

Date: May 6, 2011

To: Board Members, Citizen Complaint Authority
From: Kenneth E. Glenn, CCIA Director
Subject: CCA Investigative Summaries, Board Meeting / June 6, 2011

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| Complaint # | 11034 |
| Complainant(s) | Jerrell Woodard |
| Involved Officer(s) | Adrienne Brown, David Dozier, Todd Greene |
| CCA Investigator | Dena Brown |
| Director Recommendation | Brown, Dozier, Greene: Excessive Force (Physical) – Not Sustained Greene: Improper Procedure (Taser Warning) – Not Sustained |
| Board Recommendation | Agree (5-0) |
| City Manager Finding | Agree |

Narrative

Mr. Jerrell Woodard filed a citizen complaint with the Cincinnati Police Department on February 10, 2011. The incident occurred at 1110 E. McMillan St, D-4, at approximately 12:47 pm. The case was referred to CCIA on February 14, 2011.

Mr. Woodard alleged Vortex and Vice Officers Adrienne Brown #P165, David Dozier #P142 and Todd Greene #P326, used excessive force when he was punched in the face during his arrest.

Summary

Mr. Woodard alleged he was struck in the face during his arrest. Officers Brown, Dozier, Greene, and Sergeant Schultz denied the allegation. The officers stated they did administer several palm strikes, knee strikes, and two drive stuns to Mr. Woodard, when he would not comply with his arrest. Based on the information, the Investigator could not determine if Mr. Woodard was struck in the face as he alleged or if the palm, knee strikes and drive stuns were excessive. Sergeant Schultz stated he did not hear Officer Greene give a verbal warning to Mr. Woodard regarding the impending drive stun. Officers Greene, Dozier, and Brown stated there was a warning given before the drive stun was used. The Investigator could not determine if the warning was given.

Findings

Excessive Force-Physical- Officers Adrienne Brown, David Dozier, and Todd Greene

Revised: 8/26/2012

There are insufficient facts to decide whether the alleged misconduct occurred. **NOT SUSTAINED**

Improper Procedure- Taser Warning-Officer Todd Greene

There are insufficient facts to decide whether the alleged misconduct occurred. **NOT SUSTAINED ■**

2

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| Complaint # | 11036 |
| Complainant(s) | Colin Thomas |
| Involved Officer(s) | Karen Parker |
| CCA Investigator | Dena Brown |
| Director Recommendation | Use of Force (Physical) – Not Sustained |
| Board Recommendation | Agree (5-0) |
| City Manager Finding | Agree |

Narrative

Mr. Colin Thomas filed a citizen complaint with the Cincinnati Police Department on December 29, 2010. The incident occurred at the Community Action Agency at 1740 Langdon Farm, at approximately 9:00 am. CCIA received the case on February 14, 2011.

Mr. Thomas alleged Officer Parker grabbed his arms, pushed him toward the door and pointed her Taser at him. She then threatened to arrest him.

Summary

Mr. Colin Thomas alleged while he was at the Community Action Agency, Officer Parker, grabbed his arms, pushed him toward the door, pointed her Taser at him, and threatened to arrest him. Officer Parker stated she ordered him to leave several times, escorted him to the door, and when he jerked away she drew her taser, removed her handcuffs, and ordered him to leave. All witnesses gave different variations of what occurred. The Investigator could not determine if force was used.

Findings

Use of Force-Physical -Officer Karen Parker

There are insufficient facts to decide whether the alleged misconduct occurred. **NOT SUSTAINED ■**

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| Complaint # | 11044 |
| Complainant(s) | Dominic Brewton, Jr. |
| Involved Officer(s) | Anthony Dawson |
| CCA Investigator | David Moonitz |
| Director Recommendation | Use of Force (Physical) – Not Sustained |
| Board Recommendation | Agree (5-0) |
| City Manager Finding | Agree |

Narrative

Mr. Dominic Brewton, Jr. alleged on February 14, 2011, Officer Anthony Dawson used excessive force by pushing him and causing him to lose his balance. The complaint was retrieved from ETS on February 22, 2011.

