

Date: April 25, 2025

Case: 24242

Investigator: Jessalyn Goodman

Complaint Received: November 15, 2024

Complainant: Lasha Cauthen

CCA completed an investigation of CCA Complaint No. 24242 by Lasha Cauthen. 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: November 1, 2024

Time: 8:57am

Location: 1717 Western Avenue

While parked in the TruPartner Credit Union drive-through, Ms. Cauthen attempted to complete a transaction, but the bank teller refused. While she debated with the bank teller, CPD Officers Tamera Brown and Carlos Sherman arrived. Officer Sherman advised Ms. Cauthen she would be arrested if she did not leave the property; Ms. Cauthen refused. Officer Sherman arrested Ms. Cauthen and transported her to the Hamilton County Justice Center (HCJC).

Ms. Cauthen stated she was improperly arrested, and Officer Sherman was discourteous to her. Additionally, she alleged Officer Sherman refused to allow her to go to the bathroom after she was arrested, even though she was pregnant.

Allegations:

Improper Seizure
Improper Procedure
Discourtesy

Collateral Allegations:

Improper Procedure

Persons Involved:

Officer Carlos Sherman, P0761, M/B/49, CPD Hire date: 03/07/2004 (Involved)
Officer Tamera Brown, #P0314, F/W/51, CPD Hire date: 02/16/2003 (Witness)
Officer Mark Williams, P0864, M/W/59, CPD Hire date: 09/07/2003 (Witness)
Witness A, F/W/Unk, (Witness)
Witness B, F/B/Unk, (Witness)
Lasha Cauthen, F/B/33, (Complainant)

Evidence Reviewed:

Hamilton County Clerk of Courts

- Ms. Cauthen was charged with Ohio Revised Code (ORC) §2917.11 Disorderly Conduct and ORC §2911.21 Criminal Trespass. Ms. Cauthen was Granted Diversion.

CPD Records Management System (Axon)

CPD Computer Aided Dispatch (CAD)

Body-Worn Cameras (BWC) of Officers Sherman, Brown, and Williams

- Excerpts from Officer Sherman's BWC:
 - 9:26:39:
 - **Officer Sherman:** Had you been mature about the whole situation, you wouldn't be in this position.
 - 9:30:21
 - **Officer Sherman:** Please tell me you're not a Cincinnati firefighter.
 - **Ms. Cauthen:** I am a Cincinnati firefighter.
 - **Officer Sherman:** Oh my God. How long have you been a Cincinnati firefighter?
 - **Ms. Cauthen:** Why does that even matter?
 - **Officer Sherman:** Because you're embarrassing 'em right now. The way you're acting. It's ridiculous.
 - 9:40:11: Officer Sherman parked his cruiser at HCJC to complete paperwork.
 - 9:45:38:
 - **Ms. Cauthen:** *(inaudible)*
 - **Officer Sherman:** As soon as I put your info in.
 - 9:47:58:
 - **Ms. Cauthen:** *(inaudible)*
 - **Officer Sherman:** You'll have to wait a second, ma'am.
 - 9:48:32:
 - **Officer Sherman:** As soon as I'm done with your work, ma'am, we'll be inside. Trust me, I don't want to be here no longer than you do.
 - 9:50:20:
 - **Ms. Cauthen:** Y'all attempting to make me go to the bathroom on myself? I'm just confused. What's up? You don't gotta do all this right now.
 - **Officer Sherman:** Why are you trying to tell me how to do my job, ma'am?
 - **Ms. Cauthen:** I'm not trying to tell you how to do your job...I'm telling you I need to go to the restroom very badly.
 - **Officer Sherman:** They're going to tell you the same thing when we get in there. You gotta wait til you're processed, young lady.
 - 9:59:28:
 - **Ms. Cauthen:** This right here is abuse. I told you I need to go to the restroom.
 - **Officer Sherman:** Ma'am, do you have anybody you want to put down for an emergency contact?
 - **Ms. Cauthen:** I would like to go in here so I can go to the bathroom.
 - **Officer Sherman:** Do you have anybody you want to put down for an emergency contact?
 - **Ms. Cauthen:** *(overlapping)* bathroom. *(after several seconds)* I have not ever used the restroom on myself, I promise you.
 - 10:01:53: Officer Sherman completed the paperwork and exited the cruiser to escort Ms. Cauthen inside the HCJC.

- **Ms. Cauthen:** I would have preferred the white man and the white woman. That's disgusting, yo.
- **Officer Sherman:** I tried my best to get them to bring you down here, but they didn't want to deal with you.
- **Ms. Cauthen:** That's disgusting. No, they didn't.
- **Officer Sherman:** I tried my best to get them to bring you down. They didn't want to deal with you, young lady. (*several seconds later*) You're gonna have plenty of time to think to yourself while you're here, young lady. And hopefully, you won't lose your job for acting a fool.

Statements by officers, complainant, and relevant witnesses

Significant Discrepancies or Clarifications:

1. As described in the analysis, a review of Officer Williams's BWC showed an improper procedure. Please note that this occurrence is one of three known recent incidents; the two other incidents happened subsequent to this investigation. (see: *CCA case #25004* and *CCA case #25012*).

