



# CCA 2013 ANNUAL REPORT



Kenneth E. Glenn  
*Director*

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February 4, 2014

Honorable Mayor John Cranley  
Council Members  
Interim City Manager Scott C. Stiles  
Citizen Complaint Authority Board

Dear Recipients:

Pursuant to Section 86 of the Collaborative Agreement and Section 5, Article XXVIII of the Cincinnati Administrative Code, I present to you and the Cincinnati community the eleventh annual report of the Citizen Complaint Authority (CCA). This report covers January - December 2013 and outlines statistical complaint data and summarizes the activities of the agency for the year.

I would like to commend Board Chair Norma Holt Davis Esq. for her exceptional leadership, board members Paul Diamond PhD, Steven Hils, Louis Ginocchio, Scott Knox Esq., Tifanie McMillan, Esq. and Lisa Roberts-Rosser who served with distinction for all or part of the year. The difficult and challenging work, which CCA is tasked with, cannot be accomplished without an exceptional staff. I thank and commend the entire CCA staff for a job well done.

For a civilian oversight agency to be successful there must be a professional working relationship with the police agency it monitors. During 2013, Chief Jeffery Blackwell was appointed as Chief of Police and has indicated his support of the Collaborative and Memorandum Agreements and the continued professional relationship that exist between CPD and CCA. On behalf of the CCA family, I welcome Chief Blackwell and look forward to working with him as we work to continue to advance the principles of the Collaborative and Memorandum Agreements.

During 2013, CCA reviewed 270 complaints, fully investigated 55 and met the mandated 90 day Collaborative Agreement deadline on all the investigations. As stipulated in the Collaborative Agreement, the complaints, which were not investigated, were referred to the police department's Citizen Complaint Resolution Process. Of the 55 complaints fully investigated by CCA, approximately 9% were discourtesy, 44% were allegations of excessive force, 12% were allegations of improper searches and 10% were allegations of discrimination. During the past eleven years, CCA has reviewed approximately 4,305 complaints and fully investigated approximately 1,230 complaints.

Going forward, and even with a limited staff, CCA is committed to provide the citizens of Cincinnati with a first class police civilian oversight agency dedicated to its mission.



Kenneth E. Glenn  
CCIA Director

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February 11, 2014

Honorable Mayor John Cranley  
Council Members  
Interim City Manager Scott C. Stiles  
Members of the Citizen Complaint Authority Board

Dear Recipients:

I am pleased to have represented the community as Board Chair of the Citizen Complaint Authority (CCA) during 2013. I hereby express sincere gratitude to fellow Board Members for their faithful service. I am especially grateful for the thorough review of the cases and the posing of the tough questions regarding whether officers' actions violated CPD policy and procedure. The Board's commitment to the citizens of the City of Cincinnati as demonstrated by dedicated service on the CCA Board is to be applauded. Again this year, on behalf of the Board, I commend Director Kenneth Glenn for exceptional leadership and the investigative and support staff for its professionalism, dedication and competence.

As you know, more often than not, complaints are not sustained because there are insufficient facts to support a finding that officers' actions violated CPD policy and procedure. Nevertheless, I leave my review of many of the cases deeply troubled about the state of community-police relations. I know that officers must protect themselves and protect our city against crime, but I see too many instances where tasers are employed or firearms are pointed at citizens. I am deeply troubled when citizens call officers for assistance on simple matters and there is a loss of life. Therefore, as a board member, I continue to ask "were the officers' actions the best practices?" As a citizen who cares deeply about Cincinnati, I long for internalization of the seminal 'protect and serve' motto. I long for a time when tasers are not routinely used to force compliance. I long for a community where citizens do not appear to have been stopped simply because of the color of their skin or the way they dress.

As CCA completes another year of service, I make the following observations:

1) CCA continues to be necessary to investigate allegations of misconduct by police officers; 2) CCA should continue to educate the community of its responsibility to complain about allegations of police misbehavior and urge complainants to respond to interview requests by CCA investigators; 3) CCA needs to invite the community to talk about police community relations and to remind the community that there is a viable mechanism in place for addressing serious interventions by police officers; and 4) Citizens should take time to attend the CCA hearings and address the Board where appropriate.

