

Date: June 20, 2025

Case: #23273

Investigator: Jessalyn Goodman

Complaint Received: December 15, 2023

Complainant: Phillip Black

CCA completed an investigation of CCA Complaint No. 23273 by Mr. Phillip Black. This report is intended to convey the conclusions reached as a consequence of the investigation, and the basis for those conclusions. This report does not purport to summarize all evidence uncovered during the course of the investigation, nor is it intended to summarize the entirety of CCA's file on this matter.

Complaint Summary:

Date: December 11, 2023

Time: 5:00 p.m.

Location: 1889 Central Parkway

On December 11, 2023, Mr. Phillip Black, a retired CPD officer, attended a Sentinel Police Association (SPA) emergency meeting, which was presided over by then-Sentinel Police Association President, Captain Danita Pettis. During the meeting, Captain Pettis appeared "angered" when Mr. Black made several comments to "expose irregularities" in her presentation. Captain Pettis, who was off duty, wanted Mr. Black removed from the meeting and used her police radio to request and "expedite" officers to respond. When Sergeant Sabreen Robinson, who was on-duty and present at the meeting, radioed for the responding officers to disregard Captain Pettis's radio request, Captain Pettis responded, "I'm a Captain, I trump her." Several officers responded to the SPA building.

Mr. Black is concerned Captain Pettis went "above and beyond her scope of police powers" to have him removed from the meeting, even though Mr. Black did not "pose a threat" or exhibit "disorderly conduct." He stated that her request to have police respond to the meeting could have placed the safety of the officers, other citizens, and himself in danger.

Allegations:

Abuse of Authority

Persons Involved:

Captain Danita Pettis, #C0040, F/B/53, Hire date: 01/10/1999/Separation date: 12/12/2024
(Involved)

Officer Scott Beasley, #P0656, M/B/58, Hire date: 01/05/1997 (Witness)

Officer Eugenia Blue, #P0659, F/B/55, Hire date: 07/11/1999, Separation date: 08/03/2024
(Witness)

Sergeant Rosa Chatman, S0013, F/B/57, Hire date: 01/07/2001 (Witness)

Officer Andre Ewing, #P0141, M/B/53, Hire date: 01/14/1996 (Witness)
Officer Danielle Ewing, #P0271, F/B/49, Hire date: 02/16/2003 (Witness)
Lieutenant Denica Gilmer, #L0027, F/B/55, Hire date: 06/26/1994 (Witness)
Officer Frederick Gilmer, #P0821, M/B/53, Hire date: 07/11/1999 (Witness)
Sergeant Stewart Isaacs, #S0489, M/B/58, Hire date: 08/18/2002 (Witness)
Officer Lisa Johnson, #P0015, F/T/56, Hire date: 09/15/1991 (Witness)
Lieutenant Colonel Aaron Jones, #LTC01, M/W/47, Hire date: 07/12/1998, Separation date:
03/15/2025 (Witness)
Officer Cara McNeal, #P0880, F/B/54, Hire date: 09/25/2005 (Witness)
Officer Marcus McNeil, #P0702, M/B/50, Hire date: 01/10/1999 (Witness)
Officer Andre Miller, #P0346, M/B/60, Hire date: 02/07/1993 (Witness)
Officer Phillip Penn, #P0033, M/B/56, Hire date: 05/06/1990, Separation date: 06/08/2024
(Witness)
Sergeant Sabreen Robinson, F/B/45, Hire date: 02/17/2002 (Witness)
Captain David Schofield, #C0187, M/W/42, Hire date: 04/02/2006 (Witness)
Sergeant Linda Sellers, S0090, F/B/53, Hire date: 01/09/2000 (Witness)
Officer Carlos Sherman, P0761, M/B/48, Hire date: 03/07/2004 (Witness)
Sergeant Nedra Ward, #S0082, F/B/46, Hire date: 08/19/2001 (Witness)
Officer Toni Watson, #P0463, F/B/56, Hire date: 09/07/2003 (Witness)
Officer Keith West, #P0231, M/B/42, Hire date: 12/01/2019 (Witness)
Sergeant Kisha Williams, #S0031, F/B/45, Hire date: 02/17/2002 (Witness)
Representative Cecil Thomas, M/B/71 (Witness)
Phillip Black, M/B/59 (Complainant)

Evidence Reviewed:

CPD Internal Investigation Section (IIS) Report Case #2023-358
CPD Internal Investigation Section (IIS) Report Case #2024-098
CPD Computer Aided Dispatch (CAD)

- CPD231211001245; 12/11/23 at 17:36:12
- Radio Transmission: (*excerpt*)

Captain Pettis: Car 20. Can you send a beat car to 1889 Central Parkway to remove a disorderly from a meeting.

