

Date: December 20, 2024
To: Board Members, Citizen Complaint Authority
From: Dena Brown, Interim Director
Subject: Investigation Summary – January 27, 2025 Board Meeting

INVESTIGATION SUMMARIES – OLD BUSINESS

1

Complaint #	23278
Complainant	Qijuan Rogers
Incident Date	December 5, 2023
CCA Investigator	Dr. Arnie Slaughter

COMPLAINT SUMMARY

Mr. Qijuan Rogers alleged that while parked and playing music in a vehicle, Officer Dylan Scalf approached and ordered him to turn the volume down. Mr. Rogers received a citation and turned the volume down. As Officer Scalf proceeded to return to his cruiser, Mr. Rogers turned the music volume back up. At that point, Officer Scalf handcuffed Mr. Rogers. Mr. Rogers alleged that Officer Scalf “pushed him, causing him to fall to the ground.” Additionally, Mr. Rogers believed that he has been harassed by officers over the last two years. According to Mr. Rogers, officers have given him “various charges that are not warranted.”

Addendum Statement Submitted on February 20, 2024:

Ms. Qiana Allen contacted CCA to provide additional information regarding the incident between her son and Officer Scalf. Mr. Rogers partially participated via telephone. Mr. Rogers advised in addition to the incident on Tuesday, December 5, 2023, he was stopped two additional times by Officer Scalf. Ms. Allen and Mr. Rogers alleged on February 9, 2024; Officer Scalf conducted a traffic stop for no reason. Mr. Rogers believed the stop was to harass him. Mr. Rogers was then arrested during the traffic stop.

The next day, on February 10, 2024, Officer Scalf stopped Mr. Rogers again. Officer Scalf filed criminal trespass charges on Mr. Rogers for being at a relative’s residence. According to Mr. Rogers, the relative was present at the time and refuted that Mr. Rogers should be trespassed. Mr. Rogers was arrested again. Mr. Rogers alleged that he has had ten contacts with Officer Scalf. Mr. Rogers maintained that the contacts

included arrests, the officer driving by saying his name, and “cussing” at him. Ms. Allen and Mr. Rogers alleged that Officer Scalf has acted improperly in every interaction with Mr. Rogers, arresting him on two of the interactions.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Excessive Force	Dylan Scalf	Qijuan Rogers	Unfounded
2	Harassment	Dylan Scalf	Qijuan Rogers	Unfounded
3	Improper Stop	Dylan Scalf	Qijuan Rogers	Exonerated
4	Improper Seizure	Dylan Scalf	Qijuan Rogers	Exonerated

■

2

Complaint #	24127
Complainant	Terry Griffin
Incident Date	June 18, 2024
CCA Investigator	Ronald Pugh

COMPLAINT SUMMARY

Mr. Griffin alleged that on Tuesday, June 18, 2024 at 2:15pm on Victory Parkway near William Howard Taft Road, Officers Abt and Buck initiated a traffic stop. Mr. Griffin asked the reason for stopping him and was told that a warrant for his arrest was attached to the license plate of his vehicle. Mr. Griffin informed the officers that he had no warrants, but said they insisted the warrants were related to a failure to appear and a drug case. Mr. Griffin was searched by Officer Perry due to the Felony traffic stop and him telling the officers he had a firearm concealed on his person. Mr. Griffin received a citation for his vehicle windows being too dark.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Stop	Mikhale Buck	Terry Griffin	Exonerated
2	Improper Stop	Grant Perry	Terry Griffin	Exonerated
3	Improper Stop	Myles Abt	Terry Griffin	Exonerated

■

3

Complaint #	24135
Complainant	Stanford Poole
Incident Date	July 1, 2024
CCA Investigator	Morgan Givens

