

Date: December 5, 2022
To: Board Members, Citizen Complaint Authority
From: Gabriel Davis, Director
Subject: Investigation & Recommendation Summary Memo – December 5, 2022 Board Meeting

RECOMMENDATION SUMMARY

#1

Topic	Stop, Detention, or Arrest Policy/Procedure
Recommendation #	R2219 (Repeat Recommendation, R2206)
CCA Case #	21037

CCA’s recommends that CPD review their report-completion and records-keeping policies and implement rules ensuring that when a citizen is seized, detained, or stopped involuntarily as a result of alleged criminal conduct observed by a police officer, that all officers who observed such conduct firsthand—including plain clothes officers—are listed and identified (by name or unique identifier) in at least one police record corresponding to the resulting stop, detention, or seizure.

#2

Topic	Use of Force Policy/Procedure
Recommendation #	R2220
CCA Case #	21038

CCA recommends that CPD review its Procedure Manual and consider a revision of Procedure § 12.545 to bring it into greater alignment with Procedure § 12.600’s age-old instruction that officers using hard hands against an arrested person must refrain from transporting that prisoner after the use of force. A revision of one or both of those policy provisions would improve consistency between the two provisions and eliminate any ambiguity as to proper transportation protocols following use of force.

#3

Topic	Use of Force Policy/Procedure
Recommendation #	R2217 (Repeat Recommendation R2132)
CCA Case #	22155

CCA recommends that CPD consider a revision of CPD Procedure §12.545 Use of Force that would bring that policy into greater alignment with CPD’s Tactical Patrol Guide by adopting the Patrol Guide’s instruction that officers should generally not withdraw their TASERs from their holsters under circumstances where the discharge of those TASERs would be impermissible or before it would be permissible to discharge a TASER.

#4

Topic	Corrective and Disciplinary
Recommendation #	R2218
CCA Case #	22155

Given recurring violations of police policy by Police Officer Jerome Herring Jr. during a consecutive multi-year period, CCA recommends that CPD review Officer Herring’s performance and take corrective or disciplinary action.

INVESTIGATION SUMMARY

1

Complaint #	21024
Complainant	Paris Gunterman
Incident Date	December 20, 2019
CCA Investigator	Ikechukwu Ekeke
Allegations	Improper Stop Improper Pointing of a Firearm Excessive Force Improper Procedure (Reporting Use of Force) Improper Procedure Discourtesy Improper Procedure (Contact Card)

COMPLAINT SUMMARY

Date: December 20, 2019

Time: 9:26PM

Location: 878 Hutchins Ave Cincinnati, OH 45229

Ms. Gunterman alleged that on Friday, December 20, 2019 in the evening at 878 Hutchins Ave Cincinnati, OH 45229, while she sat in the passenger seat in a vehicle before heading to her father's home to mourn the recent killing of her brother, Officers Jerome Herring and Zachery Kress parked behind the vehicle she sat inside. When Ms. Gunterman exited the vehicle in attempt to prevent the police from harassing her brothers who parked near her, the officers drew and pointed their firearms at her.

FINDINGS

Original Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Stop	Jerome Herring	Paris Gunterman	Exonerated
2	Improper Stop	Zachery Kress	Paris Gunterman	Exonerated
3	Improper Pointing of a Firearm	Jerome Herring	Paris Gunterman	Exonerated
4	Improper Pointing of a Firearm	Zachery Kress	Paris Gunterman	Unfounded
5	Excessive Force	Jerome Herring	Paris Gunterman	Exonerated

Collateral Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
6	Improper Procedure (Reporting Use of Force)	Jerome Herring	Paris Gunterman	Sustained
7	Improper Procedure	Jerome Herring	Paris Gunterman	Sustained
8	Improper Procedure (Contact Card)	Jerome Herring	Paris Gunterman	Sustained
9	Improper Procedure (Contact Card)	Zachery Kress	Paris Gunterman	Sustained
10	Discourtesy	Jerome Herring	Paris Gunterman	Sustained

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2

Complaint #	21037
Complainant	Samuel Carter
Incident Date	March 15, 2021
CCA Investigator	Ikechukwu Ekeke
Allegations	Improper Stop Improper Search Improper Search Improper Search

