

**Date:** March 3, 2022

**To:** Board Members, Citizen Complaint Authority

**From:** Gabriel Davis, Director

**Subject:** Investigation Summary Memo – March 7, 2022, Board Meeting

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**INVESTIGATION SUMMARIES**

# 1

<b>Complaint #</b>	19241
<b>Complainant</b>	Johnie Thomas
<b>Incident Date</b>	October 23, 2019
<b>CCA Investigator</b>	Jessalyn Goodman
<b>Allegations</b>	Improper Stop Discrimination Improper Search Excessive Force

**COMPLAINT  
SUMMARY**

On October 23, 2019, at approximately 4:00pm, Mr. Johnie Thomas left his employment and stopped by a nearby gas station to put air in his spare tire. A gas station patron approached Mr. Thomas’s vehicle and offered assistance regarding future body work on Mr. Thomas’s vehicle. Mr. Thomas obtained his phone number, but they did not have any physical contact before Mr. Thomas left the gas station.

Mr. Thomas drove two blocks away and observed CPD officers following him. Officer Myles Abt initiated a traffic stop. Officer Abt approached and instructed Mr. Thomas to roll down the windows. Meanwhile, Officer Rasheen Jennings on the passenger side stated, “It smells like weed in this car,” which Mr. Thomas denied. Officer Abt instructed him to exit the vehicle; when Mr. Thomas asked why, Officer Abt did not explain, but instead opened Mr. Thomas’s door. Mr. Thomas repeatedly asked for an explanation but was not given one. Mr. Thomas advised Officer Abt of his CCW permit; Officer Abt removed the weapon from Mr. Thomas, handcuffed him and then retrieved Mr. Thomas’s wallet from his pocket to verify his CCW permit.

Officer Abt stated Mr. Thomas was detained. Additional officers arrived, including Lieutenant Jason Bolte and Officer Kenneth Dotson, and asked several questions related to Mr. Thomas’s actions earlier

that day, including his interactions with the man at the gas station. The officers searched his person and his wallet. The officers asked to search his vehicle and Mr. Thomas refused. However, when the officers claimed they would request a CPD canine to sniff around his vehicle, Mr. Thomas allowed them to search to prevent potential damage from a canine. Nothing was located.

Mr. Thomas described the handcuffs as “tight” and advised the officers, but they did not remove the handcuffs until he asked “eight to ten” times. He indicated the handcuffs left marks on both wrists but did not require any medical attention.

Mr. Thomas did not believe the officers had justification for their actions; his vehicle, paperwork, and license were valid, in his possession, and they did not ask for his identification. Additionally, he noted that the officers did not investigate the individual at the gas station, who was a white male. Mr. Thomas believed that the officers’ actions were the result of racial profiling because he was a black male in a “nice car” and caused him to be “scared for [his] life.”

**FINDINGS**

<i>Officer Myles Abt</i>	Improper Stop - EXONERATED
	Improper Search – SUSTAINED
	Excessive Force – NOT SUSTAINED
	Discrimination – NOT SUSTAINED
<i>Officer Rasheen Jennings</i>	Discrimination – NOT SUSTAINED
<i>Officer Kenneth Dotson</i>	Discrimination – NOT SUSTAINED
<i>Lieutenant Jason Bolte</i>	Discrimination – NOT SUSTAINED

**# 2**

<b>Complaint #</b>	19248
<b>Complainant</b>	Chris Williams
<b>Incident Date</b>	November 12, 2019
<b>CCA Investigator</b>	Ikechukwu Ekeke
<b>Allegation</b>	Discrimination

**COMPLAINT SUMMARY**

On November 12, 2019, Mr. Williams claimed that he entered the safety lane to merge into the left turning lane before an unidentified white female driver struck his vehicle from the side. Furthermore, Specialist Newman decided Mr. Williams was at fault and not the unidentified female driver.