**COMPLAINT
SUMMARY**

Mr. Poole alleged that on Monday, July 1, 2024 at approximately 8:00 PM, CPD executed a search warrant on a residence that he owned but did not reside. He further alleged that CPD did not contact him before entering the residence or provide him with a copy of the search warrant. During the investigation, CCA established that the warrant executed by CPD was the result of a narcotics investigation conducted by District 1 (D1) Violent Crime Squad (VCS) officers, led by Officer Williamson.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Entry	Benjamin Williamson	Stanford Poole	Exonerated
2	Improper Procedure	Benjamin Williamson	Stanford Poole	Exonerated

INVESTIGATION SUMMARIES – NEW BUSINESS

1

Complaint #	24090
Complainant	Juane Madaris
Incident Date	April 17, 2024
CCA Investigator	Ronald Pugh

COMPLAINT SUMMARY

Date: April 17, 2024

Time: 6:26 pm

Location: 3719 Reading Rd.

Ms. Madaris alleged that her son, Mister Kendall, was “TASED while standing next to a flight of stairs” and fell down the flight of stairs onto his head. She further stated that officers failed to render aid and removed the barbs from Mr. Kendall versus him being cleared by CFD. Ms. Madaris also stated that when CPD attempted to take Mr. Kendall to the Hamilton County Justice Center (HCJC) he was refused and was then taken to the University of Cincinnati Medical Center (UCMC) where she alleged, he remains in the ICU with “blood in his brain.” She doesn’t believe the officers’ use of the TASER, lack of aid rendered, and removal of the barbs were within policy.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Excessive Force	Nicholas Dezarn	Mister Kendall	Exonerated

Collateral Allegation

No.	Allegation	Involved Officer	Involved Citizen	Finding
2	Improper Procedure	Nicholas Dezarn	Mister Kendall	Sustained

RECOMMENDATION

#R2416

CCA recommends CPD revise its use of force policies to define an “elevated surface” and clarify what qualifies as an “elevated surface” under its Procedure Manual. Procedure §12.545 Use of Force, “Officers should avoid using a CEW on individuals who are on an elevated surface or are operating or riding any moving device or vehicle when a fall from such surface, or interrupted operation of such moving device or vehicle would likely cause serious injury or death, unless the encounter rises to the level of a deadly force situation.” However, the section does not define what an elevated surface is. In this case the CEW was deployed while the subject was running towards a doorway that led down a flight of steps.

2

Complaint #	24094
Complainant	Taviance Maxberry
Incident Date	December 15, 2023
Complaint Received	April 24, 2024
CCA Investigator	Joseph Vesper

COMPLAINT SUMMARY

Date: December 15, 2023

Time: 3:00 pm

Location: 1000 Main Street

Mr. Maxberry alleged that on December 15, 2023, he was forcefully thrown to the ground by Officer Ar'mon Shack and sustained several injuries as a result. Mr. Maxberry also stated that he was involved in an auto accident around seven to eight months ago where he sustained several injuries. Mr. Maxberry also stated that he wasn't doing anything and should not have been charged with Obstruction by Officer Shack.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Seizure	Ar'mon Shack	Taviance Maxberry	Exonerated
2	Excessive Force	Ar'mon Shack	Taviance Maxberry	Sustained

Collateral Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
3	Discourtesy	Ar'mon Shack	Taviance Maxberry	Sustained

RECOMMENDATION

#R2419

It is recommended that Officer Shack undergo customer service training to address the inappropriate use of profanity during interactions with the public. Specifically, the use of the term “fuck” is unprofessional and undermines the department's commitment to respectful and courteous communication. Such training will enhance Officer Shack's ability to engage with the community in a manner that reflects the values and standards of the Cincinnati Police Department, fostering positive relationships and promoting public trust.

