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**CCA Case No. 21004**

**Travale Grigsby**

**Investigation Report and Finding**

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**Kerrie Kimpel**  
**Investigator**

**Gabriel Davis**  
**Director**

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## COMPLAINT SUMMARY

Date: January 8, 2021

Time: 4:24 PM

Location: 2439 Gilbert Ave

CCA Receipt: January 11, 2021

On January 8, 2021, Mr. Travale Grigsby responded to Cincinnati Police Department (CPD) District Four to file a complaint against unknown officers. Mr. Grigsby stated during an arrest, an officer, who was later determined to be Officer Jerome Herring Jr., improperly pointed a firearm at his head, was discourteous, and stepped on his cell phone, resulting in damage. Mr. Grigsby also alleged an officer later determined to be Officer Condon assisted in the stop.

## INVOLVED SUBJECT STATEMENTS

### Travale Grigsby

CCA interviewed Mr. Grigsby after the incident occurred. He provided the following information:

On January 8, 2021, at 4:24PM, Mr. Travale Grigsby, M/B/46, was driving a vehicle on Gilbert Avenue, listening to music, and drove through a yellow light. Mr. Grigsby thought he heard sirens over his music, so he looked in the mirror and did not see anyone behind him. He pulled over to the left and two black vehicles with tinted windows tried to block him in. Mr. Grigsby initially believed it might be the police, but because they did not have any lights on, he drove away because he thought his life was in danger. (Mr. Grigsby's son was involved in a shootout three to four months ago and had been receiving harassing calls.) Mr. Grigsby was not going to "wait around" for someone to kill him. Mr. Grigsby had been trying to make it to District One, because he had heard on the news that people had been trying to pull other people over, and he did not feel safe. He made a few turns, drove through Eden Park, and then he observed a cruiser with police officers standing outside of it, in an intersection ahead of him. Mr. Grigsby did not pull all the way up to them, because he did not want them to panic, so he stopped about a quarter of a mile away so they could see him. Mr. Grigsby parked his vehicle and laid on the ground with his arms and legs spread out. The unmarked vehicle that had been chasing Mr. Grigsby caught up around the same time that the marked cruiser arrived on scene. Mr. Grigsby's cell phone was lying approximately two inches from his face on speaker, as he spoke to his sister, Witness A.

Officer Herring approached and pointed a firearm at Mr. Grigsby's head. Officer Herring realized that Mr. Grigsby was on the phone, so he stepped on it, which broke it. Officer Herring "snatched" Mr. Grigsby up off the ground which popped Mr. Grigsby's shoulder. Officer Herring then picked the phone up and tried to hang up on Witness A but failed to do so. Officer Herring did not realize that Witness A was still on the line and heard "everything." Officer Herring told Mr. Grigsby that he was being pulled over for his illegal window tint. Mr. Grigsby asked Officer Herring if the police are supposed to use a uniformed officer to make traffic stops, and questioned why the two black vehicles tried to box him in.

Once Mr. Grigsby was in the back of the cruiser, he spoke with a female officer, later determined to be Officer Katelyn Hoffbauer, and Witness A asked on the phone if Mr. Grigsby was going to jail. Officer Herring picked up the phone and said that he was going to jail, and then ended the call. Witness A came to the scene looking for him, but by the time she arrived, he had already been transported to the HCJC. Witness A was told by officers that Mr. Grigsby had been stopped for running a red light.

Mr. Grigsby was charged with Fleeing and Eluding, Reckless Operation, and a Window Tint Violation. Mr. Grigsby heard Officers Condon and Herring on the phone speaking about the ticket, and he heard Officer Herring laugh and say that he wrote it out as a civil ticket. Officers Herring and Condon laughed about it before hanging up. However, when Mr. Grigsby went to District Four to make his complaint, he was told that Officer Condon, the officer in the Dodge Charger who tried to pull him over initially, is who wrote the ticket. Mr. Grigsby said that there was a \$750 civil complaint that he must pay at City Hall before he can get his vehicle out of impound.

## INVOLVED OFFICER STATEMENTS

### **Officer Jerome Herring Jr.**

Officer Jerome Herring Jr., #P0189, M/B/25, is currently assigned to Gang Enforcement Squad (GES), and he has been a CPD member since 2018. Officer Herring was on routine patrol, in uniform and operated a marked cruiser with Officer Hoffbauer; his BWC was activated at the time.

CCA interviewed Officer Herring on April 29, 2022, at 12:01PM. He provided the following information:

Officers Herring and Hoffbauer were advised by other officers via radio of a vehicle fleeing from CPD, with a federal agent assisting. Officer Herring did not believe CPD was in pursuit but believed the federal agent may have been behind the fleeing vehicle. Officer Herring was never told the reason for the initial stop, because he was only there to assist after the vehicle fled. Officer Herring and his partner saw the vehicle coming toward them from Eden Park when they were at Gilbert St and Eden. Officers Herring and Hoffbauer stopped to deploy stop sticks, but then Officer Herring observed Mr. Grigsby exit his vehicle and lie down on the ground. Officer Herring approached with his firearm drawn (finger off the trigger), due to the traffic stop being considered a high-risk stop. The federal agent was at Mr. Grigsby's feet, so he approached from the other side, and in order to avoid crossfire, he pointed his firearm toward the upper half of Mr. Grigsby's body.

Officer Herring did not remember who placed Mr. Grigsby under arrest. Officers Herring and Hoffbauer transported Mr. Grigsby to the Justice Center. Officer Herring did not recall seeing anything on the ground near Mr. Grigsby at the time he approached him on the street but did remember seeing a broken cell phone belonging to Mr. Grigsby which was transported to the jail with him. Officer Herring did not know how the phone was broken and did not see any officers step on it. Officer Herring did not recall any conversation between officers and Mr. Grigsby, except for the comment Mr. Grigsby made about speaking to his mother and that he had not planned on stopping for police until he arrived in District One. Officer Herring does not remember any discourteous statements being made to Mr. Grigsby. When asked about any profanity used in front of Mr. Grigsby, Officer Herring said there may have been "verbal stunning" in the case that Mr. Grigsby was disorderly, but he did not recall if it took place. Officer Herring measured Mr. Grigsby's vehicle's window tint but could not remember what the tint level reading was, but said he normally verbalizes the tint level for his BWC.

### **Officer Marc Schildmeyer**

Officer Marc Schildmeyer, #P0575, M/W/54, is currently assigned to GES, and he has been a CPD member since 1996. Officer Schildmeyer was on routine patrol, in uniform and operated a marked cruiser; his BWC was activated.

CCA interviewed Officer Schildmeyer on April 27, 2022, at 11:47AM. He provided the following information:

At the time of the incident, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) was working in conjunction with the GES. GES was working with an ATF agent was familiar to the CPD officers assigned to that unit.

Officer Schildmeyer initiated a traffic stop for heavy window tint and multiple traffic violations, which Mr. Grigsby fled from. When Officer Schildmeyer realized that the vehicle was not going to stop for him, he pulled his cruiser to the curb and turned the overhead lights off, to terminate pursuit, per CPD procedure. However, the ATF agent followed Mr. Grigsby's vehicle, and put updated locations out on the radio. Another CPD unit pulled into the intersection that Mr. Grigsby was approaching, so he stopped the vehicle and got out. Officer Schildmeyer did not specifically recall having his firearm out but said it was possible, and "it would be logical for him to have it out in that situation."

