

Date: October 2, 2024
To: Board Members, Citizen Complaint Authority
From: Dena Bown, Interim Director
Subject: Investigation Summary – October 7, 2024 Board Meeting

INVESTIGATION SUMMARIES

1

Complaint #	23272
Complainant	Eric and Elijah Gee
Incident Date	December 7, 2023
CCA Investigator	Joseph Vesper

COMPLAINT SUMMARY

Messer’s Eric and Elijah Gee alleged that on Thursday, December 7, 2023 at 1400, near 4401 Colerain Ave., they were stopped by unknown CPD officers (later determined to be Officers Howard, Fehrman, Wallace, and Kress for “no reason.” They were then physically forced out of their vehicle, the vehicle was searched, and a pat down was performed upon their persons for no reason. As Officer Howard performed the pat down, he went under Elijah Gee’s pants and pushed his hand in between his buttocks and felt his testis. While this happened Eric Gee went to pick up his phone. Officer Wallace told Eric Gee to, "put the fucking phone down before I break it." Eric Gee backed away from the phone and waited until the stop had concluded to then pick it up.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Stop	Taylor Howard	Eric Gee	Exonerated
2	Improper Stop	Cameron Fehrman	Eric Gee	Exonerated
3	Excessive Force	Taylor Howard	Elijah Gee	Unfounded
4	Excessive Force	Cameron Fehrman	Eric Gee	Unfounded

No.	Allegation	Involved Officer	Involved Citizen	Finding
5	Improper Search (Vehicle)	Jason Wallace	Eric Gee	Exonerated
6	Improper Search (Vehicle)	Zachary Kress	Eric Gee	Exonerated
7	Improper Search (Person)	Taylor Howard	Elijah Gee	Sustained
8	Discourtesy	Jason Wallace	Eric Gee	Unfounded

OBSERVATION

This case was particularly challenging for the Citizen's Complaint Authority (CCA) due to the absence of extensive court definitions and legislative intent history surrounding the term "inspection" in the context of a "strip search" within Ohio. Nevertheless, CCA finds narrowly an inspection occurred.

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Complaint #	23175
Complainant	Jennifer Foster
Incident Date	August 21, 2023
CCA Investigator	Jessalyn Goodman

COMPLAINT SUMMARY

Officer Grant Perry alleged Mr. James Neeley and Witness A committed a pedestrian violation. Officer Dylan Scalf took Mr. Neeley to the ground and placed him in handcuffs. It is unknown why Mr. Neeley was taken to the ground. Officer Scalf applied the handcuffs "too tightly" and ignored Mr. Neeley's complaints. As a result, Mr. Neeley experienced numbness in his left hand and fingers, although it is unclear whether the injury is from the handcuffs or from the takedown.

Mr. Neeley's mother, Ms. Jennifer Foster, approached the incident scene. She did not interfere with the officers' actions but asked for their names and badges. Not all the officers provided their information. When she asked Officer Mikhale Buck how to file a complaint, he said, "Go to the district!" and then left immediately in his cruiser. Ms. Foster believed the officers were rude to her and Mr. Neeley.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Seizure	Dylan Scalf	James Neeley	Exonerated
2	Excessive Force	Dylan Scalf	James Neeley	Exonerated
3	Excessive Force	Mikhale Buck	James Neeley	Exonerated
4	Lack of Service	Mikhale Buck	Jennifer Foster	Unfounded
5	Lack of Service	Myles Abt	Jennifer Foster	Unfounded
6	Lack of Service	Grant Perry	Jennifer Foster	Unfounded
7	Lack of Service	Mikhale Buck	Jennifer Foster	Not Sustained
8	Discourtesy	Mikhale Buck	Jennifer Foster	Unfounded
9	Discourtesy	Dylan Scalf	Jennifer Foster	Unfounded
10	Discourtesy	Dylan Scalf	James Neeley	Sustained
11	Discourtesy	Grant Perry	James Neeley	Unfounded

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Complaint #	23262
Complainant	Jill Guthrie
Incident Date	October 20, 2023
CCA Investigator	Jessalyn Goodman

COMPLAINT SUMMARY

On October 20, 2023, Ms. Guthrie parked her vehicle on Hutchins Avenue. Her vehicle remained on the street for too long, so Sergeant Jeffrey Meister and Officer Ladon Laney towed her vehicle on October 23, 2023. Sergeant Meister and Officer Laney failed to notify Ms. Guthrie that her vehicle was towed, although they spoke to several neighbors about her. She alleged the seizure of her vehicle was improper.