COMPLAINT SUMMARY

Date: March 15, 2021

Time: 3:58pm

Location: 5664 Colerain Ave Cincinnati, OH 45239

Mr. Carter was pulled over by Officers Charles Knapp and Taylor Howard. Officer Knapp ordered Mr. Carter to exit his vehicle because he had a warrant. Officer Knapp handcuffed Mr. Carter and placed him into a cruiser, where he admitted to only saying Mr. Carter had a warrant to get him out of the vehicle. Additionally, Officer Knapp told another officer to search the vehicle.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Stop	Charles Knapp	Samuel Carter	Not Sustained
2	Improper Search	Charles Knapp	Samuel Carter	Sustained
3	Improper Search	Taylor Howard	Samuel Carter	Exonerated
4	Improper Search	Cole Dunahay	Samuel Carter	Sustained

No.	Allegation	Subject Officer	Involved Citizen	Finding
5	Improper Search	Trent Meucci	Samuel Carter	Sustained
6	Discrimination	Charles Knapp	Samuel Carter	Unfounded
7	Discrimination	Taylor Howard	Samuel Carter	Unfounded

RECOMMENDATION

R2219 (Repeat Recommendation, R2206) - Stop, Detention, or Arrest Policy/Procedure

CCA's recommends that CPD review their report-completion and records-keeping policies and implement rules ensuring that when a citizen is seized, detained, or stopped involuntarily as a result of alleged criminal conduct observed by a police officer, that all officers who observed such conduct firsthand—including plain clothes officers—are listed and identified (by name or unique identifier) in at least one police record corresponding to the resulting stop, detention, or seizure.

The preservation of all relevant evidence is crucial in any criminal case as well as in administrative investigations (such as those carried out by CCA or IIS). Throughout the course of CCA's investigation of Mr. Carter's complaint, the agency faced roadblocks in ascertaining the names of all officers involved. This challenge of identification has often presented itself during CCA's investigations that involve a plain clothes officer who has reportedly observed criminal behavior, such as a drug transaction, and then relayed those observations to other officers. There appears to be no current CPD reporting policy or practice that would require a documented link between officers that observe alleged behavior and the resulting police stop or detention, unless an arrest is made or unless the officer observing the conduct is the officer who made the stop. Plain clothes officers are generally not referenced in contact cards, CAD reports, or citations. Instituting rules to ensure a paper trail connecting plain clothes officers who observe criminal conduct to the suspect who is stopped or detained would strengthen all related investigations by identifying all witness officers who participated in or observed the incident under consideration.

3

Complaint #	21038
Complainant	Andrew Davis
Incident Date	March 3, 2021
CCA Investigator	Ikechukwu Ekeke
Allegations	Discrimination Improper Stop Excessive Force Improper Seizure Improper Procedure

COMPLAINT SUMMARY

Date: March 03, 2021

Time: 08:30:00 PM

Location: 1100 Vine Street

Mr. Davis alleged that a Cincinnati Police officer, later identified as Officer Elliott Miller, racially profiled him when he stopped Mr. Davis on March 03, 2021. Mr. Davis alleged that Officer Elliot Miller beat him unconscious after attempting to stop him. Mr. Davis also alleged that he was falsely charged with robbery. CCA interviewed Andrew Davis at the Hamilton County Justice Center (HCJC) on March 15, 2021.

FINDINGS

Original Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Discrimination	Elliot J. Miller	Andrew Davis	Unfounded
2	Improper Stop	Elliot J. Miller	Andrew Davis	Exonerated
3	Improper Seizure	Elliot J. Miller	Andrew Davis	Exonerated
4	Excessive Force	Elliot J. Miller	Andrew Davis	Exonerated

Collateral Allegation

No.	Allegation	Subject Officer	Involved Citizen	Finding
5	Improper Procedure	Elliot J. Miller	Andrew Davis	Sustained

RECOMMENDATION

R2220: Use of Force Policy/Procedure

CCA recommends that CPD review its Procedure Manual and consider a revision of Procedure § 12.545 to bring it into greater alignment with Procedure § 12.600's age-old instruction that officers using hard hands against an arrested person must refrain from transporting that prisoner after the use of force. A revision of one or both of those policy provisions would improve consistency between the two provisions and eliminate any ambiguity as to proper transportation protocols following use of force.