Around 5:19 p.m., Specialist Newman and Officer Scott Traufler (P01236), M/W/36, responded to a

traffic accident involving a vehicle driven by Mr. Williams and an unidentified female driver. According to Officer Traufler’s BWC, around 5:18 P.M., Specialist Newman and Officer Traufler exited their cruiser and approached the scene, whereby Officer Newman spoke to both parties. According to Specialist Newman’s BWC and Officer Traufler’s BWC, around 5:19 PM, the unidentified driver in a white van—who was uninvolved with the accident—remained on the scene and spoke with Specialist Newman (statement is inaudible). According to Specialist Newman’s statement to CCA the unidentified driver in a white van indicated that Mr. Williams drove around traffic into the solid line safety lane before the accident occurred. Also, Specialist Newman’s BWC and Officer Traufler’s BWC around 5:20 PM, shows Mr. Williams describing his driving over the aforementioned solid-lined safety lane to get into the left turning lane ahead.

**FINDINGS**

<i>Specialist Kevin Newman</i>	Discrimination - UNFOUNDED
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# 3

<b>Complaint #</b>	19260
<b>Complainants</b>	Leslie Spears Demarco Jenkins
<b>Incident Date</b>	November 9, 2019
<b>CCA Investigator</b>	Jessalyn Goodman
<b>Allegations</b>	Improper Stop Improper Procedure Improper Search Excessive Force Discrimination Discourtesy

**COMPLAINT SUMMARY**

On November 9, 2019, Mr. Demarco Jenkins and Ms. Leslie Spears pulled into traffic without using a turn signal. Sergeant Luke Putnick and Officer Taylor Howard initiated a traffic stop; Officer Howard determined Mr. Jenkins did not have a valid driver’s license after making initial contact. When Officer Taylor Howard returned to the vehicle after checking their identification, he made “smart-aleck” comments, like “Nice toboggan,” and “You must like expensive things.” Officer Howard asked to search the vehicle, but Ms. Spears and Mr. Jenkins refused. Officer Howard requested a canine unit to circle the

vehicle without probable cause. When the canine unit arrived, Officer Howard asked Ms. Spears and Mr. Jenkins to exit the vehicle. Mr. Jenkins and Ms. Spears never saw the canine.

When Officer Howard pat down Mr. Jenkins, he pulled out a medicine bottle of medical marijuana. Sergeant Putnick saw something else inside, opened the bottle, and observed two ecstasy pills in the bottle in addition to marijuana. Officer Howard placed Mr. Jenkins under arrest and put him in a cruiser. He was cited for driving without a license, tinted windows, and not using a turn signal and charged with the possession of methamphetamines.

Several officers searched the vehicle. Officer Gregory Vollner located a baggie with a pill in it inside the vehicle. When Ms. Spears attempted to record the search, Officer Paul Smith pushed her back, causing her to stumble. Officer Andria Smith handcuffed Ms. Spears; Ms. Spears advised that the handcuffs were too tight and were causing her pain. Officer Paul Smith removed the handcuffs. Ms. Spears was released and not cited.

## FINDINGS

### Complainant Demarco Jenkins

<i>Officer Taylor Howard</i>	Improper Stop - EXONERATED
	Discrimination - UNFOUNDED
	Improper Search - EXONERATED
<i>Sergeant Luke Putnick</i>	Improper Stop - EXONERATED
	Discrimination - UNFOUNDED
	Improper Search - EXONERATED

### Complainant Leslie Spears

<i>Officer Andria Smith</i>	Improper Search - SUSTAINED
	Improper Search - EXONERATED
	Excessive Force - EXONERATED
<i>Officer Matthew Mauric</i>	Improper Search - SUSTAINED
	Improper Search - EXONERATED
<i>Officer Jason Hesselbrock</i>	Improper Procedure - EXONERATED
	Improper Search - EXONERATED
<i>Officer Gregory Vollner</i>	Improper Search - EXONERATED
<i>Sergeant Luke Putnick</i>	Improper Search - EXONERATED
	Discourtesy - UNFOUNDED
<i>Officer Paul Smith</i>	Excessive Force - UNFOUNDED
	Excessive Force - EXONERATED

