



CITIZEN POLICE REVIEW BOARD

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Approved
5/22/12

Minutes of the CPRB Meeting Held on March 27, 2012 (Mtg. No. 144)

City Council Chambers
510 City County Building
Pittsburgh, PA 15219
Neighborhood: Citywide

Members Present: Ms. Deborah L. Walker
Mr. Ralph E. Norman
Ms. Leshonda R. Roberts
Ms. Debora L. Whitfield

Excused: Mr. Richard M. Carrington
Ms. Donna Kramer

Absent: None
Vacancies: 1 Mayoral Selection

Solicitors: Ms. Lourdes Sanchez Ridge

Staff Present:

Ms. Elizabeth C. Pittinger, Executive Director
Ms. Sherri Bridgett, Investigator
Mrs. Kathy Carson, Investigator
Ms. Michelle Gamble, Investigator
Ms. Carolyn Gaskin, Executive Assistant

Excused: Mr. Michael Ayoob, Intake Coordinator

Vacancies: Investigative Associate

Administrative Matters:

- Ms. Walker, Chair, called the meeting to order at 6:10p.m.
- *A motion to adopt the meeting minutes for March 27, 2012 was offered by Mr. Norman and seconded by Ms. Roberts, and approved unanimously.*
- Ms. Walker's invited guests spoke before CPRB commenced the business portion of the meeting. The guest speakers were comprised of former CPRB members, community leaders and concerned citizens, all of whom addressed the Board with their personal experiences, observations and/or advice, in an effort to offer support to the Board and its mission.

Executive Director's Report (Attached and made a part of the meeting record).

- Ms. Pittinger updated the Board on the status of the CPRB nomination and appointment process. Councilman Lavelle introduced Bill 2012-0143 on 2/2/12, which was finally passed on 3/13/12 and signed into law by the Mayor on 3/23/12, effective 3/26/12. The language in the bill closes loopholes and clearly defines a process to avoid prolonged vacancies and manages expired terms.
- Ms. Pittinger reported on the status of the 2012 CPRB Solicitor agreement. The contract has been signed by the Mayor and is awaiting final approval from the Law Department and the Controller's Office.

Case Review:

Ms. Walker moved to the case review agenda (copy attached), 9 cases were reviewed. Copies of the agenda were made available to the public. Each case summary was reviewed and acted upon as noted (votes unanimous among attending members unless stated otherwise). (*Actions taken are published here and on the CPRB website, <http://www.city.pittsburgh.pa.us/cprb/>*)

Public Comment:

Ms. Walker invited public comment. Public comment was given by Mr. Harry Liller, Mr. Mark Ozark, Mr. Craig Stevens, Mrs. Tris Ozark, Mr. Tim Stevens and Ms. Brandi Fisher.

Next Meeting:

The next regular board meeting is scheduled for 6p.m., Tuesday, April 24, 2012 at the City Council Chambers, 414 Grant Street, Pittsburgh, PA 15219.

The meeting was adjourned at 7:30p.m.

Respectfully submitted,

Carolyn L. Gaskin
Executive Assistant

Attachment (2):

1. Case Review Agenda/Board Actions
2. Executive Director's Report (3/27/12)

CPRB CASE REVIEW AGENDA

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
PUBLIC HEARING (0)				
FULL INVESTIGATION (3)				
12-12/GAMBLE	Use of Force (PBP 12-6, 3.1) Obedience to Orders &/or Laws (PBP16-1, 3.1) Responding to Incidents Involving People w/Mental Illnesses (PBP 40-15, 8.3) Conduct Unbecoming a Member (PBP 16-1, 3.6)	Cx. alleges that the S.O. stole jewelry from her home.	AUTHORIZED FULL INVESTIGATION DISMISSED ALLEGATIONS AGAINST S.O. #1	Preliminary evidence suggests more investigation time is needed.
12-25/BRIDGETT	Use of Force (PBP 12-6, 3.1) Obedience to Orders &/or Laws (PBP 16-1, 3.1;3) Conduct Unbecoming a Member (PBP 16-1, 3.6;4) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that his property was damaged during a search warrant.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation time is needed.
12-37-P/GAMBLE	Use of Force (PBP 12-6, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Truthfulness (PBP 16-1, 3.19)	Cx. alleges that the S.O. pulled him over and cited him without cause.	AUTHORIZED FULL INVESTIGATION	Preliminary evidence suggests more investigation time is needed.
30 DAY EXTENSION OF FULL INVESTIGATION (0)				
UNFOUNDED (2)				
11-164/BRIDGETT	Use of Force (PBP 12-6, 3.1;2) Conduct Unbecoming a Member (PBP 16-1, 3.6;3) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. used excessive force during an encounter.	DISMISSED AS UNFOUNDED	The identity of the S.O. is unknown.