Procedure 12.600 as currently written states, "*Arresting officers involved in a use of force, other than the use of chemical irritant or the deployment of the TASER, will not transport a prisoner who is the subject*

of the use of force,” while Procedure 12.545 states, “[O]ther than a use of chemical irritant, CEW, or hard hands, a supervisor will ensure neutral officers transport the prisoner to the appropriate facility, if applicable.” Accordingly, while Procedure 12.600 clearly prohibits an officer who has used hard hands against a suspect from transporting that suspect, Procedure 12.545 seems to contain no requirement that a supervisor enforce that rule by ensuring that a “neutral officer” transports that suspect. Such a disconnect creates ambiguity and threatens to deprive both officers and the community of notice as to what constitutes proper transportation and how those standards will be enforced. CCA recommends review and revision.

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Complaint #	21071
Complainant	Jasmine Wade
Incident Date	April 23, 2021
CCA Investigator	Morgan Givens
Allegations	Lack of Service Discrimination

COMPLAINT SUMMARY

Ms. Wade alleged that on Friday, April 23, 2021, her license plate was removed from her vehicle, without her consent, by an unknown Cincinnati Police Officer. Ms. Wade further alleged that on April 25, 2021, she arrived at CPD District One to file a report regarding her alleged stolen license plate and Officer Johnson refused to allow her to file a report. Lastly, Ms. Wade alleged that on April 27, 2021, Witness A (F/B/Unknown) moved Ms. Wade’s vehicle and was approached by Officers Giver and Miller. Ms. Wade alleged that the officers made a discriminatory comment to Witness A when they asked if a man unknown to Witness A was Witness A’s boyfriend; Ms. Wade believed the comment was made solely based on their race.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Lack of Service	Lawrence Johnson	Jasmine Wade	Unfounded
2	Discrimination	Elliott Miller	Jasmine Wade	Unfounded
3	Discrimination	Erica Giver	Jasmine Wade	Unfounded

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Complaint #	21094
Complainant	Derrick Blassingame
Incident Date	June 1, 2021
CCA Investigator	Morgan Givens
Allegations	Improper Entry Discourtesy

COMPLAINT SUMMARY

Mr. Blassingame alleged that on Tuesday, June 1, 2021 at approximately 5:30 PM at 228 Woopler Avenue, Officers Smith and Williams were discourteous and illegally entered a residence where he temporarily stayed initially via an Airbnb agreement and for two weeks after based on a private agreement with the homeowner.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Entry	Ryan Williams	Derrick Blassingame	Exonerated
2	Improper Entry	Johanna Smith	Derrick Blassingame	Exonerated
3	Discourtesy	Ryan Williams	Derrick Blassingame	Unfounded
4	Discourtesy	Johanna Smith	Derrick Blassingame	Unfounded

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Complaint #	22011
Complainant	Jessica Jones
Incident Date	January 21, 2022
CCA Investigator	Joseph Vesper
Allegations	Discrimination Lack of Service

COMPLAINT SUMMARY

Ms. Jones alleged that on Friday, January 21, 2022 at an unknown time, at 4150 Reading Rd, Avondale, OH 45229 and 2300 Ferguson Rd, Cincinnati, OH 45238, via telecommunication, she spoke to a

Cincinnati police department officer (later identified by CCA to be Officer Beasley) at District 3 to file a case. Ms. Jones alleges that she requested a certified American Sign Language (ASL) interpreter but was denied one.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Discrimination	Barry Beasley	Jessica Jones	Unfounded
2	Lack of Service	Barry Beasley	Jessica Jones	Unfounded

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Complaint #	22056
Complainant	Brandy Flantoill
Incident Date	February 3, 2022
CCA Investigator	Joseph Vesper
Allegations	Improper Pointing of a Firearm Excessive Force Improper Procedure (Use of Force)