# 4

<b>Complaint #</b>	20036
<b>Complainant</b>	Ebonee Taylor
<b>Incident Date</b>	January 29, 2020
<b>CCA Investigator</b>	Ikechukwu Ekeke
<b>Allegation</b>	Improper Search

**COMPLAINT  
SUMMARY**

On January 29, 2020, Ms. Ebonee Taylor alleged that Officer Michele Carter and Officer Joshua Phillips impermissibly searched her apartment when she only gave consent for the police to speak to her grandson. Officers Phillips and Carter informed Ms. Taylor that they knocked on her apartment to investigate a noise complaint. Officer Phillips searched Ms. Taylor’s closet and bathroom. Officers Phillips and Carter only departed after Ms. Taylor asked them to leave several times.

**FINDINGS**

<i>Officer Joshua Phillips</i>	Improper Search - SUSTAINED
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# 5

<b>Complaint #</b>	20124
<b>Complainant</b>	Sidney Bryant
<b>Incident Date</b>	June 20, 2020
<b>CCA Investigator</b>	Dena Brown
<b>Allegations</b>	Improper Stop Improper Seizure Excessive Force Improper Procedure (Contact Card)

**COMPLAINT  
SUMMARY**

On June 20, 2020, Witness A contacted the Emergency Communications Center (ECC-911) because she wanted Mr. Sidney Bryant to leave her Cincinnati Municipal Housing Authority (CMHA) residence and return the key. As Mr. Bryant walked outside with his duffle bag, Officer Nicholas Rosfeld detained him because he was under investigation for stealing the key from Witness A. Mr. Bryant explained to Officers

Rosfeld and Tracy Dula he had been with Witness A for over 18 months, she had given him a key, and he had belongings in the apartment. Officer Dula recommended for Witness A to advise the rental office of her concerns because it was a civil matter; Mr. Bryant was told he could leave.

As Mr. Bryant attempted to leave, Sergeant William Kinney stopped and issued an ultimatum for Mr. Bryant to give him the key or go to jail for Disorderly Conduct. Mr. Bryant stated all the officers began to approach, which scared him, so he removed the wrong key off his key ring. Sergeant Kinney snatched the keys out of his hand, removed the correct key and tried to hand them back. When Mr. Bryant did not take the keys, Sergeant Kinney threw the key ring, which landed on his duffle bag. Mr. Bryant wanted to record Sergeant Kinney’s nameplate on his cellphone and moved close to him. Sergeant Kinney touched his chest and pushed him away from him.

Although Mr. Bryant was not cited, charged, or handcuffed, he alleged the officers violated his rights when he was given an ultimatum to violate his rights or go to jail.

**FINDINGS**

**Original Allegations**

<i>Officer Nicholas Rosfeld</i>	Improper Stop - EXONERATED
<i>Sergeant William Kinney</i>	Excessive Force - UNFOUNDED
	Improper Seizure - EXONERATED

**Collateral Allegations**

<i>Officer Nicholas Rosfeld</i>	Improper Procedure (Contact Card) - SUSTAINED
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# 6

<b>Complaint #</b>	20224
<b>Complainant</b>	Anthony Williams
<b>Incident Date</b>	October 5, 2020
<b>CCA Investigator</b>	Ikechukwu Ekeke
<b>Allegations</b>	Lack of Service Discrimination

## COMPLAINT SUMMARY

Mr. Anthony Williams (M/B/61) alleged that on November 5, 2020 (corrected to October 5, 2020), Officer Darrin Hoderlein (M/W/54), did not cite Mr. Paul Matthews (M/W/Unknown) due to Mr. Williams being a black man. Specifically, Mr. Williams was in a vehicle accident with Mr. Matthews, which caused Officer Hoderlein to respond to the scene. Mr. Williams alleged Officer Hoderlein discriminated against him by speaking to Mr. Matthews first to help Mr. Matthews get his story together.