Summary

Mr. Brewton stated as he walked over to the CPD vehicle after traffic stop, Officer Dawson pushed him backwards causing him to lose his balance. Officer Dawson stated he stopped Mr. Brewton for operating a motorized scooter after dark, without any lights. Officer Dawson stated he held up an extended arm to keep Mr. Brewton from getting too close and he walked into his hand. This segment of the stop was out of the DVR field of vision. The investigation was unable to determine whether or not Mr. Brewton was pushed by the officer.

Findings

Officer Anthony Dawson-Use of Force-Physical

There were insufficient facts to determine whether the alleged misconduct occurred. **NOT SUSTAINED** ■

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| Complaint # | 11045 |
| Complainant(s) | Carla Thompson |
| Involved Officer(s) | Brendon Rock |
| CCA Investigator | Dena Brown |
| Director Recommendation | Excessive Force (Physical) – Not Sustained Discourtesy – Not Sustained |
| Board Recommendation | Agree (5-0) |
| City Manager Finding | Agree |

Narrative

Ms. Carla Thompson filed a citizen complaint with the Cincinnati Police Department on February 17, 2011. The incident occurred at 1849 Denham St., at approximately 8:45 pm. The case was referred to CCIA on February 23, 2011.

Ms. Thompson alleged D-3 Officer Brendon Rock, #P692, was discourteous, threatened to use his taser, and used excessive force when he pushed her during the handcuffing process.

Summary

Ms. Thompson was sitting in her vehicle in front of her residence when she observed a police vehicle park behind her vehicle. The officers stated they were at Ms. Thompson's residence to serve several capiases on Joseph Pearson. An anonymous caller had called communications and stated he was inside her residence. Ms. Thompson alleged Officer Brendon Rock was discourteous by using profanity and used excessive force when he pushed her after she inquired what they wanted at her residence. Officer Rock stated Ms. Thompson blocked his attempt to serve the warrants and she was arrested, and subsequently released, after she was told several times not to interfere. Officers Rock, Snape, and Zucker denied the allegations. The investigator could not determine if Officer Rock was discourteous or used excessive force by pushing Ms. Thompson.

Findings

Excessive Force and Discourtesy -Officer Brendon Rock

8/26/2012

There are insufficient facts to decide whether the alleged misconduct occurred. **NOT SUSTAINED** ■

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| Complaint # | 11066 |
| Death in Custody | |
| Involved Officer(s) | Mark McChristian |
| CCA Investigator | David Moonitz |
| Director Recommendation | Exonerated |
| Board Recommendation | Agree (5-0) |
| City Manager Finding | Agree |

Narrative

On March 16, 2011, CPD Canine Officer Mark McChristian was in pursuit of a reported stolen vehicle. The pursued vehicle crashed into two cars in the intersection of 8th and Sycamore Streets. Two people in a second car that was struck by the fleeing vehicle were killed. CCIA Chief Investigator Pychewicz responded to the scene.

Summary

Officer Mark McChristian stated he queried a license plate of a Toyota RAV4; he was informed the vehicle was reported stolen. He stopped the car and as he exited the CPD vehicle, the driver sped away. Officer Lanter arrived as the vehicle drove away; Officer McChristian initiated a vehicle pursuit and Officer Lanter followed as the secondary pursuit vehicle. The pursuit terminated on southbound Sycamore Street at 8th Street, at which time the vehicle struck a PT Cruiser and taxi cab that had entered that intersection and was proceeding westbound, with the traffic light. After the collisions, the driver of the vehicle, Mr. Mark Gerth, exited the vehicle and ran. Officer McChristian pursued him on foot and apprehended him a short distance from the crash scene.

The driver of the taxicab and a passenger were killed because of the collision; Ms. Tempel, driver of the PT Cruiser and Ms. Weichelt, were uninjured and verified Officer McChristian's statement as to the collisions. Review of the DVR from Officer McChristian's police cruiser reflected he operated the vehicle within CPD policies and procedure.