COMPLAINT SUMMARY

Date: February 3, 2022

Time: 17:43

Location: 3756 Reading Rd, Cincinnati, OH 45229

Ms. Flantoill alleged that on Thursday, February 3, 2022, at 17:43 at 3756 Reading Rd, Cincinnati, OH 45229, Cincinnati Police Department Officers Nathan Hallman, Braeden Knapp, Alexander Geers, Michael Massey, Richard Sulfsted, and Joseph Bricker, responded to her apartment when her ex-boyfriend, Witness A, called to report an argument between him and Ms. Flantoill. When the police responded, Witness A met the Officers in the hallway. Ms. Flantoill's door was then kicked in, and she was placed under arrest at gun and TASER point. During the arrest she was thrown into a wall, to the floor, and Officer Massey was on her back. Ms. Flantoill advised the officers that she could not breathe but was told that if she could talk, she could breathe. Once placed in the cruiser Ms. Flantoill requested a supervisor but was told none would be notified.

FINDINGS

Original Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Excessive Force	Nathan Hallman	Brandy Flantoill	Exonerated
2	Excessive Force	Braeden Knapp	Brandy Flantoill	Exonerated
3	Excessive Force	Joseph Bricker	Brandy Flantoill	Exonerated
4	Excessive Force	Alexander Geers	Brandy Flantoill	Exonerated
5	Excessive Force	Michael Massey	Brandy Flantoill	Exonerated
6	Excessive Force	Richard Sulfsted	Brandy Flantoill	Exonerated
7	Improper Procedure (Use of Force)	Alexander Geers	Brandy Flantoill	Exonerated
8	Improper Pointing of a Firearm	Braeden Knapp	Brandy Flantoill	Exonerated
9	Improper Pointing of a Firearm	Michael Massey	Brandy Flantoill	Exonerated

Collateral Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
10	Improper Search	Nathan Hallman	Brandy Flantoill	Sustained
11	Discourtesy	Michael Massey	Witness A	Sustained
12	Improper Procedure (BWC)	Richard Sulfsted	N/A	Sustained

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Complaint #	22076
Complainant	Leonard Nelson
Incident Date	December 27, 2021
CCA Investigator	Robert Stephens
Allegations	Excessive Force Improper Procedure

COMPLAINT SUMMARY

Mr. Nelson alleged that on Monday, December 27, 2021 at 2550 Montana Ave, police officers later identified by CCA to be Officers Helton and Minella used excessive force. On that day Mr. Nelson stated he was suffering from a seizure, during which Witness A was concerned and contacted the Emergency Communications Center (ECC). Two CPD officers and an ambulance responded to the residence. During their response, one of the officers placed his knee on the back of Mr. Nelson's neck and he could not

breathe; the emergency personnel intervened and told the officer to leave. Mr. Nelson stated that the officers, later identified by CCA to be Officers Helton and Minella “broke his hands,” although he does not remember how. He was transported to UC hospital.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Excessive Force	Rocky Helton	Leonard Nelson	Unfounded
2	Excessive Force	Richard Minella	Leonard Nelson	Unfounded
3	Improper Procedure	Miykael Freeman	Leonard Nelson	Not Sustained



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Complaint #	22128
Complainant	Tina Smith
Incident Date	June 19, 2022
CCA Investigator	Robert Stephens
Allegation	Excessive Force

COMPLAINT SUMMARY

Ms. Smith alleged that on Sunday, June 19, 2022 at 12:30 at 3564 Montgomery Rd, a police officer later identified by CCA to be Officer Ludwig used excessive force by placing the handcuffs on too tight, causing her wrists to swell at the University of Cincinnati Medical Center (UCMC). Furthermore, Ms. Smith alleged Officer Ludwig, standing behind her grabbed and twisted her right shoulder, causing pain.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Excessive Force	Ludwig Russell	Tina Smith	Not Sustained



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Complaint #	22134
Complainant	Bobby Dale, Jr.