## FINDINGS

<i>Officer Hoderlein</i>	Discrimination – NOT SUSTAINED
	Lack of Service – UNFOUNDED

# 7

<b>Complaint #</b>	20225
<b>Complainant</b>	Bennie Rice
<b>Incident Date</b>	July 16, 2020
<b>CCA Investigator</b>	Morgan Givens
<b>Allegation</b>	Excessive Force

## COMPLAINT SUMMARY

On July 16, 2020, Officers Bedinghaus and Carter were dispatched to [REDACTED] for a man who was naked and experiencing a mental health crisis. Family members called 911 for assistance after they evacuated the residence, locking Mr. Rice inside. Per BWC, upon the officers' arrival, family members stated, "He's bi-polar, actively manic, and delusional. He's naked in the house. He's become violent because he's destroyed some things." When Officers Bedinghaus and Carter entered the residence, they found Mr. Rice on the floor, naked, and mumbling graphic sexual threats. As confirmed by BWC, the officers spoke to Mr. Rice and asked how he was doing; they emphasized that they wanted to help. Mr. Rice now standing responded to Officer Carter, "You have a nice [expletive referencing female genitalia]." He continued, "when the [expletive] God rapes, he rapes you." Also as confirmed by BWC, Mr. Rice picked up what appeared to be a glass vase or piece of artwork and smashed it against the wall; a jagged, hard object remained in his hands. As Mr. Rice turned towards the officers, they simultaneously deployed their Tasers from approximately 7 feet away. Mr. Rice fell to the floor and hit his head which resulted in a laceration. Officer Carter attempted to handcuff Mr. Rice while Officer Bedinghaus maintained control of his Taser. Mr. Rice attempted to stand up after the initial cycle; Officer Bedinghaus gave verbal commands and told Mr. Rice to stay down, but Mr. Rice continued to actively resist by tensing his body

and attempted to get up off the floor, and Officer Bedinghaus initiated another five-second cycle with his Taser. Mr. Rice, again attempted to get himself off the floor; Officer Bedinghaus cycled another five-second round. Officer Carter was then able to successfully handcuff Mr. Rice. EMT administered a sedative, and he was transported to the hospital.

**FINDINGS**

<i>Officer Edward Bedinghaus</i>	Excessive Force – EXONERATED
<i>Officer Michelle Carter</i>	Excessive Force – EXONERATED

**# 8**

<b>Complaint #</b>	20248
<b>Complainant</b>	Beverly Perry
<b>Incident Date</b>	December 12, 2020
<b>CCA Investigator</b>	Morgan Givens
<b>Allegation</b>	Discrimination

**COMPLAINT SUMMARY**

On December 12, 2020, at approximately 9:15 PM, Sergeant Neville and Officer Lindle were dispatched to 3623 Clarion Ave to address a neighbor dispute. Per BWC, upon arriving on scene, they separated Ms. Perry and all parties involved. Officer Lindle obtained a statement from Ms. Perry while Sergeant Neville obtained a statement from the other involved party who alleged they were assaulted by Ms. Perry. As the two parties actively argued, Sergeant Neville and Officer Lindle asked Ms. Perry to return to her apartment. After completing their investigation which included speaking to all parties, Sergeant Neville, and Officer Lindle determined Ms. Perry would be charged with Ohio Revised Code (ORC) 2903.13 Assault. They reinitiated contact with Ms. Perry at her front door; she disagreed with their determination, shut the door, and refused to open it again. Sergeant Neville stated to Ms. Perry that he would provide her with a “court date,” rather than transporting her to the Hamilton County Justice Center. Per BWC, upon their return with the citation, Ms. Perry refused to open her door and music could be heard from inside of Ms. Perry’s apartment. Due to Sergeant Neville and Officer Lindle’s inability to obtain the required signature for the completion of the citation, a warrant was issued for Ms. Perry. Ms. Perry refused to open her door to sign the citation, resulting in an additional charge of ORC 2921.31 Obstruction Official Business; a warrant was issued for her arrest.



## FINDINGS

<i>Sergeant Lucas Neville</i>	Discrimination - UNFOUNDED
<i>Officer Douglas Lindle</i>	Discrimination - UNFOUNDED