Officer Schildmeyer stayed on scene to observe and then backtracked to check the area to see if Mr. Grigsby had discarded a weapon while he was fleeing from the ATF agent. Officer Schildmeyer did not see any officers step on Mr. Grigsby's phone.

### **Officer Joshua Condon**

Officer Joshua Condon, #P0329, M/W/37, is currently assigned to GES, and he has been a CPD member since 2016. Officer Condon was on routine patrol, in uniform and was a passenger in a marked cruiser operated by Officer Thomas Chiappone; his BWC was activated.

CCA interviewed Officer Condon on April 28, 2022, at 1:05PM. He provided the following information:

Officers Condon and Chiappone were the secondary unit on a traffic stop. Officers Condon and Chiappone did not pursue the vehicle. When they arrived, Mr. Grigsby was already lying on his stomach, being arrested by other officers. Officer Condon assumed this was a high-risk stop, and initially had his firearm drawn (with his finger outside the trigger guard) pointed down range toward Mr. Grigsby's vehicle. When Officer Condon saw that the only occupant of the vehicle was in custody, he holstered his firearm. Officer Condon went to the driver's side of the vehicle and confirmed that the vehicle was in park. Officer Condon then searched the vehicle and identified Mr. Grigsby using his identification which was in his wallet. Once the search was complete, Officer Condon deactivated his BWC. Officer Condon does not remember if he filled out the Civil Citation for Mr. Grigsby.

### **Sergeant James Davis**

Sergeant James Davis, #S0300, M/W/47, is currently assigned to GES, and he has been a CPD member since 1998. Sergeant Davis was on routine patrol, in plain clothes and operated an unmarked police vehicle; he did not have a BWC, which was not required by plain clothes officers at that time.

CCA interviewed Sergeant Davis on April 29, 2022, at 12:15PM. He provided the following information:

Sergeant Davis responded to the area to assist, due to Mr. Grigsby fleeing the traffic stop. Sergeant Davis did not recall the reason for the stop, but believed it was due to the fact that another plain clothes officer observed Mr. Grigsby engage in drug activity. When he arrived on scene, Mr. Grigsby was lying on the ground with his arms extended outward. There were other officers on scene who had their firearms pointed in the direction of Mr. Grigsby, while giving him verbal commands. Sergeant Davis did not see anyone point their firearm at Mr. Grigsby's head. The ATF agent handcuffed Mr. Grigsby, with the assistance of Sergeant Davis. Sergeant Davis did not remember which officers transported Mr. Grigsby to jail, nor did he hear any foul language or witness any discourteous behavior by the officers. Sergeant Davis picked up Mr. Grigsby's cell phone off the ground, near Mr. Grigsby, and placed it on Mr. Grigsby's vehicle. Sergeant Davis did not step on phone, nor does he remember the phone being broken when he picked it up. Sergeant Davis did not wear a BWC at that time because it was not required while he was in plain clothes.

#### **Officer Katelyn Hoffbauer**

Officer Katelyn Hoffbauer, #P0600, F/W/27, is currently assigned to District Three, and she has been a CPD member since 2018. Officer Hoffbauer was on routine patrol, in uniform and was a passenger in a marked cruiser operated by Officer Herring; her BWC was activated some of the time.

CCA interviewed Officer Hoffbauer on April 29, 2022, at 12:29PM. She provided the following information:

Officer Hoffbauer's initial statement corroborated Officer Herring's. She added the vehicle was traveling through Eden Park, and they knew it had to exit onto Gilbert Street, so they waited at Gilbert with stop sticks. Mr. Grigsby stopped his vehicle, got out, and surrendered. Officer Hoffbauer did not see the arrest, nor did she hear anything due to their cruiser obstructing her view of Mr. Grigsby until she moved closer to the scene where Mr. Grigsby was already in custody, still lying on the ground. Officer Hoffbauer did not see anything on the ground in that area. Officer Hoffbauer sat in the cruiser and filled out paperwork while other officers searched the vehicle. Officer Hoffbauer turned her BWC on initially when she thought she was going to deploy stop sticks, and then turned it off once she got to her cruiser and was securing it. She deactivated it due to not having any contact with the public. Officer Hoffbauer activated it again for a short time but deactivated it once Mr. Grigsby was placed in the cruiser due to the DVR being on. Officer Hoffbauer did not recall any conversation that stood out to her as inappropriate. She did not see any cell phones damaged, and because the phone was not seized as evidence, she did not look at the phones on the way to the Justice Center because they were going to be turned into the jail as Mr. Grigsby's property. Mr. Grigsby was charged with failure to comply, obstructing official business, which are both misdemeanors, and the original traffic violation, which Officer Hoffbauer did not know.

#### **Officer Tyler Lane**

Officer Tyler Lane, #P0278, M/W/36, is currently assigned to District Two, and he has been a CPD member since 2016. Officer Lane was on routine patrol, in uniform and was a passenger in a marked cruiser operated by Officer Back; his BWC was activated.

CCA interviewed Officer Lane on April 27, 2022, at 11:02AM. He provided the following information:

Officers Lane and Back heard on the radio that a vehicle had fled from a traffic stop and was near Gilbert and Eden. Officers Lane and Back, who were the third or fourth unit to arrive on scene could see that Mr. Grigsby was already out of his vehicle. Officer Lane did not know what the original stop was for, but they responded due to the vehicle fleeing from a traffic stop. Officer Lane went to the passenger side of Mr. Grigsby's vehicle to clear it, without his firearm drawn. Officer Lane advised the location of the stop and the vehicle registration on the radio to ECC. Officer Lane then went to the passenger side of the vehicle and assisted in the vehicle search. Officer Lane did not see anyone pointing their firearm at Mr. Grigsby, nor did he remember seeing anyone breaking a phone, or being discourteous toward Mr. Grigsby.

### **Officer Thomas Back**

Officer Thomas Back, #P0029, M/W/40, is currently assigned to the District Two and he has been a CPD member since 2015. Officer Back was on routine patrol, in uniform and operated a marked cruiser with Officer Lane; his BWC was activated.

CCA interviewed Officer Back on May 2, 2022, at 11:30 AM. He provided the following information:

Officer Back's initial statement corroborated Officer Lane's. Officer Back added when they arrived on scene, Mr. Grigsby was lying on the ground outside his vehicle, and had not been placed in handcuffs yet. The driver's door was open. Officer Back approached the stopped vehicle with his firearm drawn, with his finger outside the trigger guard. Officer Back did not raise his firearm. Officer Back did not know if anyone else was in the vehicle. Once Officer Back determined there was no deadly threat, he holstered weapon. After the vehicle was cleared, he assisted searching the vehicle. Officer Back never pointed his firearm at Mr. Grigsby's head, and never saw any other firearms pointed at his head. Officer Back denied hearing any discourteous statements to Mr. Grigsby.

## **OFFICER WITNESS STATEMENTS**

### **Officer Charles Knapp**

Officer Charles Knapp, #P0297, M/W/43, is currently assigned to GES, and he has been a CPD member since 2004. Officer Knapp was on routine patrol, in uniform and was a passenger in a marked cruiser operated by Officer Taylor Howard; his BWC was activated.

