

Date: February 17, 2023

To: Gabriel Davis, CCA Director

From: Makiedah Messam, CCA Investigator

Subject: **CCA Case No. 22183 - Review of Discourtesy and Improper Search Allegations by Carlos Beauchamp and Ebony Molden**

CCA completed an investigation of CCA Complaint No. 22183 by Carlos Beauchamp, M/B/48 and Ebony Molden, F/B/Unknown alleging Discourtesy and Improper Search against Officers Darrell Woods, #P0273, M/W/39, John Goebel, #P0105, M/W/47, Sarah Cronin, #P0504, F/W/25, Corey Bonner, #P0149, M/B/47 and Sergeants Brian Trotta, #S0420, M/W/52 and George Jason, #S0035, M/B/61. 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.

Mr. Carlos Beauchamp alleged that on Wednesday, August 10, 2022, he received a call from his son that police officers were in his apartment. He arrived at his apartment and found Officer Woods and other non-uniformed officers at his apartment. Mr. Beauchamp demanded to enter his apartment as he did not give the police permission to search his apartment. He further stated that he was subsequently handcuffed and accused of being disorderly and interfering with police business. Mr. Beauchamp further stated that Officer Woods escorted him to the cruiser and told him, "You are not going to resist me" and then called him a "n****". Mr. Beauchamp reported this to the senior officer on the scene, Sergeant George Jason.

Ms. Ebony Molden, girlfriend of Carlos Beauchamp, alleged that on August 10, 2022, she received a phone call from her boyfriend, in the Hamilton County Justice Center, advising her to move her vehicle as it was illegally parked at his apartment. She went to move the vehicle and "when I arrived, I spoke with someone who I believe was a Sergeant or Lieutenant. He told me they heard a conversation telling me to get my car to take home and they had a search warrant for my car." Ms. Molden further stated that later, "the police dog pulled up and I asked him the same question about the search warrant. He stated that the car was part of an investigation and he stated that the car was on public property and that they could search the car." Ms. Molden also stated that her car speakers were "busted" from the search by Officers Goebel, Cronin and Bonner.

CCA interviewed Mr. Beauchamp, Ms. Molden, Officers Woods, Cronin, Goebel, Bonner, Sergeants Jason and Trotta about the incident. CCA also reviewed relevant body worn camera (BWC) recordings, relevant police records, computer aided dispatch (CAD) records, records from the Hamilton County Clerk of Courts, and Contact Cards.

BWC footage provided no evidence to support Mr. Beauchamp's assertion that any officer used racially discourteous language to him. A review of the Contact Cards provided no proof of a pattern of disparate treatment based on race. There is no information establishing that Officer Woods was discourteous as alleged.

BWC footage also contradicted Ms. Molden’s allegation that the officers damaged her speakers or searched her vehicle illegally. Credible evidence, specifically, relevant BWC footage, proved that Ms. Molden’s vehicle was searched. However, despite the actions taken, CPD Procedure Manual Section 12.700 Search Warrant/Consent to Search and *State v Reid*, 2013-Ohio 4274 permitted the conduct that occurred. Specifically, the evidence established the following:

- The officers searched Ms. Molden’s vehicle in accordance with a lawful exception to the general rule that a search warrant is required under the U.S. Constitution.
- The search of Ms. Molden’s vehicle was conducted pursuant to affirmative response to an open-air sniff by a canine officer.

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

Analysis of Sustained Allegations

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

Allegation: Improper Procedure

Mr. Beauchamp was secured in a police cruiser operated by Sergeant George Jason. Body Worn Cameras for Officers Woods, Cronin and Sergeant Jason were activated and captured the officers’ interaction with Mr. Beauchamp outside the cruiser. However, when Mr. Beauchamp was placed in the rear of the cruiser, adjustments had to be made to cruiser’s audio/visual system to capture any further interactions with Mr. Beauchamp because of a malfunctioning cruiser equipment. CPD Manual Sections 12.030 Vehicle Use and Maintenance and 12.537 Mobile Digital Video Recording Equipment details that the cruiser video systems should record all portions of the transportation of all persons who are physically arrested. Additionally, it is the responsibility of the officer assigned to the unit to ensure that the equipment is operable prior to leaving the district. In an interview with CCA, Sergeant Jason acknowledged that while the rear microphone was operable, the rear camera was not working and he did not check the camera in the morning prior to leaving the district.

Therefore, CCA finds that Sergeant Jason’s operation of his cruiser was not within 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):

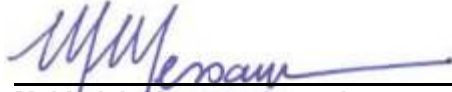
Original Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Discourtesy	Darrell Woods	Carlos Beauchamp	Unfounded
2	Discourtesy	George Jason	Carlos Beauchamp	Unfounded
3	Improper Search	John Goebel	Ebony Molden	Exonerated
4	Improper Search	Corey Bonner	Ebony Molden	Exonerated

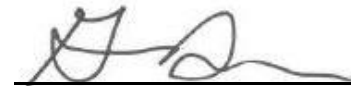
No.	Allegation	Subject Officer	Involved Citizen	Finding
5	Improper Search	Sarah Cronin	Ebony Molden	Exonerated
6	Improper Search	Brian Trotta	Ebony Molden	Unfounded

Collateral Allegation

No.	Allegation	Subject Officer	Involved Citizen	Finding
7	Improper Procedure	George Jason	Carlos Beauchamp	Sustained



Makiedah Messam, Investigator



Gabriel Davis, Director