Authorities:

CPD Procedure § 12.554 Investigatory Stops
(Revised 08/02/2024)

CPD Procedure § 12.555 Arrest/Citation: Processing of Adult Misdemeanor and Felony Offenders
(Revised: 09/23/2022)

CPD Procedure § 12.600 Prisoners: Securing, Handling, and Transporting
(Revised: 01/20/2023)

CPD Manual of Rules and Regulations – Section One – Failure of Good Behavior
(Revised: 05/13/2021)

Analysis:

Allegation: Improper Seizure

Ms. Cauthen alleged she was improperly arrested by Officer Sherman. CPD Procedure § 12.554 Investigatory Stops states that when an officer has the intent to arrest, the arrest must be supported by probable cause to believe the citizen is committing or has committed a criminal offense. On the date of the incident, bystanders called CPD for assistance because of Ms. Cauthen's actions at the drive-thru of TruPartner Credit Union. When officers arrived, Witnesses A and B, who are employees of the bank, stated they asked Ms. Cauthen to exit the drive-thru and park in a nearby parking space on the property so her concerns could be addressed inside the building. BWC footage showed Officers Brown and Sherman repeatedly directed Ms. Cauthen to follow the employees' instructions but Ms. Cauthen refused. ORC §2911.21 Criminal Trespass states (in part) that "[n]o person, without privilege to do so, shall...(3)...remain on the land or premises of another, as to which notice against unauthorized access or presence is given by actual communication to the offender." BWC footage showed Officers Brown and Sherman advised Ms. Cauthen that her refusal to move would result in her arrest; she again refused. As Ms. Cauthen's actions met the standard for a criminal offense as described above, Officer Sherman's decision to arrest Ms. Cauthen was consistent with CPD's policy, procedure, and training.

Allegation: Discourtesy

Ms. Cauthen alleged that Officer Sherman was discourteous. CPD Manual of Rules and Regulations – Section One – Failure of Good Behavior 1.06 (A) states that Members of the Department shall always be civil, orderly, and courteous in dealing with the public, subordinates superiors, and associates.” A review of the BWC footage showed the initial 25 minutes of the officers’ interactions with Ms. Cauthen to be calm, professional, and included the use of de-escalation techniques to allow Ms. Cauthen time to regain her composure before the arrest. After Ms. Cauthen’s arrest, she was placed in Officer Sherman’s cruiser. Ms. Cauthen was still upset by the encounter and directed her comments to Officer Sherman. In the remaining 35 minutes, Officer Sherman made several comments to Ms. Cauthen (as detailed in the *Evidence section*); however, the comments were not inconsistent with the CPD’s mandate to be civil, orderly, and courteous. Therefore, the actions of Officer Sherman were consistent with CPD’s policy, procedure, and training.

Allegation: Improper Procedure

Ms. Cauthen alleged that after the arrest, she advised Officer Sherman she needed to go to the bathroom, but he would not allow her to go. A review of the BWC footage showed that Ms. Cauthen advised Officer Sherman of her need after their arrival at HCJC; due to the audio quality, it is unclear when she initially advised Officer Sherman, but she waited at least 10 minutes before she entered the HCJC. In his interview with CCA, Officer Sherman explained that officers are required to complete paperwork prior to entering the HCJC with an arrested individual. BWC footage showed they entered the HCJC immediately after Officer Sherman concluded Ms. Cauthen’s associated paperwork. Therefore, the actions of Officer Sherman were consistent with CPD’s policy, procedure, and training.

Collateral Allegation

Allegation: Improper Procedure

While reviewing Officer Williams’s BWC footage, it became apparent that Officer Williams held a lit cigar while he operated his marked cruiser. CPD Manual of Rules and Regulations 1.20 (A) states, “Members shall not chew tobacco nor smoke while in uniform and in contact with or visible to the general public, whether on or off duty. Smoking is prohibited in all Cincinnati Police Department facilities and vehicles, whether owned or leased, at all times.” Therefore, Officer Williams was not within CPD’s policy, procedure, and training.

Observation:

#O2501

Ms. Cauthen’s request to use the restroom while waiting for Officer Sherman to complete paperwork is not unique; it is one of several complaints that CCA has received in the past about individuals requiring access to a bathroom but being unable to due to various policy procedures or common training limitations. This suggests this is a common and on-going issue. Although CPD Procedure § 12.600 Prisoners: Securing, Handling, and Transporting states that persons being held should have reasonable access to restrooms while in police holding facilities, it specifies that law enforcement vehicles are not considered a place of detention. While CCA recognizes that there are safety and evidentiary concerns with allowing detained or arrested

persons access to a bathroom during an investigatory stop and/or transfer to a detention facility, it may be worthwhile for CPD to consider developing reasonable accommodations with HCJC for individuals to be able to access basic utilities prior to the exchange of custody to prevent unnecessary exposure to biological fluids and/or embarrassing scenarios for those involved.

Findings:

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Seizure	Carlos Sherman	Lasha Cauthen	Exonerated
2	Improper Procedure	Carlos Sherman	Lasha Cauthen	Exonerated
3	Discourtesy	Carlos Sherman	Lasha Cauthen	Unfounded

Collateral Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
4	Improper Procedure	Mark Williams	Lasha Cauthen	Sustained

Jessalyn Goodman

22 Apr 2025, 09:34:56, EDT

Jessalyn Goodman, Investigator

DENA BROWN

21 Apr 2025, 11:44:43, EDT

Dena Brown, Interim Director

Previous Contacts and Commendations for Officers with Sustained Findings:

Officer Williams

Previous Contacts with CCA

Officer Williams had no previous contact with CCA in the past three years.

Previous Contacts for CCA Referrals

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

Previous Contact with IIS

CCA is unaware of any additional previous contact by Officer Williams with IIS.

Commendations

Officer Williams received four commendations in the past three years.

Date	Source of Commendation Received
04/12/2022	CPD
09/07/2022	CPD
12/23/2023	CPD
03/23/2024	Civilian