CCA interviewed Officer Charles Knapp on May 19, 2022, at 1:41PM. He provided the following information:

Officer Knapp stated to the CCA Investigator he was unable to recall the incident but denied that he observed any broken phones or witnessed any courtesy by Officer Herring toward anyone during a traffic stop.

### **Officer Thomas Chiappone**

Officer Thomas Chiappone, #P0331, M/W/36, is currently assigned to District 4, and he has been a CPD member since 2019. Officer Chiappone was on routine patrol, in uniform and operated a marked cruiser with Officer Condon; his BWC was activated.

CCA interviewed Officer Chiappone on April 27, 2022, at 12:05pm. He provided the following information:

Officer Chiappone's initial statement corroborated Officer Condon's he added Mr. Grigsby was already in custody when they arrived on scene. Officer Chiappone assisted in searching Mr. Grigsby's vehicle, that was being towed due to him being arrested but could not remember if he or Officer Condon filled out the paperwork, since they were riding together that day. Officer Chiappone did not see any cell phone get damaged, and no phone stood out to him in his memory. Officer Chiappone did not remember anyone being discourteous to Mr. Grigsby.

### **Officer Tyler Lane**

Officer Tyler Lane, #P0278, M/W/36, is currently assigned to District Two, and he has been a CPD member since 2016. Officer Lane was on routine patrol, in uniform and was a passenger in a marked cruiser operated by Officer Back; his BWC was activated.

CCA interviewed Officer Lane on April 27, 2022, at 11:02AM. He provided the following information:

Officers Lane and Back heard on the radio that a vehicle had fled from a traffic stop and was near Gilbert and Eden. Officers Lane and Back, who were the third or fourth unit to arrive on scene could see that Mr. Grigsby was already out of his vehicle. Officer Lane did not know what the original stop was for, but they responded due to the vehicle fleeing from a traffic stop. Officer Lane went to the passenger side of Mr. Grigsby's vehicle to clear it, without his firearm drawn. Officer Lane advised the location of the stop and the vehicle registration on the radio to ECC. Officer Lane then went to the passenger side of the vehicle and assisted in the vehicle search. Officer Lane did not see anyone pointing their firearm at Mr. Grigsby, nor did he remember seeing anyone breaking a phone, or being discourteous toward Mr. Grigsby.

### **Officer Taylor Howard**

Officer Taylor Howard, #P0180, M/W/32, is currently assigned to GES and he has been a CPD member since 2015. Officer Howard was on routine patrol, in uniform and operated a marked cruiser with Officer Knapp; his BWC was not activated, due to an equipment malfunction.

CCA interviewed Officer Howard on April 26, 2022, at 11:01AM. He provided the following information:

Officers Howard and Knapp heard on the radio that other units had tried to make a traffic stop but the vehicle fled. They responded to the area and when they arrived Mr. Grigsby was already in custody, and other officers were searching his vehicle. Officer Howard did not recall any officers having their firearm drawn, or remember a cell phone, and he did not recall any profanity, discourteous comments or unprofessional conduct occurring. Officer Howard's BWC did not record the incident, because he had been having issues with his BWC, which he had already reported to his supervisor.

## WITNESS STATEMENTS

### Witness A

CCA interviewed Witness A on April 26, 2022, at 2:56PM. She provided the following information:

On January 8, 2021, Witness A F/B/51, Witness A received a phone call from her brother, Mr. Grigsby. Witness A could only hear what she described as “rumbling” at first. When she heard Mr. Grigsby’s voice, she heard, “[Witness A], [Witness A]....” And then “these officers...” and then the phone dropped. Someone must have picked it up and a male voice said something like, “It’s going to cost you to get this car back.” Witness A said, “Hello, Travale?” She continued to hear someone talking in the background and then said “Hello?” louder. An officer then got on the phone and said, “He’s going to jail.” Witness A asked the officer if Mr. Grigsby was with them, and the officer said again that Mr. Grigsby was going to jail, and then the line disconnected. Witness A was scared because that is all she heard. Witness A did not go to the scene that day.

## EVIDENCE

### Police Documents

CCA reviewed all CPD-related forms, including but not limited to arrest forms, civil citations, the IIS Report, BWC, DVR, Hamilton County Court records, and information from CPD’s Records Management System (RMS).

### Computer Aided Dispatch (CAD)

<u>Date</u>	<u>Time</u>	<u>Call Notes</u>
01/08/2021	16:28:38	Incident created for Investigation
	16:28:38	Officers Herring and Hoffbauer marked on scene.
	16:28:53	Mr. Grigsby placed in custody.
	16:29:34	Officers Back and Lane arrived on scene.
	16:40:05	Officers Chiappone and Condon arrived on scene.
	16:50:21	Mr. Grigsby transported to Justice Center
	16:52:25	Mr. Grigsby arrived at Justice Center
	16:57:45	Black Lexus towed
	19:07:14	Incident closed.

### Body Worn Camera (BWC)

#### Officer Herring

The events recorded by Officer Herring’s BWC occurred on January 8, 2021, starting at 16:28:00, and 16:35:14, according to the BWC’s timestamp. A review of those recordings reveals the following:

When Officer Herring arrived on scene, Mr. Grigsby was already lying on the ground, with his arms outstretched, next to his black Lexus. There were other officers on scene as well. Officer

Herring drew his firearm and held it at low ready, pointed toward Mr. Grigsby's body, while Sergeant Davis and an ATF Agent handcuffed Mr. Grigsby. Officer Herring kept his weapon pointed toward the ground, turned his body away from Mr. Grigsby, and then turned back around. Officer Herring turned around to face Mr. Grigsby, and Mr. Grigsby mentioned someone stepping on his phone, while Sergeant Davis was walking the phone over to Mr. Grigsby's vehicle. Officer Herring holstered his firearm. The unmarked ATF Charger could be seen in the background with its emergency lights activated. Mr. Grigsby said he was going to let officers follow him to District One, but his mother told him to stop.

Officer Herring rolled Mr. Grigsby over onto his side, and Mr. Grigsby asked why he was grabbing him "like that." Officer Herring lifted Mr. Grigsby to his feet and walked him to his cruiser. Officer Herring searched Mr. Grigsby and Mr. Grigsby asked questions about why there was a gun pointed at him and asked where his phones were. Officer Herring told him it was not important right now because he was going to jail. Mr. Grigsby told officers he would like his wallet and asked to talk to someone. Officer Herring asked what was going on, and Mr. Grigsby said he wanted his wallet and his phone out of his vehicle. Officer Herring told him to have a seat and they would get it situated for him. Officer Herring placed Mr. Grigsby in the backseat, and Mr. Grigsby told Officer Herring that the police were "tripping." Officer Herring laughed and said to Mr. Grigsby, "We're tripping... You don't stop for a police car, and we're tripping? Man, you're something else." Mr. Grigsby told Officer Herring he ran because of the gun pointed at him, and Officer Herring said, "But not for lights and sirens?" and told him to "take a seat, boss." Officer Herring deactivated his BWC once he closed the door.

Officer Herring again activated his BWC once Mr. Grigsby was already in the back of his cruiser. It began with Officer Herring holding two cell phones and a set of keys in his hands. One of the phones appeared cracked. Officer Herring attempted to hang the phone up, which was either connected to a call, or recording. Officer Herring then retrieved a window tint meter from his cruiser and walked over to Mr. Grigsby's vehicle. Officer Herring tested the window tint which measured at 14%. Officer Herring then deactivated his BWC again.

