

Date: March 29, 2023

To: Gabriel Davis, CCA Director

From: Makiedah Messam, CCA Investigator

Subject: **CCA Case No. 22271 - Review of Improper Stop, Improper Search and Excessive Force Allegations by Karen Ranz on behalf of an Unknown Adult Male and Unknown Minor Females**

CCA completed an investigation of CCA Complaint No. 22271 by Karen Ranz, F/W/54, alleging Improper Stop, Improper Search and Excessive Force against Sergeant Howard Grant, #S0018, M/B/44, Officers Albert Brown, P0484, M/B/60, Darris Sneed, #P0471, M/B/55, Derrick Edwards, #P0040, M/B/46, Keith Spurling, #P0264, M/B/54, and Charles Bell, #P0121, M/B/44. This memorandum is intended to convey the conclusions resulting from that investigation and the basis for those conclusions. This memorandum does not purport to summarize all evidence uncovered during the course of the investigation, nor is it intended to summarize the entirety of CCA's file on this matter.

Ms. Karen Ranz alleged that on Wednesday, September 7, 2022 between 5 and 6 p.m. and on Wednesday, November 9, 2022, approximately 6 p.m. at Metro Center, Government Square she witnessed several Cincinnati Police officers, later identified by CCA, treat civilians in a disconcerting manner and on November 9th, she was improperly detained while bearing witness to the officers' treatment of the civilians.

Regarding the September 7th incident, Ms. Ranz stated:

I witnessed nine police officers surrounding a boy. Two officers had their hands on the child. One officer had the child's arm in an awkward position and pushing the child's arm up. The child was standing on his toes because of the hold. A second officer had his hands on both sides of the child's elbow pushing down. The child was crying out while the officers did this to him. The other seven officers created a human wall to prevent people from seeing. I was told multiple times to leave by Officer Brown, but I respectfully declined. I was asked repeatedly for my name, but I respectfully declined to answer. I told Officer Brown that I would stay until I knew the boy was safe. An officer pointed his phone at me (I assume to take a video or picture). A few minutes later Officer Brown approached me, called me by my name, and asked me how long I had worked at Metro. I felt threatened for standing on the sidewalk. The child was taken inside the small Metro station and his hands were zip-tied behind his back. The officer emptied the child's pockets. I witnessed many people jaywalking while this was happening, but only the CPS boy was restrained, searched, and detained. I stayed until the child left on his bus.

Ms. Ranz believed the force used on the child was excessive.

Ms. Ranz further relayed that, on November 9, 2022:

When I arrived at Government Square, I saw four police officers around a female CPS student. Her hands were zip-tied behind her back while a male police officer put his hands deep into the girl's front pants pockets. She was crying as the officer walked her to the small Metro station. I tried to follow with my iPhone. I was quickly blocked by an officer on a bike on the sidewalk. The officer told me to leave the sidewalk and walk where the buses drive to go around him. I walked on the street side of the sidewalk instead. When I got to the little Metro station, I saw Officer Brown was alone in the Metro station with a second female CPS student. The second female CPS student was restrained with her hands behind her back with metal handcuffs. When I left, both girls were restrained with their hands behind their backs, and they were both emotionally charged and frightened.

Ms. Ranz alleged the search of the female student was improper.

Ms. Ranz further stated, during the November 9th incident:

I was told that I would be detained if I did not leave. The CPS student was very upset that I had a camera, so I left. It was dark and few people were around. Several officers (three or four) followed me down the sidewalk. I was ordered to stop. An officer asked to see my Metro ID. I said that I respectfully decline. The officer told me that I was being detained for not showing my Metro ID. I was also afraid that I would be harmed if I reached for my ID. The officer tried to take my Metro ID from me, but instead took a picture of it with his phone. While I was being detained, one of the other officers pointed his phone at me. The officer with the phone was smiling and chuckling. I got on the first bus that showed up to get away.

Ms. Ranz alleged her detention was improper.

CCA interviewed Ms. Ranz, Sergeant Grant, and Officers Brown, Sneed, Edwards, Spurling, and Bell about the incident. CCA also reviewed relevant body worn camera (BWC) recordings, relevant police records, use of force reports, records from the Hamilton County Clerk of Courts, and Contact Cards.