Captain Pettis: Yes, we just have a disorderly at a meeting and that individual is [inaudible].

Dispatcher: Do you need the cars to expedite?

Sergeant Robinson: 1250. What was that traffic?

Dispatcher: Car 20 is asking for a car for a disorderly.

Sergeant Robinson: Okay. I am at the Sentinel Office. You can disregard.

Dispatcher: Copy. Car 20, do you need the cars to expedite?

Sergeant Robinson: I'm 35; here.

Captain Pettis: Car 20. You cannot disregard. Send an officer to this location for a disorderly. That sergeant does not supersede my authority. I'm calling for a car. Dispatch the beat car.

Dispatcher: 1221. Continue.

Captain Schofield: Car 1000. Send me the run.

Sergeant Robinson: They don't need to expedite. I'm 35. He's removed from the building; we're outside talking to him. He's not disorderly.

Sentinels Attendance Roster
Body-Worn Cameras (BWC) of Captain Schofield, Sergeant Robinson, Officer Frank Boggio,
and Officer Jesse Hooven
Statements by involved officer, witness officers, witness, and complainant

Significant Discrepancies or Clarifications:

1. The sergeant involved was not identified at the time of the complaint. CCA determined Sergeant Robinson was the referenced officer and included her name where necessary.
2. Personnel changes have occurred since the date of this incident. Some officers have separated from CPD; their hire and separation have been noted where pertinent. Captain Pettis separated from CPD in December 2024. Captain Schofield was a Lieutenant at the time of the incident; he was promoted to Captain in January 2025.
3. Captain Pettis confirmed there is a recording of the Sentinel Police Association meeting on 12/11/23 but declined to provide it to CCA. She stated that she is unable to provide a copy due to the Sentinel Police Association by-laws, which states (*in part*) "...any member of this Chapter, who shall communicate any detail of business or other activities discussed during a duly constituted meeting of this Chapter to any person or persons not members of this Chapter may be suspended and/or expelled from membership in the Chapter by proper motion of the voting members present at any regular meeting of the Chapter..." At the time of her interview, Captain Pettis indicated she was no longer a member of the organization but appealing for continued membership.
4. IIS Report #2023-358 sustained Captain Pettis for Abuse of Authority. Executive Assistant Chief Maurice Robinson issued Captain Pettis a Written Reprimand. Captain Pettis refused to sign the reprimand.

Authorities:

CPD Manual of Rules and Regulations – Section One – Failure of Good Behavior
CPD Manual of Rules and Regulations – Section Four – Insubordination
Per ORC 9.69 Duties and status of law enforcement officer
Ohio Revised Code (ORC) 2917.11 Disorderly Conduct
Ohio Revised Code (ORC) 2921.44 Dereliction of duty
Ohio Revised Code (ORC) 2921.45 Interfering with civil rights

Analysis:

CPD does not have a specified definition of Abuse of Authority. In the past, CCA has evaluated Abuse of Authority under an internal definition, which states, "Abuse of Authority shall mean misusing one's official position, including by (but not limited to) engaging in improperly coercive conduct, or by mistreating persons." The International Association of Chiefs of Police (IACP) publication, *Standards of Conduct* (2019), indicates abuse of authority can take many forms, including "acts or inactions committed by officers for purposes of personal or financial, privilege, or advantage not otherwise available to them as private citizens." It further defines personal gain to take the form of "services rendered, status, political influence, or prestige." These definitions are in line with ORC 2921.44 Dereliction of duty, which states (in part) "No law enforcement officer shall negligently do any of the following:.....(E) No public servant shall recklessly fail to perform a duty expressly imposed by law with respect to the public servant's office, or recklessly do any

act expressly forbidden by law with respect to the public servant's office," and ORC 2921.45 Interfering with civil rights, which states (in part), "(A) No public servant, under color of the public servant's office, employment, or authority, shall knowingly deprive, or conspire or attempt to deprive any person of a constitutional or statutory right." Therefore, the central question is whether Captain Pettis's actions were within the scope of her duties and if those decisions were consistent with CPD's policy, procedure, and training.

