

**Date:** December 1, 2025  
**To:** John Kennedy, CCA Director  
**From:** Robert Stephens, CCA Investigator  
**Subject:** **CCA Case No. 25140 - Review of Excessive Force, Improper Seizure, and Discourtesy Allegations by Auston Page**

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CCA completed an investigation of CCA Complaint No. 25140 by Auston Page, (M/B/30), alleging Excessive Force, Improper Seizure, and Discourtesy against Sergeant<sup>1</sup> Jerome Herring, S189, CPD hire date 11/05/2017, (M/B/28). 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.

**Complaint Summary:**

<u>Date of Incident:</u> October 27, 2024	<u>Date Complaint Received:</u> July 21, 2025
<u>Time:</u> 1:52 a.m.	<u>Date Records Requested:</u> July 21, 2025
<u>Location:</u> 7751 Reading Road	<u>Date Records Received:</u> August 8, 2025

Mr. Auston Page alleged that on Sunday, October 27, 2024, Sgt. Jerome Herring was disrespectful, threw him to the ground in the street, and charged him with multiple charges. Mr. Page stated that Sgt. Herring did not have probable cause to charge him with, "a pedestrian violation, but actually because I asked for his badge number."

**Investigation Summary:**

CCA interviewed Sgt. Herring about the incident. CCA was unable to contact Mr. Page or Witness A via Phone, U.S. mail to date, neither Mr. Page nor Witness A has contacted CCA for a statement. CCA also reviewed relevant body worn camera (BWC) recordings, and relevant police records.

On October 27, 2024, Sgt. Herring was overseeing the towing of several vehicles that were improperly parked on the sidewalk near a bar located at 7751 Reading Road. Several vehicles had already been removed when an unidentified female, referred to as Witness A, approached the tow truck and yelled, "Where the fuck is my car at?" Witness A was accompanied by Mr. Page, who also began engaging with Sgt. Herring. Witness A continued yelling, repeating the same question and threatening to "[unintelligible] beat his ass, I don't give a fuck."

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<sup>1</sup> At the time of the incident Officer Herring held the rank of Sergeant. Officer Herring has since promoted to the rank of Lieutenant. The report reflects the rank he held at the time of the incident.

Sgt. Herring asked Witness A who she intended to assault, she stated that she was not talking to him. After this comment both she and Mr. Page walked over to the tow truck driver. Sgt. Herring explained that vehicles were being towed for parking violations, not for any paperwork issues, and provided instructions on how to retrieve their vehicle.

As Sgt. Herring attempted to leave the scene, Mr. Page followed him into the street to ask additional questions. Sgt. Herring instructed Mr. Page to stay out of the roadway and returned with him to the sidewalk. Sgt. Herring answered additional questions, including providing his name and badge number. When Sgt. Herring again began walking toward his cruiser, Mr. Page approached him from behind and stepped into the street once more.

Sgt. Herring ordered Mr. Page, who was directly behind him, to back onto the sidewalk and placed his left hand on Mr. Page's chest to guide him back. At that point, Mr. Page struck Sgt. Herring's hand. Sgt. Herring ordered Mr. Page to the ground while maintaining control of Mr. Page's shoulders. Mr. Page complied and went to the ground but initially resisted by bracing his right arm. Sgt. Herring radioed for assistance and after additional verbal commands, successfully placed Mr. Page in handcuffs as backup officers arrived.

During Sgt. Herring's interview with CCA, he reported he suffered a hand injury as a result of the incident. Sgt. Herring stated that he did not seek medical attention for the injury. Mr. Page was charged with 506-47 - Pedestrians to Use Sidewalks, ORC 2921.331 – Failure to Comply with Order or Signal of a Police Officer, ORC 2921.31 – Obstructing Official Business, ORC 2921.33 – Resisting Arrest, and ORC 2921.29 – Failure to Disclose Personal Information. All charges were dismissed on July 18, 2025.