Very truly yours,

*Norma Holt Davis, Esq.*

Norma Holt Davis, Esq.  
CCA Board Chair

# MISSION STATEMENT

The mission of the Citizen Complaint Authority is to **investigate** serious interventions by police officers including, but not limited to discharging of firearms, deaths in custody, use of excessive force, improper pointing of firearms, improper search and seizures, and to **resolve** all citizen complaints in a **fair and efficient** manner.



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# AGENCY OVERVIEW

## INTRODUCTION

As a result of repeated lawsuits and the public's demand for a Department of Justice (DOJ) investigation, former Mayor of Cincinnati (Charlie Luken) requested that the DOJ review the Cincinnati Police Department's (CPD) use of force policy. The Mayor's request was a major step in promoting police integrity and the City's commitment to minimizing the use of excessive force in the police department. In response to that request, DOJ conducted an investigation pursuant to its authority under the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C., Section 14141.

To affirm its commitment, the City entered into the Collaborative Agreement (CA) and Memorandum of Agreement (MOA) with the Department of Justice. The parties to the CA included the Black United Front (subsequently asked and received permission to be released from the agreement), the American Civil Liberties Union and the Fraternal Order of Police. Both agreements required the City to create a police civilian oversight agency. The intent of the Collaborative and Memorandum Agreements was to foster a better relationship between the community and the police department.

In April 2002, the Citizen Complaint Authority (CCA) was created as an independent civilian oversight agency by City Ordinance No. 0108-2002 and codified in Article XXVIII of the Administrative Code. CCA is structured with the following three operating components:

1. An independent board of seven citizens appointed by the Mayor and approved by City Council
2. A full time Director and support staff
3. A team of professional Investigators

The agency was created with investigative and administrative authority. Additionally, CCA's board has the authority to issue subpoenas for documents, photographs and other tangible items. If a key witness, other than a City employee, refuses to cooperate in an investigation, the Director can recommend to the

board that a subpoena be issued to compel testimony. The board, then, has the authority to request a subpoena through City Council.

In August 2008, federal court supervision of the two agreements officially ended. Though the work will never end, the two agreements laid a solid foundation for the City to move forward on its own. The Mayor, City Council and the City Manager have shown a commitment for the continuation of the provisions in the two agreements.

## THE BOARD OF CITIZENS

The board is comprised of 7 members who represent a cross-section of the Cincinnati community. Each board member has the requisite education and experience to impartially review evidence and render judgments on alleged officer misconduct. The board members serve a maximum of two, two-year terms with the exception of three initial appointees who had one-year appointments. Those three were limited to a single term of two years in order to ensure that the board had staggered terms.

The Mayor accepts nominations from the city's 52 community councils, businesses, civic, social service and other agencies and organizations. The Mayor also accepts applications from individual city residents. Applicants for the board must execute a signed release authorizing a thorough background check including a criminal background check. No person may serve on the board who has been convicted of: (1) a felony, (2) an assault on a police officer, or (3) any crime of dishonesty. The 2013 board members are listed below:

Chair Norma Holt Davis, Esq.  
Tifanie McMillan, Esq.  
Lisa Roberts-Rosser  
Paul Diamond, Ph.D., ABPP

Scott Knox, Esq.  
Louis Ginocchio  
Steven Hils



# AGENCY OVERVIEW

## BOARD RESPONSIBILITIES

The board is charged with:

- Reviewing each investigative report to confirm completeness,
- Conducting review hearings to approve or disapprove the investigative reports, the findings and recommendations. If the board disagrees with the Director's recommendation, it will state reasons and may direct further investigation or submit its own finding and recommendation along with the Director's original report to the City Manager and the Chief of Police.

## BOARD HEARING AND PROCEDURES

Board hearings are held on the first Monday of each month at 5:00 p.m. in the Council Chambers at City Hall. Prior to the board meeting, the Director forwards a copy of each report with recommended findings to each board member for review. Additionally, copies of the investigative reports are sent to the complainants, officers and the Chief of Police, notifying the parties of the board meeting. The complainant and the respondent officer(s) are notified that they may challenge and/or appeal the Director's recommendation to the board.