#### **Officer Hoffbauer**

The events recorded by Officer Hoffbauer's BWC occurred on 01/08/2021 starting at 16:27:39, 16:28:36 and 17:26:40 according to the BWC's timestamp. A review of those recordings reveals that Officer Hoffbauer's BWC corroborated her statement made to CCA.

#### **Officer Knapp**

The events recorded by Officer Knapp's BWC occurred on 01/08/2021 starting at 16:29:03, according to the BWC's timestamp. A review of that recording reveals the following:

Officers Knapp and Howard arrived at the traffic stop and approached the other officers and Mr. Grigsby. Officers Knapp and Howard got back into their cruiser and left the scene to look for anything that was thrown out of the vehicle. There was no additional information gathered from the video.

#### **Officer Chiappone**

The events recorded by Officer Chiappone's BWC occurred on 01/08/2021 starting at 16:27:56 according to the BWC's timestamp. A review of that recording reveals the following:

Officer Chiappone was operating his cruiser and stopped near the scene of the traffic stop. Mr. Grigsby was already lying in the street, with multiple officers on scene. Officer Chiappone

searched Mr. Grigsby's vehicle, and then deactivated his BWC as he was walked away from Mr. Grigsby's vehicle.

### **Officer Back**

The events recorded by Officer Back's BWC occurred on 01/08/2021 starting at 16:27:51, according to the BWC's timestamp. A review of that recording reveals that Officer Back's BWC corroborates his statement. Officer Back deactivated his BWC while the trunk of Mr. Grigsby's vehicle was still open.

### **Officer Schildmeyer**

The events recorded by Officer Schildmeyer's BWC occurred on 01/08/2021 starting at 16:27:59 and 16:34:59 according to the BWC's timestamp. A review of those recordings reveals the following:

Officer Schildmeyer was operating a cruiser and when he arrived on scene, the unmarked Dodge Charger was already there, and Mr. Grigsby was lying on the ground next to his Lexus, with his arms outstretched. Officer Schildmeyer unholstered his firearm and had it at low-ready as he approached the Lexus. After making sure there were no other occupants in the vehicle, he holstered his firearm and walked over to the unmarked Dodge Charger and turned the siren off. The rest of the BWC footage corroborates Officer Herring's BWC until Officer Schildmeyer left the scene. There was no additional relevant information obtained.

### **Officer Lane**

The events recorded by Officer Lane's BWC occurred on 01/08/2021 starting at 16:27:56, according to the BWC's timestamp. A review of that recording reveals that Officer Lane's BWC corroborates his statement. Officer Lane deactivated his BWC while the trunk of Mr. Grigsby's vehicle was still open.

### **Officer Condon**

The events recorded by Officer Condon's BWC occurred on 01/08/2021 starting at 16:27:48, according to the BWC's timestamp. A review of that recording reveals the following:

Officer Condon was riding with Officer Chiappone. When they arrived on the scene of the traffic stop, Mr. Grigsby was on the ground. Officer Condon exited the vehicle and began running toward Mr. Grigsby and the Lexus, with his firearm drawn. He holstered his firearm once he saw that Mr. Grigsby was in custody. Officer Condon leaned into the Lexus and made sure the vehicle was in park. One of the officers asked Mr. Grigsby why he did not stop, and Officer Condon said, "(expletive) dumb, dude." Officer Condon deactivated his BWC once he finished searching.

### **Clerk of Courts**

Mr. Grigsby was charged with Failure to Comply with an Order or Signal of a Police Officer under Ohio Revised Code (ORC) §2921.331, Reckless Driving under Cincinnati Municipal Code (CMC) §506-6, and Tinted Window Violation under ORC §4513.241. The charges for Failure to Comply with an Order or Signal of a Police Officer and Window Tint were ultimately dropped, however the disposition for Reckless Operation charge was conviction by plea.

## **Digital Video Recording/Mobile Video Recording**

### **CPD 18314 Cam1, Operated by Officer Schildmeyer**

16:49:15 – 16:50:09

Officer Schildmeyer was sitting at an intersection and a black Lexus passed in front of him, followed by a gray Dodge Charger. Officer Schildmeyer pulled out behind the Dodge Charger, which followed the black Lexus through a red light. Officer Schildmeyer then activated his siren and continued through the red light after the Charger. Once Officer Schildmeyer got through the intersection, there were red and blue flashing lights visible on the Dodge Charger, inside the vehicle. The Lexus pulled left of center, and the Charger drove alongside it, but the Lexus got blocked by a median. Mr. Grigsby pulled left around a median and continued against the flow of traffic. Officer Schildmeyer drove around the Charger and drove parallel to the Lexus until it accelerated. Officer Schildmeyer then deactivated his siren and pulled over to the curb. The Lexus continued at a high rate of speed, followed by the Charger, with its emergency lights flashing.

### **CPD 16313 Cam1, Operated by Officers Herring and Hoffbauer**

16:52:15 – 17:50:26

The video began with Vehicle 16313 traveling through a traffic light and arriving on scene. A black vehicle was parked, facing the camera, and Mr. Grigsby was lying on the ground in the street next to his vehicle. He was face-down, with his arms spread to the sides. An ATF agent, identified as such by his body armor, and Officer Schildmeyer approached Mr. Grigsby from Mr. Grigsby's left side, with their firearms drawn, pointed in the direction of Mr. Grigsby. A small object, which appeared to be a cell phone, was on the ground near Mr. Grigsby's head. The ATF Agent kept his firearm pointed at Mr. Grigsby, while the Officer Schildmeyer checked Mr. Grigsby's vehicle for additional occupants. Sergeant Davis arrived on scene in an unmarked vehicle. Officer Herring approached Mr. Grigsby from Mr. Grigsby's right side, with his firearm pointed at Mr. Grigsby's body. Officer Herring held his firearm in position, pointed at Mr. Grigsby's body, while Sergeant Davis assisted the ATF agent in placing Mr. Grigsby in handcuffs. Officer Herring then holstered his firearm once Mr. Grigsby was placed in handcuffs. Sergeant Davis side-stepped toward the cell phone and picked it up. His right foot landed close to the cell phone, and then his left foot obstructed the view of the cell phone as he moved his right foot back to lean down and pick up the phone. Sergeant Davis walked the phone over to Mr. Grigsby's vehicle and gently tossed it onto the hood. Officer Hoffbauer approached the other officers and Mr. Grigsby while Sergeant Davis got into his unmarked vehicle and left the camera view. Officer Herring rolled Mr. Grigsby onto his side, and then lifted him up off the ground by both arms. Officer Knapp and Officer Taylor arrived on scene and walked to where Officer Herring and Mr. Grigsby were standing. Officer Herring walked Mr. Grigsby off camera to the right side of his cruiser. Officer Knapp and Officer Howard followed Officer Herring. The camera view then changes to Camera 2.

### **CPD 16313 Cam2, Operated by Officers Herring and Hoffbauer**

16:55:03-17:51:22

Officer Herring placed Mr. Grigsby in the back of the cruiser. There was some conversation between Mr. Grigsby and the officers, but it is unknown what was discussed due to a lack of audio on the cruiser video. At 17:12:22, the driver's side back door opened, and an officer removed Mr. Grigsby's handcuffs. When they handcuffed him again, he was placed in two sets of handcuffs. Officer Herring then opened the passenger side door and placed Mr. Grigsby's seatbelt on him. There was nothing else of evidentiary value on the video footage. The camera view switched to Camera 1 just before the video ended.