■

3

Complaint #	24042
Complainant	Brandi McSwain
Incident Date	September 20, 2023
Complaint Received	February 16, 2024
CCA Investigator	Morgan Givens

COMPLAINT SUMMARY

Date: September 20, 2023

Time: Approximately 2:30 AM

Location: 2670 Lehman Road, Apartment #108

Ms. McSwain alleged that officers improperly entered her apartment, used excessive force against her, and improperly seized her person. She explained that although her neighbors were the aggressors and initiated a fight with her, she was the one who was ultimately arrested.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Entry	Charles Siegel	Brandi McSwain	Exonerated

2	Improper Entry	Collin Joyce	Brandi McSwain	Exonerated
3	Improper Entry	Michael Webb	Brandi McSwain	Exonerated
4	Excessive Force	Charles Siegel	Brandi McSwain	Exonerated
5	Improper Seizure	William Giver	Brandi McSwain	Exonerated

Collateral Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
6	Improper Procedure (Use of Force Reporting)	Charles Siegel	Brandi McSwain	Sustained

■

4

Complaint #	24080
Complainant	Dion Jackson
Incident Date	March 29, 2024
CCA Investigator	Jessalyn Goodman

COMPLAINT SUMMARY

Date: March 29, 2024

Time: 6:00 pm

Location: 310 Butler Street

While Mr. Jackson was walking down the street, Officer Brent Eve approached him on a segway and asked him to stop. Officer Eve did not explain the reason for the stop and instructed Mr. Jackson to sit on the ground until additional officers arrived to assist. During the encounter, Officer Eve displayed his Conducted Energy Weapon (CEW) and pointed it at Mr. Jackson twice. When Officer Kandice Roper-Issa approached, she searched Mr. Jackson. The officers later claimed that Mr. Jackson matched the appearance of a felony assault suspect wearing all blue clothing, despite Mr. Jackson wearing blue and orange clothing; Mr. Jackson was released when the officers received more detailed information about the suspect's appearance that did not match Mr. Jackson. Mr. Jackson believed he was wrongfully detained and improperly searched.

Later that evening, Mr. Jackson attempted to file a complaint about his interaction with the officers at the Central Business Section (CBS) substation. While speaking with Lieutenant Patrick Caton, Mr. Jackson alleged Lieutenant Caton yelled at him, asked him if he wanted to "fight," told Mr. Jackson he was "not a victim," and was "wrong" for wanting to file a complaint.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Stop	Brent Eve	Dion Jackson	Exonerated
2	Improper Procedure	Brent Eve	Dion Jackson	Not Sustained
3	Improper Search	Brent Eve	Dion Jackson	Sustained
4	Improper Search	Kandice Roper-Issa	Dion Jackson	Unfounded
5	Lack of Service	Brent Eve	Dion Jackson	Unfounded
6	Discourtesy	Brent Eve	Dion Jackson	Unfounded
7	Discourtesy	Patrick Caton	Dion Jackson	Not Sustained
8	Lack of Service	Patrick Caton	Dion Jackson	Not Sustained

OBSERVATION

As noted in previous observations, it is good practice for desk officers to have their body-worn cameras (BWC) on with audio when encountering individuals at the police district office to ensure transparency, accountability, and the preservation of accurate records during interactions. This practice not only promotes trust within the community but also serves as a valuable resource for reviewing and resolving any potential disputes or incidents. BWC footage also provides an invaluable resource for enhanced documentation of the details and can be used in investigations, court proceedings, and resolving any complaints or disputes that may arise later. It ensures that both officers and individuals visiting the police district are protected by an objective account of events.

The information that can be obtained from BWC can also help with training and evaluation purposes within the police department to better serve the community. Supervisors can review interactions to identify areas for improvement, provide feedback to desk officers, and identify learning opportunities to help enhance conversation skills. Having desk officers use BWCs during interactions with individuals who come to the police district office is essential for maintaining transparency, accountability, and for both CPD and CCA investigations.

Previous recommendations by CCA (see R2311, and R2321) have provided evidence to support this need.