On October 23, 2023, Ms. Guthrie contacted Emergency Communications Center (ECC) to report her vehicle as stolen. Officers Denise Burns and Lisa Johnson responded and refused to file a police report about her vehicle. Ms. Guthrie believes the officers' actions were discriminatory due to her race, age, and gender and noted other vehicles, who had been parked in the area longer, were not towed.

Later, Ms. Guthrie complained about the officers' behavior at District Four. She believed Officer Laney's conduct was harassment and retaliation for a previous complaint she filed against him several years ago. Lieutenant Timothy Lanter was "rude and disrespectful" to her about the complaint and directed her to apologize to Sergeant Meister.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Seizure	Jeffrey Meister	Jill Guthrie	Exonerated
2	Improper Seizure	Ladon Laney	Jill Guthrie	Unfounded
3	Improper Procedure	Jeffrey Meister	Jill Guthrie	Exonerated
4	Improper Procedure	Ladon Laney	Jill Guthrie	Unfounded
5	Discrimination	Jeffrey Meister	Jill Guthrie	Unfounded
6	Discrimination	Ladon Laney	Jill Guthrie	Unfounded
7	Discrimination	Denise Burns	Jill Guthrie	Not Sustained
8	Discrimination	Lisa Johnson	Jill Guthrie	Not Sustained
9	Harassment	Ladon Laney	Jill Guthrie	Unfounded
10	Discourtesy	Timothy Lanter	Jill Guthrie	Not Sustained

RECOMMENDATION

#R2410 – Citizen Complaint Handling

For several years, CPD has implemented the Citizen Complaint Resolution Process as a means for citizens to have their concerns directly and immediately reviewed by command staff. It promotes communication and feedback between the officers and consumer, while allowing for grievances to be addressed and redressed as needed. Furthermore, it ensures command staff are aware of their employees' behaviors in the community. However, as seen in the course of this investigation, there are several problems within the CCRP:

- The command staff are not trained mediators.
- The command staff are not an impartial party.
- Meetings are held at the local district, not in a neutral location.
- Witnesses/support are not eligible to be present.

In the current CCRP model, participants may not feel comfortable or even capable of expressing their genuine concerns related to their interaction. In recent months, CCA spoke with several law enforcement oversight agencies across the country who have employed mediation models with their local police departments to positive effect, from both officers and community members. While the individual models may have minor variances in their structures and design, the overwhelming consequence is positive resolutions and improved community-police relations. After significant research into modern methods that would best apply to Cincinnati, CCA recommends CPD restructure the CCRP to resemble a mediation-based model.

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Complaint #	24038
Complainant	Carlos Beauchamp
Incident Date	February 10, 2024
CCA Investigator	Ronald Pugh

COMPLAINT SUMMARY

Mr. Carlos Beauchamp alleged that he was improperly stopped by Officer Matthew Bohn on February 10, 2024. Officer Bohn initiated a traffic stop for a traffic offense but refused to make any traffic infraction. Mr. Beauchamp further alleged that Officer Bohn used the “f” word which he believed was “disrespectful.”

FINDINGS

Original Allegations

Officer Matthew J. Bohn

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

Discourtesy – The allegation is supported by sufficient evidence to determine that the incident occurred, and the actions of the officer were improper. **Sustained**

RECOMMENDATION

#R2409 - Corrective and Disciplinary: Officer Training

CCA recommends Officer Bohn receive Customer Service training. This recommendation comes after the review of Officer Bohn’s BWC which showed him being unprofessional and using profane language to address a citizen. Customer Service training may provide Officer Bohn with other options in any future encounters with citizens who are compliant but are argumentative.

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Complaint #	23144
Complainant	Demetrius Hampton
Incident Date	July 13, 2023
CCA Investigator	Jessalyn Goodman

COMPLAINT SUMMARY

Officers Jason Wallace and Casey Carver responded to assist plainclothes officers at the Shell gas station. On arrival, the plainclothes officers radioed for the uniformed officers to stop a vehicle from leaving the parking lot and provided a description of the vehicle. Per Officer Wallace, he observed a vehicle which matched the description; the vehicle's driver was Mr. Demetrius Hampton. Officer Wallace gestured and verbally directed Mr. Hampton to stop, but Mr. Hampton left. Officers Wallace and Carver re-entered their cruiser and followed him, Mr. Hampton voluntarily stopped. Officer Carver pointed her firearm at Mr. Hampton and opened the vehicle's driver-side door. Officer Wallace handcuffed Mr. Hampton.