## **Photographs**

CCA reviewed one photograph of a civil offense ticket. The ticket was mostly illegible however the CMC Section is visible, which is 759.2. That section is titled Use of a Motor Vehicle in Failing to Comply with Order or Signal of a Police Officer. That section states, “a person who violates this section is liable for the civil fine specified in §1501-99 for a Class D Civil Offense.” According to CMC §1501-99, the fine for a Class D Civil Offense is \$750.

## **SIGNIFICANT DISCREPANCIES AND CLARIFICATIONS**

According to the IIS report, Officer Schildmeyer did not have his firearm drawn during the incident. When asked by CCA, he stated he could not recall if he had his firearm out, but that it is possible, and it would be logical if he did. The BWC showed that Officer Schildmeyer did have his firearm in low ready in order to clear Mr. Grigsby's vehicle. At no time was it pointed at Mr. Grigsby. CCA could not determine where Officer Schildmeyer's finger was positioned due to the firearm obstructing the view of the trigger and trigger guard.

The time stamp on Cruiser 16313 is different than the time stamps on the BWC. The time stamp for the DVR showed Mr. Grigsby being placed in the back of the cruiser at 16:50, but Officer Herring's BWC showed that he was placed in the cruiser at approximately 16:31. An exact time cannot be determined due to the entire screen being blurred due to redaction except for a one-inch strip at the bottom. The last time stamp that was visible was 16:30:28. The video was 2 minutes and 28 seconds in, and Mr. Grigsby was placed in the car thirty seconds later.

## **AUTHORITIES**

### **I. Caselaw**

State v. Brown, 2021-Ohio-2193, ¶ 15 (1st Dist.).

### **II. CPD Procedure Manual**

#### **§12.205 - Traffic Enforcement (Revised 2019)**

##### **Purpose:**

To afford the public a fair measure of enforcement consistent with the objectives of efficient traffic regulation, accident investigation, and relieving traffic congestion. To employ discretion as directed in borderline cases when:

- There is a reasonable possibility of human error in judgment on the part of either the police officer or the public.
- There is a logical possibility of malfunction of mechanical equipment without knowledge or intent on the part of the driver.
- The content of the particular law, which was violated, is not common knowledge.

**Policy:**

No law enforcement agency should condone or promote the use of any illegal profiling system in their enforcement program. Any member of the Department who engages in illegal profiling shall be subject to disciplinary action, in accordance with applicable civil service law, up to and including dismissal, and may face claims of civil rights violations in Federal court.

Officers must ensure video and audio recording equipment is activated when operating in emergency mode and when participating in traffic stops and pursuits. Recording will continue until the traffic stop is completed and the stopped vehicle departs, or until the officer's participation in the stop ends.

Except in exigent circumstances, when a citizen is stopped or detained and then released as part of an investigation, the officer will explain to the citizen in a professional, courteous manner why he or she was stopped or detained.

For purpose of the above sentence, the term "exigent circumstances" refers only to those conditions occurring after the stop has been made which, for safety reasons, would make it unreasonable for the officer to remain at the scene of the stop to explain the basis for the stop.

Department personnel will provide assistance to any motorist in need of general assistance on the highway. This includes those needing towing services or other mechanical assistance, seeking directions, stranded, or in need of other emergency assistance. Personnel will make the necessary corrective actions or notifications when they encounter inoperable or damaged traffic control devices, roadway defects, debris, or any other hazardous roadway conditions.

**Procedure:**

- A. On-duty Traffic Enforcement Guidelines 1. On ALL motor vehicle traffic stops, officers will complete a Contact Card and submit it at the end of the shift. Officers will ensure the MUTT#, NTA# and CAD# are written on the Form 534. 2. When participating in traffic stops, officers must ensure video and audio equipment is activated. 3. Take appropriate enforcement action whenever a violation is detected, including provable violations determined as the result of accident investigations.

**§ 12.550 Discharging of Firearms by Police Personnel****Policy:**

At such time as a police officer perceives what he interprets to be a threat of loss of life or serious physical harm to himself or others at the hands of another, he has the authority to display a firearm, with finger outside the trigger guard and have it ready for self-defense. The finger is only to be placed on the trigger when on target and ready to engage a threat.

**§12.540 Body Worn Camera System****Purpose:**

Establish guidelines regarding the use, management, storage, release, and retention of video and audio files captured by the Body Worn Camera system. BWC systems promote accountability and transparency for law enforcement by providing a video record of police

activity. Police operations become more transparent to the public and help resolve questions following encounters between officers and citizens.

**Policy:**

Officers are required to activate their BWC system during all law enforcement-related encounters and activities as defined in this procedure. Officers will deactivate the BWC system only at the conclusion of the event, or with supervisor approval. When an officer is involved in a police intervention shooting, their BWC will be subject to the process outlined in Procedure 12.550, Discharging of Firearms by Police Personnel.

**Procedure:**

2. Officers will use BWC equipment to record all calls for service and self-initiated activities listed below. The BWC must be activated when the officer arrives on-scene or announces he/she is on-scene in the area and must be recorded in its entirety. This includes:
  - a. While responding for calls for service in emergency mode.
  - b. Traffic stops, including the investigation of a vehicle and occupants already stopped or parked.
    - 1) Officers equipped with the BWC (primary or backup officers) will continue to record until the stopped vehicle departs or officers leave the scene.
4. The BWC may be deactivated after:
  - a. Clearing the call for service/self-initiated activity.
    - 1) Officers are not required to keep the BWC activated while completing paperwork, e.g. case report, as long as they are not interacting with the public.
  - b. The DVR is activated and recording a subject being transported in the police vehicle.

**§ 12.554 Investigatory Stops (Revised 2019)**

**Information:**

There are three levels of police/citizen contact. The first level is a consensual encounter. A police officer may approach any person in a public place and request to talk to him. So long as the person is free to leave whenever he wants, no Fourth Amendment seizure has occurred, and no reasonable suspicion or probable cause is required.

The next level is the "Terry" type encounter. Here the officer has reasonable suspicion to believe the citizen is committing or has committed a crime. Based on this reasonable suspicion, the officer may forcibly stop and detain the citizen for a brief investigatory period. Although a citizen is required to properly identify oneself during the stop, failure to answer investigatory questions asked by the officer cannot provide the justification for detaining a person past the period necessary to complete the brief "Terry" type

investigation. Once the reasonable suspicion is determined to be unfounded, the citizen must be released.

The third level of police/citizen contact is the arrest. The arrest occurs when the citizen is no longer free to leave, and the 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.

**Policy:**

No law enforcement agency should condone or promote the use of any illegal profiling system in its enforcement program. Criminal elements exist in every segment of our society. An officer whose enforcement stops are based on race or ethnicity is engaged in a practice which undermines legitimate law enforcement and may face claims in Federal courts of civil rights violations. To focus on a single segment of society is to limit enforcement efforts.

**Procedure:**

Completing a Form 534, Contact Card 1. A Contact Card must be completed any time an officer stops a motor vehicle or conducts an inquiry of individuals in a stopped motor vehicle. a. When more than one vehicle is stopped as result of a single incident (same CAD number), officers will note the vehicle number (#2, #3, #4, etc.) in the designated block on the Contact Card. If only one vehicle is stopped it is not necessary to put #1 in the block. b. A Contact Card is required in addition to any other documentation of the incident (e.g., Form 527, Arrest Report, NTA, MUTT).

