

Date: April 25, 2025

Case: 24192

Investigator: Jessalyn Goodman

Complaint Received: September 23, 2024

Complainant: Rashawn Vaughn

CCA completed an investigation of CCA Complaint No. 24192 by Rashawn Vaughn. This report is intended to convey the conclusions reached as a consequence of the investigation, and the basis for those conclusions. This report 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.

Complaint Summary:

Date: September 16, 2024

Time: 12:58pm

Location: 22 W. Elder Street

Due to an on-going investigation, Officers Christopher Lind and Benjamin Williamson stopped Mr. Rashawn Vaughn after he exited his vehicle. The officers attempted to place Mr. Vaughn in handcuffs, but Mr. Vaughn pulled away. Officers Lind and Williamson grabbed Mr. Vaughn's arms and torso and placed him against a wall before he was successfully handcuffed. While the officers escorted Mr. Vaughn to the cruiser, he stated, "Y'all trying to break my arms." Mr. Vaughn further alleged the officers were "digging up my ass, choked me up."

Allegations:

Excessive Force

Persons Involved:

Officer Benjamin Williamson, P0450, M/W/32, Hired: 12/01/2019 (Involved)
Officer Christopher Lind, P0549, M/W/31, Hired: 10/03/2021 (Involved)
Sergeant Steven Mittermeier, S0075, M/W/38, Hired: 08/31/2014 (Involved)
Witness A (Citizen, Attempted)
Rashawn Vaughn, M/B/25 (Complainant, Attempted)

Evidence Reviewed:

Hamilton County Clerk of Courts

CPD Provided Records

- Arrest and Investigation Report
- Body-Worn Camera (BWC) for Officers Lind and Williamson
 - 12:57:49, Officer Lind's BWC became dislodged and remained on the ground until 12:59:07.
- Computer Aided Dispatch (CAD)

- Contact Card
- MVR footage

Significant Discrepancies or Clarifications:

1. CPD provided BWC footage for Officers Lind and Williamson, MVR footage, the CAD Report, and Contact Card. CPD did not provide the requested copies of the additional officers who responded on scene, the Arrest and Investigation Report, IIS Report, or the F17 investigation.
2. Mr. Vaughn was charged with Ohio Revised Code (ORC) §2921.31 Obstructing Official Business under and Ohio Revised Code (ORC) §2921.33 Resisting Arrest. The initial charge was dismissed; the second charge is pending.
3. CCA was unable to contact Mr. Vaughn. CCA attempted to contact Mr. Vaughn with his available contact information. To date, Mr. Vaughn has yet to contact CCA for a statement.
4. CCA was unable to contact Witness A. CCA attempted to contact Witness A with the available contact information, including by phone and by U.S. mail. To date, Witness A has yet to contact CCA for a statement.

Authorities:

CPD Procedure § 12.545 Use of Force (Revised 04/12/2024)
CPD Procedure § 12.600 Prisoners: Securing, Handling, and Transporting
(Revised 01/20/2023)

Analysis:

On September 16, 2024, Officers Williamson and Lind observed Mr. Vaughn exit Witness A's vehicle which had several warrants attached to its license plate.

Allegation: Excessive Force

BWC footage showed Officers Williamson and Lind stopped Mr. Vaughn and asked for his name, which he provided. Officer Williamson explained the reason for the stop and advised they needed to confirm the warrants attached to the license plate. In his statement to CCA, Officer Williamson stated that prior to contact, the officers reviewed the individuals whose warrants were attached to the license plate, and some of the warrants were attached to Mr. Vaughn.

BWC further showed to detain Mr. Vaughn, Officer Lind held Mr. Vaughn's right arm as Officer Williamson held his left arm; they placed Mr. Vaughn's hands behind his back, though Mr. Vaughn tried to pull his right arm away. When Officer Williamson attempted to apply handcuffs, Mr. Vaughn turned around and attempted to take several steps away from the officers and said, "Y'all trying to detain me!" Officer Lind maintained contact with Mr. Vaughn's torso and right arm as Officer Williamson manipulated Mr. Vaughn's sweatshirt in an attempt at control. The officers moved Mr. Vaughn against a brick wall to assist in maintaining control of Mr. Vaughn. Mr. Vaughn asked the officers to stop because he had not done anything.