Mr. Page alleged that Sgt. Herring “threw him to the ground”. The evidence establishes the following:

- BWC footage confirmed that Sgt. Herring maintained a professional demeanor and gave multiple verbal commands for Mr. Page to remain on the sidewalk for his safety. When Mr. Page ignored these commands and entered the roadway, Sgt. Herring placed a hand on Mr. Page's shoulder to escort<sup>2</sup> him back toward the sidewalk.
- Mr. Page struck Sgt. Herring in the hand, causing the same hand to collide with his police cruiser. When Mr. Page struck Sgt. Herring, the Sergeant immediately issued verbal commands for Mr. Page to get on the ground. BWC footage shows that Sgt. Herring used guiding pressure on Mr. Page's upper body to lower him safely to the ground without employing any strikes, kicks, takedown maneuvers, hard hands<sup>3</sup>, or use of intermediate weapons. Mr. Page sat down in the road and was handcuffed after repeated verbal instructions.
- Based on the video evidence and statements, CCA finds that no force<sup>4</sup>, as defined by CPD Procedure 12.545 Use of Force, was used. The limited physical contact applied by

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<sup>2</sup> CPD procedure 12.545 defines Escorting as “The use of light pressure to guide a person or keep a person in place.”

<sup>3</sup> CPD procedure 12.545 defines Hard Hands as “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.”

<sup>4</sup> CPD procedure 12.545 defines Force as “Any physical strike, instrumental contact with a person, or any significant

Sgt. Herring constitutes an escort technique, which falls outside the department's definition of reportable force when the subject offers minimal resistance.

The physical guidance used was both reasonable and proportionate to the resistance encountered. 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. Therefore, the actions of Sgt. Herring were consistent with CPD policy, procedure, and training.

Mr. Page alleged that he was improperly arrested. BWC footage proved that Sgt. Herring did arrest Mr. Page. Specifically, the evidence establishes the following:

- BWC footage shows that Sgt. Herring gave multiple verbal commands for Mr. Page to remain on the sidewalk. Mr. Page did not comply and entered the roadway; Sgt. Herring placed a hand on Mr. Page's shoulder to escort him back toward the sidewalk.
- Mr. Page struck Sgt. Herring's hand. Sgt. Herring ordered Mr. Page to the ground while maintaining control of his shoulders. Mr. Page complied and went to the ground but initially resisted by bracing his right arm. Sgt. Herring radioed for assistance and, after additional verbal commands, successfully placed Mr. Page in handcuffs as backup officers arrived.
- Sgt. Herring stated in his CCA interview that Mr. Page's behavior violated several laws to include 506-47 - Pedestrians to Use Sidewalks, ORC 2921.331 – Failure to Comply with Order or Signal of a Police Officer, ORC 2921.31 – Obstructing Official Business, and ORC 2921.33 – Resisting Arrest. BWC confirms that Mr. Page failed to follow commands, was in the street, struck Sgt. Herring, and tensed up while he was being placed into handcuffs.
- CPD Procedure §12.554 Investigatory Stops explains that an officer may arrest a citizen ("arrest occurs when the citizen is no longer free to leave, and the officer has the intent to arrest") when the arrest is "supported by probable cause to believe the citizen is committing or has committed a criminal offense."

Sgt. Herring had probable cause to arrest Mr. Page. Therefore, the actions of Sgt. Herring were consistent with CPD policy, procedure, and training.

Mr. Page alleged that Sgt. Herring was disrespectful. The BWC footage confirmed that Sgt. Herring maintained a professional demeanor and gave multiple verbal commands for Mr. Page to remain on the sidewalk for his safety. Sgt. Herring provided information on how to retrieve their vehicle as well as his badge number and name. BWC footage contradicted the complainant's version of what occurred. There is no information establishing that Sgt. Herring acted in a discourteous way as alleged.

### **Findings:**

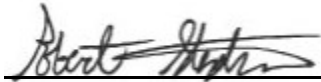
Based on my investigation and review of the evidence uncovered, I recommend the following findings for your endorsement (findings are defined in the attachment to this memorandum):

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physical contact that restricts movement of a person. The term includes, but is not limited to, the use of firearms, Conducted Energy Weapons (CEWs), chemical irritant, choke holds or hard hands, the taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with no or minimal resistance."

## Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Excessive Force	Jerome Herring	Auston Page	Exonerated
2	Improper Seizure	Jerome Herring	Auston Page	Exonerated
3	Discourtesy	Jerome Herring	Auston Page	Unfounded



Robert Stephens, Investigator



John Kennedy, Director