### **III. Ohio Revised Code**

#### **§ 4513.241 - Using tinted glass and other vision obscuring materials.**

The director of public safety, in accordance with Chapter 119. of the Revised Code, shall adopt rules governing the use of tinted glass, and the use of transparent, nontransparent, translucent, and reflectorized materials in or on motor vehicle windshields, side windows, sidewings, and rear windows that prevent a person of normal vision looking into the motor vehicle from seeing or identifying persons or objects inside the motor vehicle.

### **IV. Cincinnati Police Department Manual of Rules and Regulations**

#### **1.21**

- A. Members shall not make any arrest, search, or seizure not in accordance with law.
- B. Members shall not make any arrest, search, or seizure not in accordance with Department procedure.

### **V. Cincinnati Municipal Codes**

#### **Sec. 506-6. - Reckless Operation of Vehicles.**

No person shall operate a vehicle on any street or highway without due regard for the safety of persons or property.

Whoever violates this section shall be fined not more than \$250 or imprisoned not more than 30 days, or both.

**Sec. 759-2. - Use of a Motor Vehicle in Failing to Comply with Order or Signal of a Police Officer.**

No person shall operate or use or permit another to operate or use a motor vehicle to facilitate the commission or attempted commission of a crime involving the failure to comply with the lawful order or signal of a police officer pursuant to Ohio Revised Code § 2921.331. Violation of this section is a Class D Civil Offense as defined by the Cincinnati Municipal Code §1501-9(b); and a person who violates this section is liable for the civil fine specified in §1501-99 for a Class D Civil Offense.

**Sec. 1501-99. - Civil Fines.**

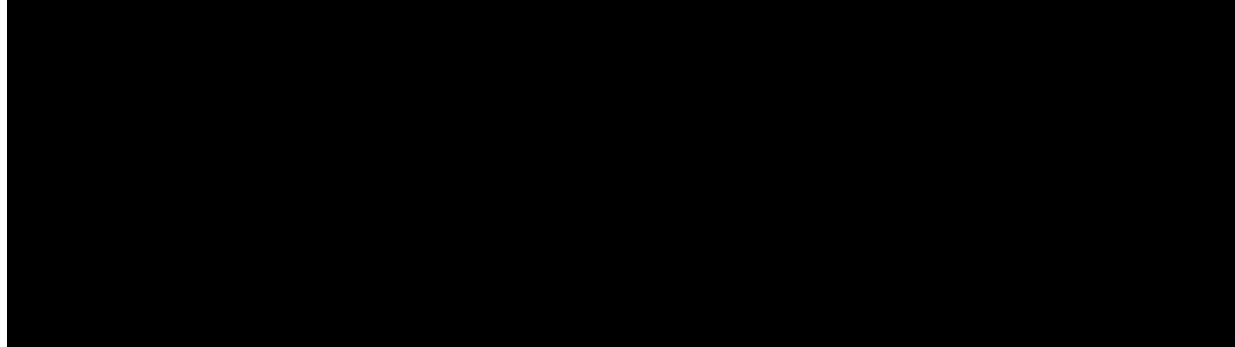
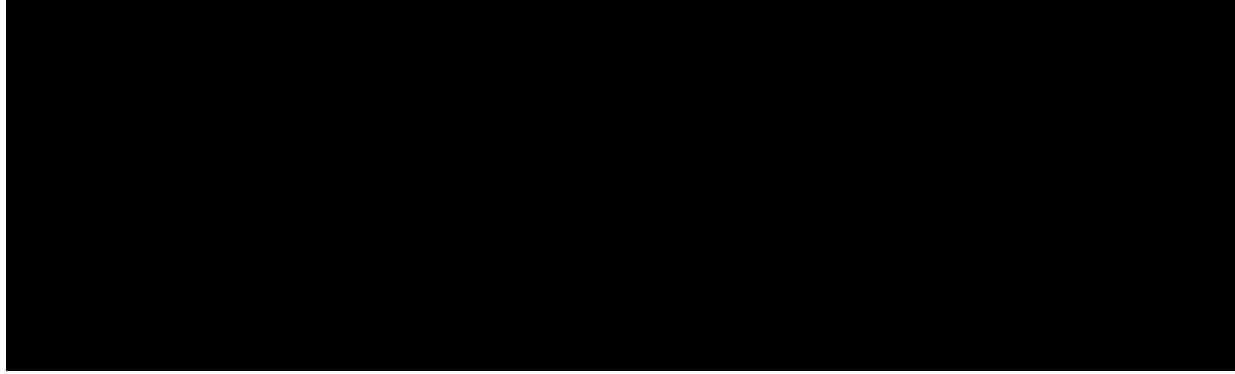
The civil fines for civil offenses are Class D - \$750.00

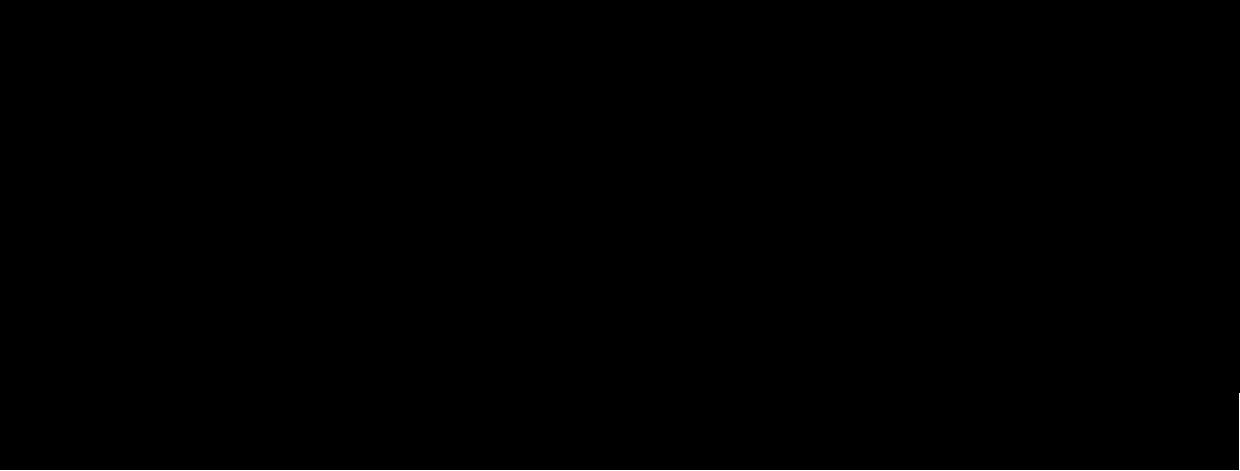
**VI. Cincinnati Police Department Tactical Patrol Guide 2020**

**Vehicle Pursuits -**



**High Risk Traffic Stop -**





## ANALYSIS

### **Allegation 1: Improper Stop**

Mr. Grigsby alleged that CPD, specifically Officer Condon, attempted to pull him over with an unmarked police car that did not utilize lights or sirens. According to the BWC, it was an ATF agent in an unmarked Dodge Charger, equipped with lights and sirens, which were activated, that attempted to conduct a traffic stop. Officer Schildmeyer attempted to stop Mr. Grigsby to assist ATF, but it was the ATF agent who pursued Mr. Grigsby once he did not stop for Officer Schildmeyer. Nevertheless, CPD's role in completing the stop is examined below.