Mr. Hampton received a citation for Obstructing Official Business. Officer Wallace stated additional charges may come if Mr. Hampton fights the case and/or does not cooperate with the police. Officer Wallace provided Mr. Hampton with a phone number to call if he chooses to cooperate with the police.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Seizure	Casey Carver	Demetrius Hampton	Exonerated
2	Improper Seizure	Jason Wallace	Demetrius Hampton	Exonerated
3	Improper Pointing of a Firearm	Casey Carver	Demetrius Hampton	Exonerated

Collateral Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
4	Discourtesy	Jason Wallace	Demetrius Hampton	Sustained
5	Improper Procedure	Casey Carver	Demetrius Hampton	Sustained

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Complaint #	23176
Complainant	Donte'vius Williams
Incident Date	August 12, 2023
CCA Investigator	Jessalyn Goodman

COMPLAINT SUMMARY

On August 12, 2023, Mr. Donte'vius Williams sustained a gunshot wound. He refused to identify himself or receive medical treatment to responding CPD officers and Cincinnati Fire Department (CFD) personnel. Approximately 90 minutes later, Sergeant Robin Brown observed Mr. Williams still lying on the sidewalk, but Mr. Williams again refused medical treatment.

Sergeant Brown returned to CPD District 1 and advised Lieutenant (Lt.) David Damico about the situation. Lt. Damico responded to the location and saw Mr. Williams still on the sidewalk. Mr. Williams stated that he "wanted to stay lying on the ground and die." Concerned Mr. Williams was "unable to care for himself," CPD requested CFD. Mr. Williams became non-complaint. Specialist Shawn Smith held Mr. Williams's shoulders down as Mr. Williams attempted to get up from the sidewalk. Officer Kevin Broering placed his foot on Mr. Williams's hand to restrain his movements. Once CFD arrived, CFD personnel restrained Mr. Williams to a gurney and transported him to University of Cincinnati Medical Center (UCMC).

Later, Mr. Williams alleged that an officer on scene "choked" him.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Excessive Force	Shawn Smith	Donte'vius Williams	Unfounded

Collateral Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
2	Excessive Force	Kevin Broering	Donte'vius Williams	Sustained
3	Discourtesy	Kevin Broering	Witness A	Sustained

RECOMMENDATION

#R2411 - Use of Force Policy/Procedure: Hard Hands Policy/Procedure (previous #R2133)

CCA recommends CPD incorporate standardized language (such as from the National Consensus Policy on Use of Force or another comparable source) to clarify what qualifies as a “choke hold” under its Procedure Manual, preferably by including carotid holds in the definition for “choke hold.”

In CPD Procedure §12.545 Use of Force, the definition section of the policy provides that “the courts could consider a choke hold or other similar type of holds as deadly force. Choke holds are prohibited unless a situation arises where the use of deadly force is permissible under exhibiting law and Department policy.” The policy separately identifies and defines carotid arteries. However, the section does not clearly define what a “choke hold” or “similar type of hold” would be. Neither does the policy say, on its face, that carotid restraints or holds targeting the carotid artery constitute “choke holds” under CPD policy, and the Procedure Manual does not clearly ban carotid holds. A standardized definition of “choke hold” that includes carotid holds would clarify the standard for officers, citizens, and investigators.

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Complaint #	23268
Complainant	Krysta Grant
Incident Date	December 10, 2023
CCA Investigator	Jessalyn Goodman

COMPLAINT SUMMARY

As Mr. Shawn Weems walked to a nearby Shell gas station, the traffic light changed as he crossed the street and Mr. Weems unknowingly “jaywalked” before he entered the gas station. CPD Officers Reed Gilkison and Collin Joyce approached Mr. Weems as he left the store and advised he was under arrest. Officers Gilkison and Joyce handcuffed Mr. Weems and placed him in their cruiser. Mr. Weems felt unsafe and asked for a different cruiser and transport officer but was refused.

While in the cruiser, Officers Gilkison and Joyce “beat” and “choked” Mr. Weems, pulled him by the hair, and hit his head against the cruiser door three to four times. Consequently, Mr. Weems had two seizures, fell onto the pavement and was briefly unconscious. When he regained consciousness, Mr. Weems could not recall the recent events, sustained a gash on his face, and injuries to his left arm and right foot. Initially, the officers did not offer Mr. Weems any immediate medical assistance and only yelled profanities. Eventually, Mr. Weems was transported to a medical facility.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Excessive Force	Reed Gilkison	Shawn Weems	Unfounded
2	Excessive Force	Collin Joyce	Shawn Weems	Unfounded
3	Discourtesy	Collin Joyce	Shawn Weems	Sustained

Collateral Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
4	Improper Search	Reed Gilkison	Shawn Weems	Sustained

RECOMMENDATION

#R2412 - Arrest Policy/Procedure (previous #R2209)

CCA recommends CPD reconsider and clarify the language in CPD Procedures §12.205 (Traffic Enforcement) and CPD Procedure §12.555 (Arrest/Citation) to ensure the regulation provides unambiguous and congruous guidelines for officers on the question of what enforcement action should apply to violators of pedestrian offenses (such as jaywalking or playing in the street) who refuse to identify themselves or are unable to do so.

