

CCA Board Meeting Agenda August 3, 2026

1. Call to order

2. Introduction by Chair John J. Williams

The Citizen Complaint Authority was established in 2003 under the Collaborative Agreement and a Memorandum of Agreement with the U.S. Department of Justice. We are a seven-member board with a professional investigative staff, headed by a director. Staff investigates allegations of misconduct by police officers and, through the director, forwards the findings and recommendations to the board. Our decisions are based upon a legal standard known as a "preponderance of the evidence." *Simply stated, the question is, "Does the greater weight of the evidence favor one side or the other?"* Our area of inquiry is solely whether the officer's actions conformed to Cincinnati Police Department policies, procedures and training.

Our findings generally will be one of the following: (1) Unfounded: where the investigation determined no fact to support that the incident actually occurred; (2) Sustained: where the allegation is supported by sufficient evidence to determine the incident occurred and the actions of the officer were improper; (3) Not sustained: where there are insufficient facts to determine whether the alleged misconduct occurred; and (4) Exonerated: where the greater weight of the evidence indicates the alleged conduct did occur but did not violate police department policies, procedures and training. Our findings and recommendations are forwarded to the City Manager for final determination.

3. Mission Statement

Per Article XXVIII., the Citizen Complaint Authority's (CCA) mission will be to investigate serious interventions by police officers, including but not limited to, shots fired, deaths in custody and major uses of force, and to review and resolve citizen complaints in a fair and efficient manner.

4. Approval of minutes from previous meeting

5. Director's report presented by Director John Kennedy

6. CPD response to CCA recommendations/observations presented by IIS Lieutenant

- **#R2611 (CCA #25277)**

- Use of Force Policy/Procedure: Update and Further Recommendation**

- The CCA acknowledges CPD's response to R2408 (CCA #24035), presented at the September 2024 Board Meeting. While CPD has taken steps to address this issue by providing some catch poles and limited training to officers, the CCA maintains that additional training opportunities and a continued commitment to acquiring appropriate equipment designed to immobilize dogs would further reduce the likelihood of incidents involving the discharge of firearms against animals.
 - Officers Ruiz, Mendoza, and Sergeant Dunahay confirmed that they had not received formal training in animal control. The Officers further indicated that their access to animal control equipment was limited and expressed the need for greater support.
 - Accordingly, the CCA recommends that CPD continue addressing this issue through the previously identified two-pronged approach designed to better prepare officers to respond to aggressive dog incidents. The first prong involves expanding access to appropriate animal control equipment. The second prong involves providing ongoing and more comprehensive

training. Continued investment in both equipment and training will better equip officers to manage encounters with aggressive animals and promote safer, more effective, and more humane outcomes.

- **#R2613 (CCA #24230)**

Distraction Devices (Flashbangs) in Use of Force Policy (§ 12.545)

- CPD Procedure § 12.545 (Use of Force) does not expressly reference “flashbang” or “flashbang pole” devices. Nevertheless, courts within the Sixth Circuit have recognized that the deployment of such devices constitutes a use of force, notwithstanding their classification as “less lethal.”¹ These devices are capable of causing significant and, at times, severe injury. Documented harms include hospitalizations resulting from smoke and fume inhalation and irritation;² traumatic injuries to children, including burns and bone fractures;³ fires giving rise to wrongful death litigation;⁴ and, in rare instances, fatalities directly attributable to the explosive of the device itself.⁵
- CPD Procedure § 12.545 should be amended to expressly identify “flashbangs” and “flashbang poles” as a specific use of force option, accompanied by clear standards governing their authorization, deployment, and documentation. The revised policy should, at a minimum, specify: (1) authorization thresholds, including when supervisor approval is required versus when exigent circumstances permit immediate deployment; (2) appropriate operational contexts, such as barricaded subjects, hostage situations, or risky entries; (3) deployment protocols addressing placement, timing, and risk mitigation (including fire hazards and proximity to occupants); and (4) post deployment reporting.
- The absence of explicit and specific policy language creates the potential for inconsistent use. Adding these terms and procedures governing their use under CPD § 12.545 would promote uniformity and adherence to standards. This will ensure that officers are guided by objective criteria. It also will enhance both officer and public safety by addressing known hazards.