Mr. Grigsby alleged that he was not stopped for window tint because his window tint was, according to him, not illegal. The evidence indicates, however, that the officers involved had both sufficient cause to believe the window tint was illegal, and sufficient basis upon which to take enforcement action.

CPD's §12.205 Traffic Enforcement policy states that an officer is to "take appropriate enforcement action whenever a violation is detected." In order to conduct a traffic stop, which is a form of investigatory stop, a police officer needs to have "reasonable suspicion" to initiate the stop. Reasonable suspicion is "a reasonable articulable suspicion that the individual is engaging in criminal activity" based on "specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant" an intrusion by the officer. State v. Brown, 2021-Ohio-2193, ¶ 15 (1st Dist.).

Ohio Revised Code (ORC) §4513.241 states that it is an equipment violation to possess windows on a motor vehicle which prevent "a person of normal vision" from looking into the motor vehicle and identifying people or objects inside. Possessing windows that have tint dark enough to meet this description is a violation of Ohio law in and of itself.

In this case, Mr. Grigsby's window tint measured at 14% when Officer Herring evaluated it using a tint meter. It was confirmed by viewing BWC that the window tint was excessively dark based on an observation alone. Given those facts, law enforcement had sufficient reasonable suspicion.

Therefore, CCA has concluded that the traffic stop initiated by ATF and supported by CPD was legal. Officers assisting with the pursuit and aiding in the stop acted in a manner consistent with CPD policies and procedures.

### **Allegation 2: Improper Pointing of a Firearm**

Mr. Grigsby alleged that Officer Herring pointed a firearm at his head while he was lying on the ground. CCA found from watching BWC that Officer Herring had his finger outside the trigger guard, per BWC, and pointed his firearm first in Mr. Grigsby's general direction, and then toward his upper body, until he was handcuffed.

Per CPD Procedure 12.550, "if a police officer perceives what he interprets to be a threat of loss of life or serious physical harm to himself or others, he has the authority to display a firearm, with finger outside the trigger guard and have it ready for self-defense." The finger is only to be placed on the trigger when on target and ready to engage a threat. CPD Tactical Patrol Guide advises that once a subject flees from police in a vehicle, and the pursuit has terminated, officers should treat the apprehension as a high-risk traffic stop. In addition, any stop where the officers have reasonable suspicion that the subject may be armed is designated as a high-risk felony stop. According to the Tactical Patrol Guide, during such high-risk stops, "cover officers" should be used for the purpose of ensuring that the contact officer remains safe until the subject is placed in custody and can be secured.

Given the fact that Mr. Grigsby did not comply with the attempted traffic stop and given that (per Sergeant Davis) Mr. Grigsby was observed by plain clothes officers involved in drug activity, it would have been reasonable for responding officers to consider this a high-risk traffic stop. Therefore, CCA has concluded that the actions of Officers Herring, Condon, Schildmeyer, and Back—each of whom brandished their firearm—were consistent with CPD policies, procedures, and training.

### **Allegation 3: Discourtesy**

Mr. Grigsby alleged that Officer Herring was "talking crazy" to him but did not specify what he found discourteous. The audio on the DVR did not work properly, so any conversation had inside the cruiser while Mr. Grigsby was in custody was not captured. Both Officers Herring and Hoffbauer denied any discourteous conversation taking place, but there is not enough evidence to corroborate their statements, or Mr. Grigsby's statement. CCA concluded there are insufficient facts to make a determination as to this allegation.

### **Allegation 4: Improper Procedure**

Mr. Grigsby alleged that Officer Herring stepped on his cellphone. According to the BWC and DVR, it was Sergeant Davis who walked over to the phone and picked it up, and then placed it on Mr. Grigsby's vehicle. The DVR showed Sergeant Davis near the phone, but it does not appear as though he stepped on it. His foot was flat in the footage and not angled upward as if something was between his foot and the ground. Officer Herring held the phones before measuring the window tint, but he was never near the phone when it was lying on the ground near Mr. Grigsby. CCA concluded there is not enough evidence to conclude if the phone was broken during the traffic stop, or who might have been responsible for any such damage.

## **Allegation 5: Excessive Force**

Mr. Grigsby alleged that Officer Herring “snatched” him up off the ground and popped his shoulder. According to CPD Procedure 12.545, the term “force” does not include escorting or handcuffing a person with no or minimal resistance.” When officers are making a legal arrest, they may use whatever force is reasonably necessary to apprehend the offender or effect the arrest and no more. According to the BWC, after Mr. Grigsby was handcuffed by other officers, Officer Herring rolled Mr. Grigsby over onto his side, and then lifted him up to his feet and escorted him to a cruiser. Mr. Grigsby’s hands were handcuffed behind his back, so when Officer Herring pulled up on his arms to lift him to his feet, it could have caused discomfort. However, Mr. Grigsby did not mention his shoulder popping or hurting upon his arrest. CCA concluded if his shoulder popped, there was no evidence that it was due to an intentional act by Officer Herring. The act of lifting Mr. Grigsby to his feet is not “force” as defined by the CPD Procedure.

### **Collateral Allegation: Improper Procedure (BWC):**

According to CPD policy and Procedure 12.540, the officers must have their BWC activated from the time the officer arrives on scene until the stopped vehicle departs or until the officers leave the scene. Officers Lane and Back both deactivated their BWCs once they were done searching the vehicle, however, the trunk of the vehicle was still open. Officers Lane and Back were still on scene. It is unclear how long they remained on scene after deactivating their BWCs. Officer Condon also deactivated his BWC while walking to his cruiser, however the policy states if an officer is filling out paperwork in their cruiser, the BWC can be deactivated. Officer Condon filled out paperwork related to the vehicle’s tow and was no longer in contact with the public at that time. Officer Hoffbauer deactivated her BWC as she was walking back to her cruiser, where Officer Herring was already placing Mr. Grigsby in the back. Officer Hoffbauer could be seen deactivating her BWC on the DVR from Cruiser 16313 at 16:54:30. Officer Hoffbauer got into the front seat of the cruiser while Officer Herring was double-locking Mr. Grigsby’s handcuffs. The time stamp for the DVR in that cruiser began showed that Mr. Grigsby was at placed in the back at 16:55:03.

### **Collateral Allegation: Improper Procedure (Contact Card)**

According to CPD Procedure 12.205, Traffic Enforcement, “On ALL motor vehicle and pedestrian traffic stops, officers will complete a Contact Card in RMS before the end of the shift. Officers will ensure the CAD#, MUTT# and/or NTA# are entered on the Contact Card.” The policy does not explicitly limit Contact Cards to the traffic stops where CPD is the primary law enforcement agency involved. Officers Herring and Hoffbauer handled the arrest, took custody of Mr. Grigsby, and charged him, therefore the responsibility of filling out a Contact Card falls on them. No Contact Card was completed. CCA concluded that the failure to complete one violated CPD policy.

### **Observation:**

CPD Manual of Rules and Regulations states that officers should avoid the use of coarse, violent, or profane language. While reviewing BWC footage, Officer Condon uttered to himself, “[expletive] dumb, dude”, using profanity when referring to the actions of Mr. Grigsby. Though the comment was not within earshot of Mr. Grigsby, and was likely not even heard by other officers, since BWCs are accessible by the public, officers should be reminded that their actions – both verbal and physical – are representative of the CPD and subject to public scrutiny.