A review of CPD Procedure Manual showed crucial incongruities and ambiguities pertaining to policy-produced guidance for officers encountering pedestrian violators. Specifically, CPD Procedure §12.555 Arrest/Citation: Processing of Adult Misdemeanor and Felony Offenders states that, regarding violations that are minor misdemeanors, officers must issue citations rather than physically arrest individuals unless the situation meets specific requirements. Among those exceptions, the policy stipulates that a physical arrest would be necessary if “the individual cannot or does not offer satisfactory proof of identity, *except* pedestrian violations (refer to Procedure 12.205) (emphasis added)” CPD Procedure §12.205 Traffic Enforcement instructs officers to “make every effort to obtain proof of identification from a [pedestrian violator].” The policy continues that “if the pedestrian violator does not possess some kind of identification, the officer shall attempt to obtain accurate information in order to properly complete the citation, through careful and courteous questioning.” Accordingly, under the most logical reading of those policies, while an officer may be able to physically arrest an individual under the ORC for failing to disclose information to be used in writing a jaywalking ticket, such an arrest would be outside Department policy. However, the policy does not provide further instruction for officers or citizens on what must occur if the officers have made “every effort” to obtain proof of identification but are still unable to obtain “accurate information in order to properly complete the citation.” Instead, officers must refer back to CPD Procedure §12.555, which does not allow the officer to make a physical arrest for failure to identify.

This vagueness is problematic and leaves several questions unanswered for officers and the community.

For example, what must occur if a citizen fails to provide identification or is unable to do so during an extensive attempt to get the information for purposes of completing a citation for jaywalking or playing in the street? Must a warning be given in lieu of a citation, or should some other process apply? For purposes of completing a citation, must the officer rely on other information proving identity that is readily ascertainable in spite of the citizen’s refusal to speak or provide certain pieces of information? The language of CPD Procedure §§12.555 and 12.205 should be revised to provide greater clarity with respect to these issues.

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Complaint #	24006
Complainant	Keesha Harris
Incident Date	December 24, 2023
CCA Investigator	Jessalyn Goodman

COMPLAINT SUMMARY

Ms. Harris alleged that on Sunday, December 24, 2023 at 10:57am at Crossroads Church in Oakley, located at 3500 Madison Road, she attempted to re-enter the church after she was asked to leave by Crossroads staff. Ms. Harris swung her cane at Sergeant Jones when he attempted to prevent her from re-entering the church. Ms. Harris alleged Sergeants Childress and Jones used excessive force against her and caused “fractured hand/fingers” when her cane was forcibly removed from her hands.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Excessive Force	Lesley Childress	Keesha Harris	Unfounded
2	Excessive Force	Darryl Jones	Keesha Harris	Unfounded

#9

Complaint #	24041
Complainant	Kimberly O'Connor
Incident Date	February 11, 2024
CCA Investigator	Ronald Pugh

COMPLAINT SUMMARY

Mrs. Kimberly O'Connor alleged that on Sunday, February 11th at approximately 0100-0120 hours, Payton O'Connor, her daughter advised she and her sister Darrian O'Connor were physically attacked at The Banks in front of a bar called Killer Queen, Payton had visible injuries and screamed for help from an officer nearby. Payton asked Officer Carlos Sherman for help and was told "Get the fuck out of my face... it was mutual." They alleged Officer Sherman refused to take a report or help Payton who was visibly injured and bleeding.

Mrs. O'Connor further alleged that Officer Sherman was seen standing "intimately close to the woman who jumped her daughters" and believed that he intentionally protected her and why he refused to file charges and arrest her for the alleged assault. Mrs. Kimberly O'Connor believed that Officer Sherman "used his position as a police officer" to protect the person who allegedly assaulted her daughters.