Findings

Officer Mark McChristian-Death in Custody

A preponderance of the evidence shows the alleged conduct did occur but did not violate CPD policies, procedures or training. **EXONERATED** ■

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| Complaint # | 11067 |
| Complainant(s) | Janie Summers |
| Involved Officer(s) | Danielle Jacques |
| CCA Investigator | Dena Brown |
| Director Recommendation | Detention – Exonerated |
| Board Recommendation | Agree (5-0) |
| City Manager Finding | Agree |

Narrative

Ms. Summers filed a citizen complaint with the Cincinnati Police Department on March 9, 2011. The incident occurred on February 27, 2011 at approximately 8:30 pm, eastbound on Seymour Ave., at Paddock. The case was received by CCIA from ETS on March 18, 2011.

Ms. Summers alleged D-4 Officer Danielle Jacques, #P271, initiated a traffic stop on her vehicle. She was subsequently handcuffed, placed in the back of a police vehicle, and detained when she did not have any open warrants or commit any traffic violations.

Summary

Ms. Summers stated Officer Danielle Jacques initiated a traffic stop on her vehicle and informed her there was a warrant for Anthony Summers attached to her plates. She stated she was handcuffed, placed in the back of a police vehicle, and detained for no reason. Officer Jacques stated she checked the license plate number of the vehicle driven by Ms. Janie Summers and there was an open warrant for unpaid tickets attached to the plates. Ms. Summers stated she did not have any warrants. CPD Dispatch informed Officer Jacques that the warrant listed Janie and Anthony Summers. Ms. Summers was then handcuffed and placed in the back of Officer Jacques vehicle. The CAD report verified Ms. Summers’ name also appeared on the warrant issued by the dispatcher.

Officer Jacques stated Officer William Frese assisted her with the traffic stop. He reviewed the identification of the other passengers and verified Anthony Summers was not in Ms. Summers’ vehicle. After Ms. Summers was placed in the police vehicle, she continued to state she did not have any outstanding warrants. Officer Jacques contacted Central Warrants and the Clerk’s office, and after several calls, verified the warrant was for Anthony Summers. Officer Jacques explained to Ms. Summers the reason for her detention and why her name appeared on the warrant. She was then released with no further incident. The DVR and CAD verified Officer Jacques’ statements. The investigator determined that Ms. Summers was detained by Officer Jacques, but the detention was not improper and did not violate CPD policy.

Findings

Officer Danielle Jacques – Detention

A preponderance of the evidence disclosed the alleged conduct did occur but did not violate CPD policies, procedures, or training. **EXONERATED ■**

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| Complaint # | 11069 |
| Complainant(s) | Robert White |
| Involved Officer(s) | Stephen Bender |
| CCA Investigator | David Moonitz |
| Director Recommendation | Excessive Force (Physical) – Not Sustained |
| Board Recommendation | Agree (5-0) |
| City Manager Finding | Agree |

Narrative

Officer Steven Givens reported on March 17, 2011, he was approached by unknown subjects who alleged Officer Bender had kicked a person, identified as Mr. Robert White. The incident was retrieved by CCIA from ETS on March 18, 2011.

Summary

Officer Givens stated as he was engaged in crowd control and several people in the crowd yelled that Officer Bender had kicked Mr. White. He did not see any physical contact between them but reported the allegation to District 1 Lieutenant Nastolds. Officer Bender stated during the same crowd control incident he observed Mr. White, with whom he had previous contact and he believed he was wanted for open warrants. Mr. White was initially compliant with Officer Bender, but failed to sit on the ground when ordered three times. Officer Bender stated he used balance displacement and slid his right foot and scooted Mr. White's left leg forward and off balance. He could not handcuff Mr. White because he was holding a shotgun. Mr. White was queried and no warrants were on file. A contact card was made and he was released. The individuals in the crowd who made the allegation were not identified and no other witnesses were located. The allegation could not be proven or disproven.

Findings

Officer Stephen Bender-Excessive Force-Physical

There were insufficient facts to determine whether or not the alleged misconduct occurred. **NOT SUSTAINED** ■