Allegation: Abuse of Authority

Due to increasing tensions within the Sentinel organization, Captain Pettis anticipated the next SPA meeting could arouse heightened responses from the members; she requested an off-duty detail officer attend the meeting to maintain order. In his statement to CCA, Lieutenant Colonel Jones spoke to Captain Pettis about the request prior to the meeting; he advised her that police intervention and arrest of any meeting attendees would be considered only after consultation with on-duty supervisors over "quite egregious" conduct which impaired the meeting's ability to continue and if the attendee refused to leave. The off-duty officer detail request was not fulfilled.

On December 11, 2023, SPA held an emergency meeting; approximately 45 current and retired officers attended the meeting in person and over Zoom. Captain Pettis chaired the meeting and was the highest-ranking officer present. Along with other Sentinels members, Mr. Black participated in the meeting and ensuing discussions related to the organization's business. Although several witness officers confirmed Mr. Black's behavior was elevated, there is no consensus as to whether Mr. Black's behavior was disorderly. Some witness officers believed Mr. Black's actions impeded the meeting's progress, while other witness officers described Mr. Black's demeanor at the meeting to be in accordance with his usual personality and character; Mr. Black described his own behavior to include "compassion, excitement, and at times, an outburst."

As the meeting progressed, Officer Ewing approached the podium to speak relating to organizational business. At that time, Mr. Black made a personal, pejorative comment to Officer Ewing (related to Officer Ewing's previous employment). In his statement to CCA, Officer Ewing described the remark as "derogatory" with "body language in an offensive manner" which could provoke him to physical assault. Although Officer Ewing did not report his offense at the time the comment was made, Captain Pettis, who explained she has worked closely with Officer Ewing in various police-associated roles, is familiar with his personality and could recognize his temperament was changing, was concerned the situation could escalate further. CPD Manual of Rules and Regulations 2.07 states that Members are obligated to act in any criminal or emergency situation coming to their attention, whether on or off-duty, in accordance with City ordinances, State law, and Department policy. Although it was not reported by the recipient at the time of the incident, Mr. Black's comment, though not an emergency situation, arguably merited a criminal complaint for disorderly conduct.

Captain Pettis used her police radio and requested CPD cruisers to respond. The CAD Report and dispatch recording showed Sergeant Robinson attempted to disregard the requested assistance as she was on-duty and present at the meeting; Captain Pettis radioed, "You cannot disregard. Send an officer to this location for a disorderly. That sergeant does not supersede my authority. I'm calling for a car. Dispatch the beat car."

Per ORC 9.69 Duties and status of law enforcement officer, the officer holds public office on a continuing basis and has a continuing duty to enforce those (sic) laws and the officer is always on duty, regardless of whether the officer is, or not, officially within work hours or officially on the

clock. Captain Pettis's use of the police radio and request for CPD assistance was an exercise of official authority and therefore acting under the color of law. CPD Manual of Rules and Regulations 4.01 states Members of the Department shall promptly obey the legitimate orders of superior officers and other members acting in a supervisory capacity. As Captain Pettis was acting in a supervisory capacity to address an alleged criminal action, she was on duty and held a higher rank than Sergeant Robinson; therefore, it is reasonable to conclude she had the positional authority to override Sergeant Robinson's request to disregard her initial order.

Captain Pettis stated she felt it was necessary to request uninvolved officers to handle the situation; similarly, Officer Ewing believed that any officers present in the meeting may have had an emotional stake in the proceedings. As the situation was not an emergency, if Officer Ewing felt it was necessary to pursue Mr. Black's comment as a criminal complaint, Officer Ewing could have filed the report with uninvolved officers. Captain Pettis believed her request for a "beat car" was necessary; further, she stated that just because she is a police officer does not exclude her from the right to request the police if she felt she needed police services, and as such, she did not obtain anything she was not allowed to obtain: her right to request a police officer.