FINDINGS

Original Allegations

Officer Carlos Sherman

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

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

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

Collateral Allegations

Improper Procedure (failure to activate 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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#10

Complaint #	24066
Complainant	Timothy Davis
Incident Date	March 21, 2024
CCA Investigator	Morgan Givens

COMPLAINT SUMMARY

Mr. Davis alleged that he and his family were stopped and met with aggression by Officer Christopher Wermuth. He alleged that Officer Wermuth yelled at him to “put the fucking window down”, asked him to step out of the vehicle, and had his person searched before he was placed into the back of Officer Wermuth’s cruiser.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Stop	Christopher Wermuth	Timothy Davis	Exonerated
2	Improper Search	Christopher Wermuth	Timothy Davis	Exonerated
3	Discourtesy	Christopher Wermuth	Timothy Davis	Sustained

#11

Complaint #	24089
Complainant	Unique Brown
Incident Date	March 14, 2024
CCA Investigator	Joseph Vesper

COMPLAINT SUMMARY

Ms. Brown alleged that on Thursday, March 14, 2024, approximately 11:00 PM, unknown CPD officers (Later determined to be Officer Gilkison and Joyce) entered her apartment and looked through her mail. Ms. Brown stated that she left her apartment for two hours and left her 5-year-old daughter (Witness A) in the care of a neighbor at her own apartment. At some point her neighbor left to put her own children to

sleep, leaving her daughter unattended. Witness A called 911 because she was “scared” during a thunderstorm, and when Ms. Brown arrived at her residence her door frame was broken. She also stated that while she was gone, she had a FaceTime™ with her daughter and saw an officer looking at her mail for no reason.

FINDINGS

Original Allegations

No.	Allegation	Involved Officers	Involved Citizen	Finding
1	Improper Entry	Reed Gilkison	Unique Brown	Exonerated
2	Improper Entry	Collin Joyce	Unique Brown	Exonerated
3	Improper Search	Collin Joyce	Unique Brown	Exonerated

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#12

Complaint #	24096
Complainant	Donta Walker
Incident Date	April 5, 2024
CCA Investigator	Arnie Slaughter

COMPLAINT SUMMARY

Mr. Walker alleged that on Friday, April 5, 2024, at approximately 4:15pm at 4441 Darrow Ave, he had a dispute with the mother of his children where he was held against his will when he tried to retrieve his property out of the residence and leave the premises. During their dispute, Mr. Walker was struck in the face a few times and cut with a knife. Mr. Walker called the police to assist him in retrieving his property. The mother of his children lied on him, and he was eventually arrested as the aggressor in the altercation. Mr. Walker believed Sergeant Clarkson and Officers Utley, Chitwood, and Flanders were discourteous, discriminatory, exhibited misconduct, and did not provide him with the service he requested.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Discourtesy	Jeremy Chitwood	Donta Walker	Unfounded
2	Discourtesy	Christopher Clarkson	Donta Walker	Unfounded
3	Discourtesy	Dillon Flanders	Donta Walker	Unfounded

No.	Allegation	Involved Officer	Involved Citizen	Finding
4	Discourtesy	Charles Utley	Donta Walker	Unfounded
5	Discrimination	Jeremy Chitwood	Donta Walker	Unfounded
6	Discrimination	Christopher Clarkson	Donta Walker	Unfounded
7	Discrimination	Dillon Flanders	Donta Walker	Unfounded
8	Discrimination	Charles Utley	Donta Walker	Unfounded
9	Lack of Service	Jeremy Chitwood	Donta Walker	Exonerated
10	Lack of Service	Christopher Clarkson	Donta Walker	Exonerated
11	Lack of Service	Dillon Flanders	Donta Walker	Exonerated
12	Lack of Service	Charles Utley	Donta Walker	Exonerated
13	Misconduct	Jeremy Chitwood	Donta Walker	Unfounded
14	Misconduct	Christopher Clarkson	Donta Walker	Unfounded
15	Misconduct	Dillon Flanders	Donta Walker	Unfounded
16	Misconduct	Charles Utley	Donta Walker	Unfounded

#13

Complaint #	24138
Complainant	Gregory Levy
Incident Date	April 2, 2024
CCA Investigator	Robert Stephens

COMPLAINT SUMMARY

Mr. Levy stated that Officer Samuel Myres violated his rights when he made him step out of his vehicle during a traffic stop.

FINDINGS

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Improper Seizure	Samuel Myres	Gregory Levy	Exonerated

Collateral Allegation

No.	Allegation	Involved Officer	Involved Citizen	Finding
2	Improper Search	Samuel Myres	Gregory Levy	Sustained

#14

Complaint #	24085
Complainant	Kear Walker
Incident Date	March 14, 2024
CCA Investigator	Morgan Givens

**COMPLAINT
SUMMARY**

CCA received a complaint from Kear Walker (F/B/41) regarding the execution of a search warrant which included the search of her residence and seizure of her property, on Thursday, March 14, 2024.

FINDINGS

Allegations

No.	Allegation	Subject Officer	Involved Citizen	Finding
1	Improper Search	Unknown	Kear Walker	Unfounded
2	Improper Seizure	Unknown	Kear Walker	Unfounded

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