Incident Date	May 2, 2022
CCA Investigator	Robert Stephens
Allegation	Discrimination

COMPLAINT SUMMARY

Mr. Dale alleged that on Monday, May 2, 2022 at 12:30 AM at 707 W Court St Cincinnati, OH 45203, Officer Lee stopped him for racial reasons while he admittedly urinated in a park next to his vehicle.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Discrimination	Austin Lee	Bobby Dale Jr.	Unfounded

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Complaint #	22137
Complainant	Jacquelyne Simes
Incident Date	July 2, 2022
CCA Investigator	Kerrie Kimpel
Allegations	Improper Stop Improper Search Improper Procedure

COMPLAINT SUMMARY

Ms. Simes alleged that on Saturday, July 2, 2022 at 11:30pm, Officer Matthew Shideler followed her from the intersection of Enright Ave and W Eighth Street to her residence in Delhi without his overhead lights activated. When Ms. Simes stopped and parked at her residence, Officer Shideler activated his overhead lights, and Ms. Simes' passenger exited her vehicle and ran away, with Officer Shideler chasing him. Ms. Simes remained in her vehicle, and when Officer Shideler returned, he grabbed her previously injured arm, which caused pain and detained her. Ms. Simes was detained for over an hour in the police cruiser. Ms. Simes asked for her purse, and Officer Shideler searched it before giving it to her. Officer Shideler and a female white police officer later identified by CCA as Sergeant Michelle Longworth, asked for Ms. Simes' consent to search her apartment for the male occupant of her vehicle who had run away, which she gave. Ms. Simes heard Officer Shideler tell Sergeant Longworth that he did not have enough evidence to charge her with fleeing, but he was going to charge her with Obstructing Official Business. Ms. Simes

said that although the vehicle was parked in a designated parking spot, it was towed due to her being in custody.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Stop	Matthew Shideler	Jacquelyne Simes	Exonerated
2	Improper Search	Matthew Shideler	Jacquelyne Simes	Exonerated
3	Improper Procedure	Matthew Shideler	Jacquelyne Simes	Exonerated

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Complaint #	22139
Complainant	David Baker
Incident Date	May 25, 2022
CCA Investigator	Kerrie Kimpel
Allegations	Improper Stop Improper Search

COMPLAINT SUMMARY

Mr. Baker alleged that on Wednesday, May 25, 2022 at 2:14pm at 18 E 13th, a police officer, later identified by CCA to be Officer Christopher Lind, stopped him and patted him down for weapons. Mr. Baker questioned why he was being patted down and Officer Lind told him it was because he was with one individual who had a warrant, and one individual who was on probation.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Stop	Christopher Lind	David Baker	Exonerated
2	Improper Search	Christopher Lind	David Baker	Exonerated

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Complaint #	22140
Complainant	Jonathan Allen
Incident Date	June 24, 2022
CCA Investigator	Kerrie Kimpel
Allegations	Improper Stop Discourtesy

**COMPLAINT
SUMMARY**

Mr. Allen alleged that on Friday, June 24, 2022 at 12:32am across from 1003 Gest Street, Officer Ross McNicol came across him in a parking lot, re-entering his vehicle after throwing an empty Diet Coke can away in a dumpster. Officer McNicol activated his red and blue lights, and Mr. Allen put his vehicle in park. Officer McNicol approached Mr. Allen's vehicle and asked him "What's going on?" and Mr. Allen asked him what he meant. Officer McNicol became "visibly agitated" and yelled "What's with the attitude... You're in a parking lot at 12:10am" and asked Mr. Allen if he worked there. Officer McNicol "demanded" Mr. Allen's identification. Mr. Allen asked if he was detained. Officer McNicol replied, "you are now" and "snatched" the ID card from Mr. Allen's hand. Officer McNicol returned a few minutes later and told Mr. Allen he was free to go. There were eight uniformed officers there including Officer McNicol. Mr. Allen felt he was not given an explanation as to why he was stopped and yelled at.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Stop	Ross McNicol	Jonathan Allen	Exonerated
2	Discourtesy	Ross McNicol	Jonathan Allen	Unfounded

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Complaint #	22143
Complainant	Aaron Faulk
Incident Date	July 7, 2022
CCA Investigator	Kerrie Kimpel
Allegations	Discourtesy Improper Seizure Improper Search Excessive Force Improper Procedure