BWC footage from September 7, 2022, corroborated the subject officer's version of what occurred. Credible evidence, specifically, CPD Use of Force report as well as the consistent statement from fellow officers proved Officers Bell and Sneed used a hard hands technique to gain compliance from the male, identified by CCA to be JB Privett. However, despite the action taken, CPD Procedure Manual §12.545, Use of Force, permitted the conduct that occurred. Specifically, the evidence establishes the following:

- The subject officers' use of force was objectively reasonable in light of the applicable factors for evaluating force under the Fourth Amendment and CPD policy.

BWC footage from November 9, 2022 corroborated the subject officer's version of what occurred. There is no information establishing that Officers Brown, Sneed, Edwards or Bell, who were present at the November 9th incident searched any of the female juveniles as alleged.

Credible evidence, specifically, relevant BWC footage, and consistent statement given by fellow officer proved that Sergeant Grant detained Ms. Ranz. However, despite the action taken, CPD Procedure Manual §12.554, Investigatory Stops, permitted the conduct that occurred. Specifically, the evidence establishes the following:

- The officers had reasonable suspicion to stop and conduct a brief investigation of Ms. Ranz.

Therefore, the actions of the subject officers were consistent with CPD policy, procedure, and training.

Evidence obtained, reviewed, and considered during this investigation established the following violations of CPD policy, procedure, or training:

Collateral Allegation: Improper Procedure (Contact Card)

During CCA's investigation of Ms. Ranz's allegations of November 9, 2022, BWC footage showed that Ms. Ranz was briefly detained by Sergeant Grant and asked about her identification and her interest in the incident. After receiving, and photographing Ms. Ranz's identification, Sergeant Grant released Ms. Ranz. When CCA inquired into his interaction with Ms. Ranz, Sergeant Grant clarified that he recorded Ms. Ranz's information and passed it on to Metro security. He further elaborated that he had received previous reports from other police officers regarding Ms. Ranz's interference with other police investigations in area surrounding Government Square. This was the first incident in which he was able to properly identify her.

Sergeant Grant's interaction with Ms. Ranz was for the purpose of investigating and ascertaining her identity as someone about whom he had received previous complaints. Sergeant Grant's stop of Ms. Ranz, for the aforementioned reasons, puts his actions under the rubric of *Terry v Ohio* (392 US 1, (1968)). CPD Procedure Manual §12.554 states, "A Contact Card **must** be completed for any vehicle passenger of pedestrian detention which meets the definition of a "Terry" stop unless the stop results in an arrest or citation."

Sergeant Grant failed to complete a Contact Card detailing his interaction with Ms. Ranz. Sergeant Grant's failure to complete a Contact Card was a breach of CPD's policy, procedure and training.

Findings:

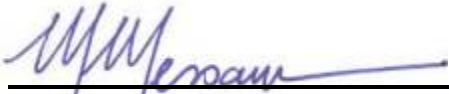
Based on my investigation and review of the evidence uncovered, I recommend the following findings for your endorsement (findings are defined in the attachment to this memorandum):

Original Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Excessive Force	Albert Brown	Unknown Male	Unfounded
2	Excessive Force	Darris Sneed	Unknown Male	Exonerated
3	Excessive Force	Keith Spurling	Unknown Male	Exonerated
4	Excessive Force	Charles Bell	Unknown Male	Exonerated
5	Improper Search	Albert Brown	Unknown Minor Female	Unfounded
6	Improper Search	Darris Sneed	Unknown Minor Female	Unfounded
7	Improper Search	Derrick Edwards	Unknown Minor Female	Unfounded
8	Improper Search	Charles Bell	Unknown Minor Female	Unfounded
9	Improper Stop	Howard Grant	Karen Ranz	Exonerated

Collateral Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
10	Improper Procedure (Contact Card)	Howard Grant	Karen Ranz	Sustained


Makiedah Messam, Investigator


Gabriel Davis, Director

Previous Contacts and Commendations for Officers with Sustained Findings:

Sergeant Howard Grant

Previous Contacts with CCA

Sergeant Grant had no previous contact with CCA in the past three years.

Previous Contacts for CCA Referrals

Sergeant Grant had no allegations that CCA referred to CPD for investigation in the past three years.

Previous Contacts with IIS

CCA is unaware of any additional previous contact by Sergeant Grant with IIS.

Commendations

Sergeant Grant received no commendation/s in the past three years.