However, Captain Pettis's request, during which she identified herself as a police captain, created an atmosphere of implied urgency and inferred credibility not afforded to regular community members, particularly as it related to a minor offense related to a verbal, non-threatening statement. The Cincinnati Emergency Communications Center (ECC) directs the public to "call 311 for all non-emergencies, whether you need the police for a non-emergency issue...911 is for medical, fire, and police emergencies only." Therefore, citizens do not have the right to call for an immediate police response regarding a non-emergency situation. The officers' immediate response was specific to Captain Pettis's request.

CPD Rules and Regulations 1.01 states that Members shall not commit any acts or omit any acts which constitute a violation of any of the rules, regulations, procedures, directives, or orders of the Department; therefore, all officers must follow applicable CPD Procedures when acting in their official capacity. As Captain Pettis was "on-duty" at the time she observed Mr. Black's alleged disorderly conduct, she was also subject to responsibility for resolving the situation. CPD Procedure 12.545 Use of Force addresses de-escalation and the use of "non-confrontational verbal skills, empathy, and active listening to stabilize a person in crisis. De-escalation may also incorporate the use of additional time, distance, and resources as well as persuasion, command presence, repositioning, and warnings, to reduce the intensity of a potentially violent situation to decrease the potential need to use force."

Captain Pettis could not recall whether she addressed Mr. Black's behavior or asked him to leave prior to requesting for additional cars to respond; she believed he had been asked to leave by someone else earlier in the meeting. Witnesses were unable to provide a consensus as to whether Captain Pettis, or any other member, asked Mr. Black to change his behavior, warned him of impending police intervention, or asked him to leave the meeting. As detailed above, the witnesses were trained, experienced police officers; there was no consensus from the witnesses as to whether Mr. Black's behavior was "disorderly." Without access to the recording of Mr. Black's behavior and the attendees' responses for an impartial review, CCA is unable to confirm whether Captain Pettis requested for Mr. Black to adjust his manner and/or leave the premises, and whether his conduct warranted administrative (or criminal) removal from the meeting with police intervention as required by Lieutenant Colonel Jones.

Considering all the factors present, the most basic and balanced resolution would have been to ask for Mr. Black to adjust his behavior and/or leave the meeting before involving law enforcement

officers. This technique would have been within Captain Pettis's abilities as, at the time of incident, she was a trained police officer and member of command staff, which is correlated with several years of experience in conflict resolution.

Due to a lack of footage and witness consensus regarding the events on December 11, 2023, CCA is unable to determine whether Captain Pettis utilized de-escalation techniques as directed by policy prior to her request for additional CPD units and most importantly, whether she utilized the CPD units solely to remove Mr. Black from the meeting or for her own personal gain.

Observation:

It is worth noting that while most of the witness officers were not directly involved in the exchange between Mr. Black, Officer Ewing, and Captain Pettis, it does not follow that the witness officers are necessarily impartial observers. Many of the officers involved have known both parties for several years, if not decades. Multiple officers reported long-standing personal feuds between some of the witnesses and Captain Pettis, which may impact their objectivity or recollections.

Recommendation:

#2504

As described earlier, CPD does not have a current definition for Abuse of Authority; CCA noted that there are definitions of Abuse of Authority available from other professional law enforcement institutions. In this instance, IIS utilized CPD Manual of Rules and Regulations 1.03 to address Captain Pettis's behavior, which states, "Members shall exercise the responsibility and authority of the position to which they are assigned in accordance with Department Classification/Job Description, Civil Service Classification Specifications, and work rules." This application does not specifically address "abuse of authority" allegations; therefore, it could result in a differing standard. For example, the IIS Report identified concerns about Captain Pettis's behavior which focused on her failure to de-escalate and resolve the conflict commensurate with her leadership position rather than any alleged actions for personal gain.

This application also seems insufficient to address the magnitude of such an allegation, which inherently comes with concerns of manipulation by civic powers that could negatively impact community trust in the police department. CCA recommends that CPD identify and implement a specific definition of Abuse of Authority in their policy for use in future investigations to hold pertinent officers accountable.

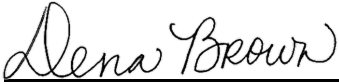
Findings:

Original Allegations

No.	Allegation	Involved Officer	Involved Citizen	Finding
1	Abuse of Authority	Danita Pettis	Phillip Black	Not Sustained



Jessalyn Goodman, Investigator



Dena Brown, Interim Director