COMPLAINT SUMMARY

Mr. Faulk alleged that on Thursday, July 7, 2022 at 9:30pm at 4402 Whetsel Avenue, police officers later identified by CCA to be Officer Michele Carter and Sergeant Marcus Sherman, approached Mr. Faulk while he was sitting in his vehicle near the apartment where he lived with his girlfriend. Someone said his name, so he looked up and saw the two police officers. They told him he needed to step out of the vehicle and that they had a restraining order for him. They ordered him to put his hands behind his back, and Sergeant Sherman threatened to tase him. After Mr. Faulk exited his vehicle, the officers searched him, including his pockets, and put him in the cruiser before releasing him with a court date. Mr. Faulk said they were "rough" with him, and he does not understand why he was treated as if he had a capias when they were just serving him with a protection order.

FINDINGS

Original Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Discourtesy	Marcus Sherman	Aaron Faulk	Exonerated
2	Improper Seizure	Marcus Sherman	Aaron Faulk	Exonerated
3	Improper Seizure	Michele Carter	Aaron Faulk	Exonerated
4	Improper Search	Michele Carter	Aaron Faulk	Exonerated
5	Excessive Force	Michele Carter	Aaron Faulk	Unfounded

Collateral Allegation

No.	Allegation	Subject Officer	Involved Citizen	Finding
6	Improper Procedure	Michele Carter	Aaron Faulk	Sustained

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Complaint #	22155
Complainant	Jonathan Wood
Incident Date	July 6, 2022
CCA Investigator	Makiedah Messam
Allegations	Improper Search Improper Procedure (Use of Force)

COMPLAINT SUMMARY

Date: July 6, 2022

Time: 10:00 P.M.

Location: near the intersection of Colerain and Beekman Avenues

Mr. Wood alleged that he was a passenger in a vehicle driven by a friend when they were pulled over by police officers with lights and siren. The driver of the vehicle was found to be driving on a suspended license and was arrested on an outstanding felony warrant. Mr. Wood was asked for his identification by an officer, later identified by CCA as Officer Jerome Herring. Officer Herring later came back and told Mr. Wood to step out of the vehicle. Mr. Wood stated that he was handcuffed and searched. During the search, Officer Herring put some gloves on, “pulled down my boxers and raped me with his hands.”

FINDINGS

Original Allegation

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Search	Jerome Herring	Jonathan Wood	Exonerated

Collateral Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
2	Improper Procedure (Use of Force)	Jerome Herring	Jonathan Wood	Sustained
3	Improper Procedure (Use of Force)	Jonathan Kane	Jonathan Wood	Sustained

RECOMMENDATIONS

R2217 (Repeat Recommendation R2132): Use of Force Policy/Procedure - Conducted Electrical Weapon (CEW) - TASER Policy/Procedure

CCA recommends that CPD consider a revision of CPD Procedure §12.545 Use of Force that would bring that policy into greater alignment with CPD’s Tactical Patrol Guide by adopting the Patrol Guide’s instruction that officers should generally not withdraw their TASERs from their holsters under circumstances where the discharge of those TASERs would be impermissible or before it would be permissible to discharge a TASER.

CPD’s Patrol Guide expressly cautions police officers against become overdependent on TASERs and withdrawing them from their holsters before it is appropriate to do so. Those concerns mirror the

International Association of Chiefs of Police (IACP’s) guidance that a Conducted Electrical Weapon such as a TASER “should be pointed at a person only when the officer reasonably perceives that discharge, if it proves necessary, is reasonably justified under the totality of the circumstances, and the officer reasonably believes that the existing circumstances will require discharge of the device.” Adding provisions to CPD Procedure §12.545 that mirror the Patrol Guide’s limits on the display of TASERS would improve safety for officers and citizens alike, help provide greater notice to officers and citizens about when it is appropriate to point a TASER and would assist in preventing complaints related to TASER pointing or use.