RECOMMENDATION

#2418

The strategic decision to use force is the result of the consideration of multiple complex factors in a short period of time. The purpose of the Tactical Patrol Guide is to instruct an officer with options to ensure officer safety and minimize the risk to all involved people during potentially violent or dangerous encounters. Earlier, CCA cited the Tactical Patrol Guide regarding the appropriate time for CEWs to be displayed and/or targeted at individuals by officers. However, as previously discussed, the wording of the

text, and the placement of it in the Tactical Patrol Guide as opposed to CPD Procedure § 12.545 Use of Force, makes the Tactical Patrol Guide’s statement and its objective ambiguous. CCA recommends this aspect of CEW usage be clarified and updated as needed in the Tactical Patrol Guide and Use of Force procedure for the safety and understanding of officers and the community.

■

# 5	
Complaint #	24081
Complainant	Edward Goodman
Incident Date	March 26, 2024
CCA Investigator	Jessalyn Goodman

COMPLAINT SUMMARY

Date: March 26, 2024

Time: 11:28 am

Location: 1701 Vine Street

Officers Christopher Lind and Samuel Bailey approached Mr. Williams as he stood on the corner of Vine and Green Streets. Officer Lind exited the vehicle and stated, “Police. Don’t fucking move. Put your hands behind your back.” Officer Lind approached Mr. Williams, “slammed” him to the ground, and arrested him for a felony warrant.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Excessive Force	Christopher Lind	Edward Williams	Exonerated
2	Discourtesy	Christopher Lind	Edward Williams	Sustained

Collateral Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
3	Discourtesy	Samuel Bailey	Edward Williams	Sustained

OBSERVATION

Per the BWC, when Mr. Williams described his encounter with Officer Lind to Sergeant George Jason, he stated that one of his concerns was that Officer Lind did not advise him that he was a police officer, that Mr. Williams was under arrest, or tell him to place his hands behind his back before taking him to the ground. While BWC showed that Officer Lind wore police identification, identified himself as police, and did direct him to place his hands behind his back, he did not advise Mr. Williams he was under arrest.

Previous court cases have determined there is no legal constitutional right to advise an individual that they are under arrest at the time of arrest, and CPD Procedure 12.545 does not require officers to inform an individual they are under arrest. However, it seems reasonable that advising someone they are under arrest could avoid any confusion from the individual about the nature of the situation and prevent unnecessary escalation (e.g. resistance and subsequent excessive force). Naturally, this practice is dependent on a number of factors, including officer safety concerns and risk of flight from the suspect, but The International Association of Chiefs of Police Law Enforcement Police Center publication on *Arrests and Investigatory Stops* (September 2019), states that after arrest planning, “once the individual to be arrested has been positively identified and located, the arresting officers should identify themselves as law enforcement officers, inform the suspect of their arrest, and specify the charges for which the arrest is being made.” Therefore, when prudent, and absent safety concerns and exigent circumstances that would negatively impact the officers’ attempt to control the situation, CCA encourages CPD officers to consider notifying a citizen when they are under arrest as best practice.

■

6

Complaint #	24071
Complainant	Ryan Carter
Incident Dates	March 5, 2021 – October 24, 2023 & March 26, 2024
CCA Investigator	Joseph Vesper

**COMPLAINT
SUMMARY**

Mr. Carter alleged that CPD is harassing him and has stopped him numerous times for no reason; between March 5, 2021, to October 24, 2023. Mr. Carter also alleged specifically that on Thursday, February 2, 2023, at the corner of Linn St. & Central Parkway, he was stopped for no reason by unknown officers, later determined to be Officers Goebel and Soard. Officers Goebel and Soard then improperly prolonged the stop and escalated the situation with their demeanor and tone towards his girlfriend. Mr. Carter finally alleged that on March 26, 2024, his vehicle was improperly seized and towed by Officer Myres from the corner of Republic and Green Streets.