## FINDINGS

### Original Allegations

Officer Jerome Herring  
Officer Marc Schildmeyer  
Officer Thomas Back  
Officer Joshua Condon

**Improper Pointing of Firearms** – The evidence shows that the alleged conduct did occur but did not violate CPD policies, procedures, or training. **EXONERATED**

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Officer Jerome Herring

**Improper Procedure**– There are no facts to support the incident complained of actually occurred. **UNFOUNDED**

**Discourtesy** – There are insufficient facts to decide whether the alleged misconduct occurred. **NOT SUSTAINED**

**Excessive Force** - There are no facts to support the incident complained of actually occurred. **UNFOUNDED**

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Officer Marc Schildmeyer  
Officer Jerome Herring  
Sergeant James Davis  
Officer Katelyn Hoffbauer

**Improper Stop** - The evidence shows that the alleged conduct did occur but did not violate CPD policies, procedures, or training. **EXONERATED**

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Officer Joshua Condon

**Improper Stop** - There are no facts to support the incident complained of actually occurred. **UNFOUNDED**

Sergeant James Davis

**Improper Procedure**– There are insufficient facts to decide whether the alleged misconduct occurred. **NOT SUSTAINED**

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### Collateral Allegations

Officer Tyler Lane  
Officer Thomas Back  
Officer Jerome Herring

**Improper Procedure (BWC)** - The allegation is supported by sufficient evidence to determine that the incident occurred, and the actions of the officer were improper. **SUSTAINED**

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Officer Jerome Herring  
Officer Katelyn Hoffbauer

**Improper Procedure (Contact Card)** - The allegation is supported by sufficient evidence to determine that the incident occurred, and the actions of the officer were improper. **SUSTAINED**

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*Kerrie Kimpel*, Investigator



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*Gabriel Davis*, Director

*Date: June 10, 2022*

## PREVIOUS CONTACTS AND COMMENDATIONS

### Officer Herring

#### Previous Contacts with CCA

Officer Herring had seven previous contacts with CCA in the past three years.

Case Number	Allegation	Finding
20233	Improper Search	Pending
20233	Improper Stop	Pending
20233	Unethical Conduct	Pending
20223	Improper Search	Pending
20223	Improper Stop	Pending
20223	Discourtesy	Pending
20223	Excessive Force	Pending
20022	Excessive Force (x3)	Pending
20022	Improper Stop	Pending
19186	Abuse of Authority	Not Sustained
19186	Improper Procedure	Exonerated
19186	Discourtesy (x2)	Exonerated
19160	Excessive Force	Pending
19038	Improper Stop	Exonerated
19038	Harassment	Unfounded
19009	Excessive Force	Exonerated

#### Previous Contacts with IIS

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

#### Commendations

Officer Herring received three commendations in the past three years.

Date	Source of Commendation Received
07/05/2019	CPD
05/24/2019	CPD
12/12/2018	CPD

### Officer Condon

#### Previous Contacts with CCA

Officer Condon had nine previous contacts with CCA in the past three years.

Case Number	Allegation	Finding
20238	Improper Search	Pending
20238	Discourtesy	Pending
20223	Improper Search	Pending
20206	Improper Search	Pending

Case Number	Allegation	Finding
20206	Improper Search	Pending
20206	Improper Procedure	Pending
20206	Harassment	Pending
20195	Improper Search	Exonerated
20195	Discrimination	Unfounded
20195	Harassment	Unfounded
20156	Seizure	Pending
20156	Improper Search	Pending
20156	Pointing of a Firearm	Pending
20156	Improper Stop	Pending
20156	Improper Search	Pending
20148	Improper Procedure	Exonerated
20148	Improper Entry	Exonerated
20148	Improper Search	Exonerated
20116	Discrimination	Pending
20116	Improper Search	Pending
20116	Improper Stop	Pending
18205	Procedure Violation	Unfounded
18205	Discrimination	Unfounded
18205	Harassment	Unfounded
18117	Procedure Violation (BWC off early)	Not Sustained
18117	Improper Search	Exonerated
18117	Pointing of a Firearm	Exonerated
18117	Procedure Violation (DVR)	Not Sustained
18117	Improper Stop	Exonerated
18117	Improper Stop	Exonerated
18117	Pointing of a Firearm	Exonerated

### Previous Contacts with IIS

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

### Commendations

Officer Condon received three commendations in the past three years.

Date	Source of Commendation Received
01/16/2019	CPD
10/01/2018	Civilian
09/06/2018	CPD

### Sergeant Davis

### Previous Contacts with CCA

Sergeant Davis had three previous contacts with CCA in the past three years.

Case Number	Allegation	Finding
19269	Improper Search	Exonerated
19269	Harassment	Not Sustained

Case Number	Allegation	Finding
19206	Improper Pointing of a Firearm	Exonerated
19076	Improper Search	Exonerated
19076	Harassment	Unfounded
19076	Improper Stop	Exonerated

### **Previous Contacts with IIS**

CCA is unaware of any additional previous contact with Sergeant Davis by IIS.

### **Commendations**

Sergeant Davis received two commendations in the past three years.

Date	Source of Commendation Received
01/11/2020	CPD
06/07/2019	CPD

### **Officer Lane**

#### **Previous Contacts with CCA**

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

#### **Previous Contacts with IIS**

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

#### **Commendations**

Officer Lane received two commendations in the past three years.

Date	Source of Commendation Received
01/03/2020	CPD
08/20/2019	CPD

### **Officer Back**

#### **Previous Contacts with CCA**

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

#### **Previous Contacts with IIS**

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

#### **Commendations**

Officer Back received three commendations in the past three years.

Date	Source of Commendation Received
08/20/2019	CPD

<b>Date</b>	<b>Source of Commendation Received</b>
03/15/2018	CPD
03/15/2018	CPD

### **Officer Schildmeyer**

#### **Previous Contacts with CCA**

Officer Schildmeyer had eight previous contacts with CCA in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>Finding</b>
19270	Improper Search	Sustained
19206	Improper Discharge of Firearm	Exonerated
19206	Excessive Force	Exonerated
19076	Harassment	Unfounded
19076	Improper Search	Exonerated
19076	Improper Stop	Exonerated
19022	Harassment	Unfounded
19002	Improper Stop	Exonerated
19002	Improper Search	Sustained
19002	Improper Procedure (Contact Card)	Sustained
19002	Discrimination	Unfounded
19002	Harassment	Unfounded
18241	Improper Search	Exonerated
18185	Improper Procedure (BWC off early)	Sustained
18185	Improper Procedure (Consent to Search)	Sustained
18185	Improper Search	Sustained
18137	Law Violation	Referred

#### **Previous Contacts with IIS**

Officer Schildmeyer had one previous contact with IIS in the past three years.

<b>Case Number</b>	<b>Allegation</b>	<b>Finding</b>
18074	Law Violation	Not Sustained

#### **Commendations**

Officer Schildmeyer received four commendations in the past three years.

<b>Date</b>	<b>Source of Commendation Received</b>
12/30/2019	OLE
05/16/2019	Civilian
08/09/2018	CPD
06/14/2018	Civilian