R2218: Corrective and Disciplinary

Given recurring violations of police policy by Police Officer Jerome Herring Jr. during a consecutive multi-year period—including a repeated lack of civil behavior which resulted in three (3) Sustained findings from CCA for Discourtesy in three preceding cases (CCA Case No. 20022, 20223, and 21064); and one (1) Sustained finding for failing to deescalate (i.e. Improper Procedure (Use of Force)) in CCA Case No. 21064—as well as a Sustained finding in the present case for the misuse of a TASER (i.e. Improper Procedure (Use of Force)), CCA recommends that CPD review Officer Herring’s performance and take corrective or disciplinary action.

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Complaint #	22160
Complainant	Ciara Cody and D’Angelo Young
Incident Date	July 2, 2022
CCA Investigator	Robert Stephens
Allegations	Improper Stop Improper Search Improper Seizure

COMPLAINT SUMMARY

Date: July 2, 2022
 Time: 6:00 PM
 Location: Reading Rd and Lexington Ave

Ms. Ciara Cody alleges that her child’s father D’Angelo Young was driving when an officer stopped him for no reason. They would not explain to him why he was being stopped or being taken out of the vehicle. Then the officers searched Mr. Young and his vehicle without cause. Mr. Young was ultimately arrested when he was just driving down the street.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Stop	Dylan Scalf	D'Angelo Young	Exonerated
2	Improper Search	Dylan Scalf	D'Angelo Young	Exonerated
3	Improper Search	Benjamin Gunn	D'Angelo Young	Exonerated
4	Improper Search	Brody Kiper	D'Angelo Young	Sustained
5	Improper Seizure	Dylan Scalf	D'Angelo Young	Exonerated

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Complaint #	22171
Complainant	Maxime Tchinda
Incident Date	April 12, 2022
CCA Investigator	Kerrie Kimpel
Allegation	Abuse of Authority

COMPLAINT SUMMARY

Mr. Tchinda alleged that on Tuesday, April 12, 2022 Officer Eve refiled charges against Mr. Tchinda that had previously been dismissed by Judge Bernie Bouchard, as an act of retaliation for Mr. Tchinda filing a CCA complaint against Officer Eve.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Abuse of Authority	Brent Eve	Maxime Tiomagwou Tchinda	Unfounded

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Complaint #	22176
Complainant	Victor Lane
Incident Date	August 4, 2022
CCA Investigator	Kerrie Kimpel
Allegations	Improper Stop Improper Search Improper Seizure

COMPLAINT SUMMARY

Mr. Lane alleged that on Thursday, August 4, 2022 at 8:00pm at 1018 Sunset Ave, Officers Getty and Newman stopped his vehicle for a window tint violation. Mr. Lane insisted his windows are factory-installed tint and can be seen through. Officers Newman and Gettys made Mr. Lane exit the vehicle, patted him down, and possibly searched his pockets, in addition to handcuffing and placing him in the cruiser. Mr. Lane's vehicle was searched, nothing was found, and he was given a ticket for not having a driver's license. Mr. Lane said no officer answered Mr. Lane's questions, but at the end of the traffic stop, he was also told that he did not use his turn signal when pulling away from the curb.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Stop	Merredeth Newman	Victor Lane	Exonerated
2	Improper Stop	Alexander Gettys	Victor Lane	Exonerated
3	Improper Search	Merredeth Newman	Victor Lane	Unfounded
4	Improper Search	Alexander Gettys	Victor Lane	Unfounded
5	Improper Seizure	Merredeth Newman	Victor Lane	Exonerated
6	Improper Seizure	Alexander McCoy	Victor Lane	Exonerated
7	Improper Search	Alexander McCoy	Victor Lane	Exonerated

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Complaint #	22182
Complainant	Jeremy Davis
Incident Date	July 31, 2022
CCA Investigator	Makiedah Messam
Allegations	Improper Stop Improper Search

