12, 2022
Investigator	Makiedah Messam
Allegation	Discrimination

COMPLAINT SUMMARY

Complainant alleged that on Wednesday, January 12, 2022 at approximately 9 p.m. at 500 Vine Steet, Officer Eve cited him for parking in a bus stop but did not cite another similarly situated white motorist.

FINDINGS

Brent Eve

Discrimination – NOT SUSTAINED

■

19

Complaint #	22115
Complainant	Antonio Blair
Incident Date	June 8, 2022
Investigator	Makiedah Messam
Allegations	Improper Seizure Improper Search Excessive Force Discourtesy

COMPLAINT SUMMARY

Mr. Blair alleged that on Wednesday, June 8, 2022 at approximately 1:40 p.m. at [REDACTED], he was visiting a friend's apartment when police arrived at the apartment to execute a search warrant. The officers handcuffed him and the other occupants of the apartment. After about 15-20 minutes he was taken from the apartment hallway and placed in a police cruiser. Mr. Blair further stated that while he was seated in the cruiser, officers used his key fob, opened, and searched his vehicle, and an officer, later

identified as Officer Broering, grabbed him by his chain around his neck and removed a key to the glove compartment of Mr. Blair’s vehicle.

FINDINGS

Sergeant Daniel Cavanaugh

Improper Seizure – EXONERATED

Officer Kevin Broering
Officer Taylor Howard

Improper Search – EXONERATED

Officer Kevin Broering

Excessive Force – UNFOUNDED

Discourtesy – SUSTAINED

■

20

Complaint #	22117
Complainant	Kim Lewis
Incident Date	June 8, 2022
Investigator	Kerrie Kimpel
Allegations	Discrimination Lack of Service

COMPLAINT SUMMARY

Ms. Lewis alleged that on Wednesday, June 8, 2022, she contacted District Three to report two vehicles that were parked in the street in the 2500 block of Mustang Drive for an extended amount of time. Officer Minella responded and did not have the vehicle moved. In previous instances, Officer Minella placed “orange tags” on the vehicles. Ms. Lewis believed Officer Minella provided a lack of service because the vehicles were never towed. Ms. Lewis informed CCA that her neighbor, a female she believed to be named “Sandy,” called the City of Cincinnati in November of 2021 about another abandoned vehicle owned by the same person, and the vehicle was towed the same day. Ms. Lewis stated she felt as if her neighbor received different results than her because Sandy is white, and Ms. Lewis is Black. Ms. Lewis stated to CCA she has tried to talk to Officer Minella's supervisor at District Three several times and no one will return her calls. Ms. Lewis called 591-6000 to report the same vehicles and was told by the customer service representative that Officer Minella “closed out” the call about the vehicles, and that they had been instructed by him not

to take any more complaints from Ms. Lewis. The vehicle Ms. Lewis called about is still currently parked in the same place.

FINDINGS

Officer Richard Minella

Discrimination – UNFOUNDED
Lack of Service – EXONERATED

■

Typists: bw/mb