CPD Procedure §12.545 Use of Force states when officers have a right to make an arrest, they may use whatever force is reasonably necessary to apprehend the offender or effect the arrest and no more. The procedure also states an officer's use of force extends to that amount reasonably necessary to enable them to effect the arrest of an actively resistant subject; it defines active resistance to be when a subject is making physically evasive movements to defeat the officer's attempt at control. The procedure lists "hard hands" as a force option, and it defines hard hands to include the use of physical pressure to force a person against an object or the ground, use of physical strength or skill that causes pain or leaves a mark, leverage displacement, joint manipulation, pain compliance, and pressure point control tactics." As Mr. Vaughn's actions met the criteria for active resistance, Officers Williamson and Lind utilized the referenced "hard hands" tactics to maintain control of Mr. Vaughn as described above.

Mr. Vaughn alleged the officers "choked me up" during the encounter. In their statements to CCA, both officers denied using a "choke hold" against Mr. Vaughn. CPD Procedure §12.545 Use of Force elaborates that a "choke hold" could be considered deadly force and that they "are prohibited unless a situation arises where the use of deadly force is permissible." CPD policy does not define what a "choke hold" is, but CCA was advised that CPD instructs its officers on how to defend against two different kinds of holds commonly regarded as choke holds: an airway chokehold and a carotid chokehold. While BWC footage showed that Officer Williamson manipulated Mr. Vaughn's sweatshirt and placed his left hand around the back of Mr. Vaughn's neck for approximately five seconds, in which the sweatshirt fabric briefly moved against Mr. Vaughn's neck, there is no BWC footage to suggest that either Officer Williamson or Officer Lind made contact with or placed pressure against Mr. Vaughn's neck in manner similar to a "choke hold." Further, Mr. Vaughn spoke to the officers throughout the encounter and at no time did his speech or breathing appear to be compromised or impaired.

Eventually, Officers Williamson and Lind handcuffed Mr. Vaughn. During this time, Officer Williamson's BWC became dislodged and fell to the ground. As he bent to the ground to retrieve the BWC, he maintained control of Mr. Vaughn's left arm and shoulder; Mr. Vaughn called, out, "Y'all trying to break my arms!" Afterwards, Officers Williamson and Lind escorted Mr. Vaughn to the cruiser. During the escort, Officers Williamson and Lind held Mr. Vaughn by his shoulders and elbows, which were angled high for balance displacement to deter further resistance; Mr. Vaughn complained about the escort but did not sustain injuries to his arms. There was no BWC footage to indicate the officers attempted to injure Mr. Vaughn or break his arms as alleged.

Prior to placing him in the cruiser, Officers Williamson and Lind searched Mr. Vaughn's person. Mr. Vaughn alleged the officers were "digging up my ass." CPD Procedure § 12.600 Prisoners: Securing, Handling, and defines a strip search to include an "inspection of the genitalia, buttocks, breasts, or undergarments of a person that is preceded by the removal or rearrangement of some or all of the person's clothing directly covering the person's genitalia, breasts, or undergarments and that is conducted visually, manually, by means of any instrument, apparatus, or object, or in any manner while the person is detained or arrested for a criminal or traffic offense." BWC footage showed that during the search, Officer Lind used the blade of his right hand to frisk Mr. Vaughn between the upper thigh, groin, and buttocks. At no time did either officer manipulate Mr. Vaughn's body, or remove underwear, or clothing; neither officer attempted to separate, spread, or search between Mr. Vaughn's buttocks.

Sergeant Mittermeier arrived to conduct a hard hands investigation related to the encounter. Mr. Vaughn was placed in the cruiser and later, Officers Williamson and Lind transported Mr. Vaughn to Hamilton County Justice Center (HCJC). This was permissible, as CPD Procedure

§12.545 Use of Force states that neutral officers transporting the prisoner are not required for the use of chemical irritant, CEW or hard hands. After a review of the available evidence, CCA determined that while Officers Williamson and Lind did use force against Mr. Vaughn, it was not excessive; their actions were within CPD's policy, procedure, and training.

Findings:

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Excessive Force	Benjamin Williamson	Rashawn Vaughn	Exonerated
2	Excessive Force	Christopher Lind	Rashawn Vaughn	Exonerated

Jessalyn Goodman

22 Apr 2025, 10:23:19, EDT

Jessalyn Goodman, Investigator

DENA BROWN

21 Apr 2025, 11:06:08, EDT

Dena Brown, Interim Director