COMPLAINT SUMMARY

Mr. Davis alleged that on Sunday, July 31, 2022, he and his passenger pulled into a BP gas station at Tennessee Avenue and Reading Road. Officer Anderson pulled into the gas station and walked around the complainant's vehicle. As Mr. Davis, pulled out of the gas station, Officer Anderson pulled behind and followed him onto the highway. Three miles from the BP gas station, Officer Anderson flashed his lights and Mr. Davis stopped. Mr. Davis asked Officer Anderson why he was stopped, and Officer Anderson replied that the tint on the windows was too dark. Officer Anderson made repeated requests for Mr. Davis to exit his vehicle, when he complied, he was handcuffed. Officer Anderson frisked Mr. Davis, searched his pockets, and asked him to remove his shoes and searched his socked feet. Officer Anderson searched Mr. Davis's vehicle and seized marijuana claimed by Mr. Davis's passenger. Officer Anderson deployed his tint meter on Mr. Davis's vehicle and found him in violation. Mr. Davis was cited and released.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Stop	Lindsay Anderson	Jeremy Davis	Exonerated
2	Improper Search	Lindsay Anderson	Jeremy Davis	Exonerated
3	Improper Search	Lindsay Anderson	Jeremy Davis	Exonerated

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Complaint #	22194
Complainant	Daquan Brown
Incident Date	March – August 2022
CCA Investigator	Kerrie Kimpel
Allegations	Misconduct Abuse of Authority Discourtesy

COMPLAINT SUMMARY

Date: March-August 2022
Time: Various
Location: Various

Mr. Brown alleges that on Monday, August 22, 2022, before a scheduled court appearance at 1000 Main Street, Lieutenant Schofield told Mr. Brown that his previous complaint to CCA (CCA Case No. 21027) was “uncalled for,” he had already talked to CCA, and all he would get is a “slap on the wrist.”

Mr. Brown also alleged he lost his job at Eatondale Apartments, where he also resides, after a meeting at District Three with his Property Manager (Witness A), and Owner, where Sergeant Hicks and Specialist Wieczorkowski advised them that Mr. Brown was dealing drugs. Mr. Brown believes that this meeting was in retaliation for the complaint he filed with CCA previously (CCA Case No. 21027).

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Misconduct	David Schofield	Daquan Brown	Sustained
2	Abuse of Authority	David Schofield	Daquan Brown	Unfounded
3	Abuse of Authority	Jacob Hicks	Daquan Brown	Unfounded
4	Abuse of Authority	Jeffrey Wieczorkowski	Daquan Brown	Unfounded
5	Discourtesy	David Schofield	Daquan Brown	Not Sustained

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Complaint #	22203
Complainant	Lavelle Patterson
Incident Dates	March 26, 2022 August 7, 2022
CCA Investigator	Makiedah Messam
Allegations	Discrimination Lack of Service

COMPLAINT SUMMARY

Ms. Patterson alleged that on unknown dates, she made reports to CPD of a stolen vehicle and a robbery and the CPD officers with whom she interacted were not LGBTQ friendly. Ms. Patterson stated that during her interactions with the officers, they discriminated against her. She alleged the officers mocked her by making overly feminine gestures because she is a trans-female. Ms. Patterson further alleged that the officers did nothing to resolve her complaints because of her gender identity. CCA’s investigation revealed the following facts: on March 26, 2022, Ms. Patterson reported a stolen vehicle. Officers Buck and Merriweather responded to Ms. Patterson’s residence/apartment, recorded her initial complaint, and

submitted it for further investigation. On August 7, 2022, Ms. Patterson reported a robbery which occurred at the Budget Host hotel. Officer Wherle appreciated her complaint and sent the matter to the appropriate District. Officer Ertel in District 5 was assigned to investigate the robbery complaint.

FINDINGS

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Discrimination	Mikhale Buck	Lavelle Patterson	Unfounded
2	Discrimination	Etienne Merriweather	Lavelle Patterson	Unfounded
3	Discrimination	Mark Wherle	Lavelle Patterson	Unfounded
4	Discrimination	Jeffrey Ertel	Lavelle Patterson	Unfounded
5	Lack of Service	Mikhale Buck	Lavelle Patterson	Unfounded
6	Lack of Service	Etienne Merriweather	Lavelle Patterson	Unfounded
7	Lack of Service	Mark Wherle	Lavelle Patterson	Unfounded
8	Lack of Service	Jeffrey Ertel	Lavelle Patterson	Not Sustained

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