

**Date:** May 23, 2025

**To:** Dena Brown, CCA Interim Director

**From:** Robert Stephens, CCA Investigator

**Subject:** **CCA Case No. 25064 - Review of Excessive Force Allegation by Justiano Nolasco**

---

CCA completed an investigation of CCA Complaint No. 25064 by Justiano Nolasco, (M/H/42), alleging Excessive Force against Officers Evan Vanlierop, P0612, CPD hire date 02/18/2024, (M/W/23), John-Allen Phillips, P0557, CPD hire date 08/07/2022 (M/T/26), Grayson Hines, P0316, CPD hire date 08/07/2022, (M/W/25). This memorandum is intended to convey the conclusions resulting from that investigation and the basis for those conclusions. This memorandum does not intend to summarize all evidence uncovered during the investigation, nor is it intended to summarize the entirety of CCA's file on this matter.

Mr. Nolasco alleged that on Thursday, April 3, 2025 at 5:30 am at 2712 E Tower Drive, Officers Vanlierop, Phillips, and Hines used excessive force. Mr. Nolasco stated that he was pushed to the ground, and punched in the face, causing him to break his teeth. He stated that his right shoulder was also injured.

CCA interviewed Officers Vanlierop, Phillips, and Hines about the incident. CCA was unable to interview Mr. Nolasco regarding the incident. CCA also reviewed relevant body worn camera (BWC) recordings, records from the Hamilton County Clerk of Courts, use of force reports, computer aided dispatch (CAD) records, and relevant police records.

Credible evidence, specifically, relevant BWC footage, proves that Officers Vanlierop, Phillips, and Hines did take Mr. Nolasco to the ground in the course of his arrest. 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 officer's use of force was objectively reasonable in light of the applicable factors for evaluating force under the Fourth Amendment and CPD policy;
- On April 3, 2025, officers were dispatched to a report of a vehicle idling in the roadway at an intersection. Upon arrival, officers made contact with the driver, Mr. Nolasco. During the initial contact, Mr. Nolasco appeared disoriented and confused. Officers also observed open containers of alcohol in plain view within the vehicle.
- As part of the investigation into possible impairment, Officer Phillips requested Mr. Nolasco exit the vehicle. Once outside, Mr. Nolasco was asked to perform Standardized Field Sobriety Tests. These instructions were provided through a language line interpreter to ensure clear communication in Spanish. Mr. Nolasco was uncooperative and argumentative; he refused to follow the instructions given by Officer Hines.
- When Officer Phillips attempted to take Mr. Nolasco into custody, Mr. Nolasco physically resisted by pulling away. In CCA's interview with Officers, they stated that, in response to Mr. Nolasco's actions, they utilized a balance displacement technique.

- To safely guide him to the ground in a nearby grassy area. BWC shows that once on the ground, Mr. Nolasco continued to resist by placing his arms underneath his body. Officers were eventually able to gain control of his arms and apply handcuffs without further incident.
- Though officers took Mr. Nolasco to the ground, at no time did any officer strike Mr. Nolasco or use any additional force beyond what was necessary to effect the arrest. Mr. Nolasco was then transported and secured in the rear of a police cruiser without further resistance.

Therefore, the actions of Officers Vanlierop, Phillips, and Hines were consistent with CPD 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):

**Allegations**

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Excessive Force	Evan Vanlierop	Justiano Nolasco	Exonerated
2	Excessive Force	John-Allen Phillips	Justiano Nolasco	Exonerated
3	Excessive Force	Grayson Hines	Justiano Nolasco	Exonerated

  
 \_\_\_\_\_  
 Robert Stephens, Investigator

  
 \_\_\_\_\_  
 Dena Brown, Interim Director