- **#R2614 (CCA #24230)**

Drone Usage Clarification in UAS Policy (§ 12.227) Search or Entry Policy

- The CCA recognizes that the use of emerging technologies in law enforcement, particularly unmanned aircraft systems (“UAS” or “drones”), is an evolving area. With evolution comes risk factors, including potential Fourth Amendment violations arising from warrantless surveillance; inconsistent deployment practices, and public safety concerns. Because of this it is essential for the Cincinnati Police Department to remain ahead of the technology curve by establishing clear, forward-facing policy guidance governing deployment under certain circumstances.
- CPD Procedure § 12.227 governing Unmanned Aircraft Systems (UAS) should be revised to specifically address when and how drones may be utilized during emergency situations (e.g. SWAT usage). The policy should define permissible use cases (e.g., exigent circumstances, search and rescue, perimeter establishment).
- When the Citizen Complaint Authority asked whether specialized requirements, procedures, or considerations governed drone usage during SWAT incidents, Detective Downing stated, “Not necessarily, it’s used as a safety tool.” This response reflects a lack of formalized, scenario specified guidance. Additionally, the usage of the drone ranged drastically from a distraction device to surveillance.
- To address this much needed update to procedure, § 12.227 should be expanded to state how and when drones may be deployed in specific contexts, including whether and how they may be used as (1) a surveillance tool for intelligence gathering; (2) a search and rescue asset; or (3) a

¹ *Estate of Bing v. City of Whitehall*, 456 F.3d 555, 563–64 (6th Cir. 2006); *Krause v. Redford Twp. Police Dep’t*, 635 F. App’x 275, 283–84 (6th Cir. 2015).

² Radley Balko, A Hospitalized Baby, a Terrified Mother: A Botched Police Raid in Ohio Is the Tip of the Iceberg, NBC News (Jan. 26, 2024, 4:47 PM), <https://www.nbcnews.com>.

³ Press Release, Finch McCranie, LLP, Final Settlement Reached in Baby Bou Bou Flashbang Case for \$3.614 Million (2013), <https://www.finchmccranie.com/final-settlement-reached-in-baby-bou-bou-flashbang-case-for-3-61.html>.

⁴ *Estate of Bing*, 456 F.3d at 558–59.

⁵ NC SWAT Officer Killed by Flash-Bang Explosion, Associated Press (Feb. 26, 2011, 5:49 AM), <https://www.police1.com/swat/articles/nc-swat-officer-killed-by-flash-bang-explosion-9CQXlkW9KYrtvOlr/>.

distraction or engagement device. Additionally, the policy should establish operational parameters, including coordination with SWAT command, and when limitations apply on use in areas implicating heightened 4th Amendment privacy concerns.

- By providing clear scenario guidance on drone usage, the policy enhances drone effectiveness by allowing officers to deploy this technology quickly and appropriately in critical situations. It reduces ambiguity that could delay response or lead to improper use.

7. Public comment period (not to exceed 3 minutes)

8. New business

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| 1. CCA #25116 Brooklyn Davis | 6. CCA #25097 Malachi Mason |
| 2. CCA #25244 Keisha Taylor | 7. CCA #25236 Jeremy Hill |
| 3. CCA #25151 Angela Landa | 8. CCA #25197 Joseph Davenport |
| 4. CCA #25213 Dasmine Walker | 9. CCA #25210 Kristina Carr |
| 5. CCA #26031 Gerry Coach | 10. CCA #25163 Ronaldo Drumright |

9. 2026 Campaign Zero Contact Card Report

10. CCA #24230 Recommendation

11. Announcements

12. Adjournment to executive session (if required)

13. Reconvene if necessary (if required)

Thank you for viewing and attending the CCA Board meeting today.

Remember, CCA is here to help you address any concerns you have regarding interaction with a Cincinnati Police Officer. While CCA's primary purpose is to investigate specific allegations of serious misconduct by CPD, even if your concern does not fall within CCA's purview, CCA will send all concerns or commendations to CPD on your behalf.

The next Board meeting will be on **Wednesday, September 9, 2026**, at 5:00 pm. Copies of any of the investigation summaries discussed today are available on CCA's website at www.cincinnati-oh.gov/ccia.

14. Adjournment

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