CCA interviewed Mr. Carter, Officers Myres, Goebel, and Soard, with information about the incidents. CCA also reviewed relevant body worn camera (BWC) recordings, Contact Cards, computer aided dispatch (CAD) records, relevant police records, motor vehicle recordings (MVR), and records from the Hamilton County Clerk of Courts.

Credible evidence, specifically the relevant BWC footage, also confirmed that on February 2, 2023, Officers Goebel and Soard conducted a stop involving Mr. Carter and his girlfriend. And on March 26, 2024, Officer Myres towed Mr. Carter's vehicle from Green Street.

Despite these actions, they align with the guidelines set forth in CPD Procedure Manual, § 12.205 Traffic Enforcement, § 12.554 Investigatory Stops, § 12.270 Impounding, Moving, and Release of Vehicles, and § 12.255 Arrests and Citations, as well as Cincinnati Municipal Code (CMC) Sec. 513-1 Impoundment of Motor Vehicles.

FINDINGS

Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Harassment	Unknown	Ryan Carter	Unfounded
2	Improper Stop	John Goebel	Ryan Carter	Exonerated
3	Improper Stop	Dennis Soard	Ryan Carter	Exonerated
4	Improper Procedure	John Goebel	Ryan Carter	Unfounded
5	Improper Procedure	Dennis Soard	Ryan Carter	Unfounded
6	Improper Seizure	Samuel Myres	Ryan Carter	Exonerated

■

7

Complaint #	24119
Complainant	Denise Tsibouris
Incident Date	April 27, 2024
CCA Investigator	Ronald Pugh

COMPLAINT SUMMARY

Date: April 27, 2024

Time: 9:00 am

Location: 2356 Harrison Ave.

Ms. Denise Tsibouris' advised CCA her vehicle has been vandalized on multiple occasions. On April 27, 2024, at 9:00am, her vehicle was covered in Mountain Dew, Monster Energy Drinks, and grits. On Friday, May 10, 2024, at 11:00am, her passenger side front window was busted out.

Ms. Tsibouris later contacted District 3 to ascertain who would serve as the investigator for her case. She indicated to CCA she had Detective Darris Sneed work on a previous case that produced no resolution. Detective Sneed told her he was very busy and that he did not know when he would get to her case. Ms. Tsibouris' s case was reassigned to Officer Robert Dews. Despite multiple outreaches to Officer Dews, Ms. Tsibouris maintains that there is nothing he can do to assist her.

Ms. Tsibouris also stated that this morning (June 10, 2024) someone placed branches and leaves on her vehicle. She feels that nothing has been done to assist her and that CCA/and CPD may be “actively or passively complicit in the mistreatment of an elderly woman and her children.”

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Lack of Service	Robert Dews	Denise Tsibouris	Not Sustained
2	Discourtesy	Robert Dews	Denise Tsibouris	Not Sustained
3	Discrimination (Age)	Robert Dews	Denise Tsibouris	Not Sustained

■

8

Complaint #	24213
Complainant	Marques Jones
Incident Date	October 1, 2024
CCA Investigator	Ronald Pugh

COMPLAINT SUMMARY

Mr. Jones alleged that on Tuesday, October 1, 2024 at 9:34 pm at [REDACTED] Officers Farwick and Watkins arrived at his residence after his housemate called them saying someone had broken into the residence and were still inside. Mr. Jones stated the officers immediately presumed that he was the person breaking into his own residence. The officers told Mr. Jones to put his hands in the air and handcuffed him, even after he repeatedly told them that he lived there. Mr. Jones stated the officers only released him from handcuffs once his white roommate confirmed with them that he lived there.

FINDINGS

Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Discrimination	Benjamin Farwick	Marques Jones	Unfounded
2	Discourtesy	Benjamin Farwick	Marques Jones	Unfounded
3	Discrimination	Morgan Watkins	Marques Jones	Unfounded
4	Discourtesy	Morgan Watkins	Marques Jones	Unfounded

■