CPRB CASE NO. INVESTIGATOR	ALLEGATION(S)	SUMMARY	RECOMMENDATION	RATIONALE
12-19/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7)	Cx. alleges that the S.O. was very rude during a traffic stop.	DISMISSED AS UNFOUNDED MOVED TO RUDE & DISCOURTEOUS HEARING	The Cx. may benefit from participating in the next Rude & Discourteous Hearing.
UNSUSTAINABLE (0)				
OTHER (4)				
123-08/CARSON	Use of Force (PBP12-6, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Truthfulness (PBP 16-1, 3.19) False Report (PBP 62-1, 2.10)	Cx. alleges the S.O. used excessive force and arrested him for no reason.	ACCEPTED CX'S REQUEST TO WITHDRAW	The Cx. has no interest in pursuing the complaint.
11-203/GAMBLE	Conduct Unbecoming a Member (PBP 16-1, 3.6) Conduct Toward the Public (PBP 16-1, 3.7) Neglect of Duty (PBP 16-1, 3.13)	Cx. alleges that the S.O. threatened her after he responded to a 911 call.	AUTHORIZED SUSPENSION	Pending receipt of S.O. statements.
11-258/BRIDGETT	Conduct Unbecoming a Member (PBP 16-1, 3.6;2) Conduct Toward the Public (PBP 16-1, 3.7;3) Truthfulness (PBP 16-1, 3.19;4) Warrantless Search & Seizures (PBP 45-2, 3.0)	Cx. alleges that he was detained by the S.O.s without cause.	AUTHORIZED SUSPENSION	A witness needs to be located and interviewed.
12-17-P/GAMBLE	Use of Force (PBP 12-6, 3.1) Conduct Unbecoming a Member (PBP 16-1, 3.6) Warrantless Search & Seizures (PBP 45-2, 5.2)	Cx. alleges that the S.O.s acted inappropriately during an encounter.	DISMISSED DUE TO THE CX'S LACK OF COOPERATION	After several attempts, the Investigator has been unable to contact the Cx.

MEMORANDUM

To: Honorable Members of the Board
From: Elizabeth C. Pittinger
Executive Director
Date: March 27, 2012
Re: Executive Director's Report: 3-27-12

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816 Fifth Avenue
Pittsburgh PA 15219

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Intake Summary through 02-27-12: 58 total cases

Citizen Complaints: 13 Pending Citizen Action: 41 Total Intake: 58
Out of Jurisdiction: 04 Statute of Limitation: 00 (EDI: 0)

Table with 7 columns: Year, CC, PCA, OJ, SL, EDI, Total. Rows include actual totals for years 2011 through 1999.

1. Board Terms

- a. Bill 2012-0143, introduced by Councilman Lavelle on 2/2/12, was passed finally by City Council on 3/13/12 and signed into law by the Mayor on 3/23/12, effective 3/26/12. This amendment to the CPRB appointment process closes loopholes and delineates a process to avoid prolonged vacancies and manage expired terms.
b. Status:
i. Council Seat #3:
1. 1 vacancy since 6/30/11: City Council Seat #3 (Rev. Downing's seat).
2. Council sent the proper Nominating Resolution (2011-1756) to the Mayor on 5/31/2011 (timely).
3. Mayor has not acted.
ii. 3 terms expired on 10/31/2011:
1. Ms. Kramer (Council Seat #1)
2. Mr. Carrington (Mayoral Seat #6)
3. Mr. Norman (Mayoral Seat #7 - LEP)

- c. All notices from the CPRB Chair were made in a proper & timely manner.
- d. City Council approved and sent to the Mayor a nominating resolution on 2/28/12, offering three candidates for appointment to City Council Seat #1, succeeding Ms. Donna Kramer, to a term ending on 10/31/2016. One nominee was withdrawn due to erroneous inclusion as a CPRB nominee. On 3/6/12, Council nominated former Councilman Doug Shields as the third nominee for Council Seat # 1. The Mayor's office announced that Mr. Shields would not be offered for appointment by the Mayor.

2. Public Hearing on Rude & Discourteous Conduct

- a. The transcript of the hearing held on 1/31/2012 has been received.
- b. Recommendations will be provided at the April meeting.

3. CPRB Solicitors' Contract

- a. Awaiting return of the contract signed by the Mayor.
- b. 2/21/12: City Council authorized the contract between the CPRB and Robert J. Ridge, Lourdes Sanchez Ridge/Thorp Reed & Armstrong as authorized by the Board on 10/25/11.

4. Recommendations for review

- a. A list of topics that may be worthy of Board initiated inquiry is attached for your review and consideration.
- b. Pursuant to community concern with the lack of minority participation in recent police classes and in conjunction with a working group from the US Attorney's LE/Community roundtable, Pittinger will analyze recent pools of applicants, screening & exam results, final formation of the eligibility lists and ultimately the composition of academy classes. The analysis will replicate as closely as possible that which we employed in our 2002 [Police - Education Recruitment Retention and Support Final Report on Resolution 445](#).

5. Miscellaneous

- a. Recommend scheduling a Board training session in May. By then the Board should have a full complement of seven members.
- b. Annual Report for 2011 is being prepared. A draft will be circulated over the next couple of weeks with anticipated presentation for adoption at the Board's April meeting.

Respectfully submitted,



3/27/2012

Recommended Topics of Inquiry

Submitted to the CPRB on 2/28/12

The City Code provides:

§ 662.04 (o) The Board, upon motion receiving an affirmative vote of at least four (4) members may:

(1) Initiate investigations of incidents of Police Misconduct for which no complaint has been filed;

(2) Initiate studies, investigations, hold public hearings and make recommendations on policy matters, including improvement of the relationship between the police department and the community, police training, hiring and discipline.

As a result of consultation with staff, observed community sentiment and review of public reports, the following topics emerge as areas of interest. Accordingly, I recommend consideration of Board initiated inquiries into any or all of the following for the purposes of enhancing understanding of current status and analysis of the potential for improvement or elevation to contemporary standards:

1. PBP Training Academy
 - a. Curriculum content (local)
 - b. Instructors' profiles (status/background/relationship to PBP)
 - c. In-service allowance/scheduling impact on patrol/duty assignments
2. Field Training
 - a. Qualifications of an FTO
 - b. FTO/Rookie ratio
 - c. FTO Supervision
3. Utilization of unmarked Zone vehicles ("99" cars)
 - a. Assignment criteria
 - b. Non-bid duty assignment status
 - c. Compliance to PA standards for unmarked vehicle use
 - d. Patrol vs. suppression utilization
4. Crisis Intervention Team (CIT)
 - a. Status of training
 - b. Participation criteria
 - c. Number PBP officers trained
 - d. Utilization
 - e. Protocols for deployment