## CITY MANAGER REVIEW

After the board hearing, the board, through the Director, forwards the investigative reports with its recommended findings to the City Manager. The City Manager shall agree or disagree with any findings and recommendations either by the Board or Director, and shall inform the Director and Board in writing of any reason for disagreeing or agreeing in part. The Director will then inform the complainant and officer(s) of the City Manager's decision and that the City Manager's decision is final, and there is no appeal.

## STAFF 2013

The City Manager consults the board and seeks the board's recommendation when appointing the Director. However, the final decision is made by the City Manager. The Director shall have professional experience in the investigation of police misconduct. The Director is responsible for the day-to-day operations of the agency, including: (i) recommendations for hiring of professional and support staff, (ii) preparation, submission and adherence to a budget, (iii) conduct and timely completion of investigations, (iv) reporting to the City on the agency's work, and (v) maintaining an effective working relationship with CPD and other branches of government.

### Director

**Kenneth E. Glenn** was appointed CCA Director on December 6, 2006 by City Manager Milton R. Dohoney, Jr. Mr. Glenn began his career with the City of Cincinnati, CCA, April 2003, as an Investigator.

In April 2005, Mr. Glenn was appointed Chief Investigator, and on December 1, 2005, he was appointed Interim Director by Interim City Manager David Rager. Prior to his employment with the City of Cincinnati, he retired as a Sergeant with the Detroit Police Department and was assigned to the law department where he worked with City attorneys investigating lawsuits against the police department. As a supervisor, he conducted internal investigations regarding allegations of police misconduct.

### Chief Investigator

**Gregory Pychewicz** began his career with the City of Cincinnati, April 2003. In 2006, Mr. Pychewicz was appointed Chief Investigator. Prior to his employment with the City of Cincinnati, he was a retired Detective with the Columbus Police Department. During his service with the Columbus Police Department he served 19 years in the Detective Bureau as an Investigator. While serving in the Detective Bureau, he was assigned to several units including the juvenile, burglary, robbery, sexual abuse, theft, and intelligence units. Mr. Pychewicz retired from CCA in August 2013.



# AGENCY OVERVIEW

## Investigators

**Dena Brown** began her career with the City of Cincinnati, March 2006. Prior to her employment with the City of Cincinnati, she was a Probation Officer for 11 years with Hamilton County Adult Probation Department.

**David Moonitz** began his career with the City of Cincinnati, April 2003. Prior to his employment with the City of Cincinnati, he worked as an Insurance Fraud Investigator. Mr. Moonitz worked with the Hamilton County Adult Probation Department after retiring from the Hamilton County Sheriff's Office. During his service with the sheriff's office, he spent 19 years in criminal investigations, working as a Detective, Sergeant and Lieutenant. Mr. Moonitz also served as the criminal investigations unit executive officer supervising specialty units, including internal affairs and first line supervisors. Mr. Moonitz retired from CCA in February 2013.

**Pamela King** began her career with the City of Cincinnati as an Investigator for the Office of Municipal Investigations (OMI). Ms. King worked approximately three years as an Investigator for OMI before transferring to the Department of Community Development as a Senior Community Development Analyst. Prior to her employment with the City, Ms. King worked for 20 years as a Probation Officer for the Hamilton County Juvenile Court.

Ms. King retired from the City of Cincinnati in 2009 and remained retired for five months when she was recruited to work for the Urban League of Greater Cincinnati as Coordinator of their Summer Youth Employment Program. She was then promoted to Director of Health Initiatives. Ms. King worked in that capacity until April 2013, when she returned to the City to work as an Investigator for the Citizen Complaint Authority.

## Support Staff

**Michelle Bonner** began her career with CCA, May 2006. Mrs. Bonner is a highly motivated, results-oriented, hands-on professional with over 20 years of

local government experience with emphasis on complex clerical duties and project/office management. Mrs. Bonner possesses expertise in customer service and offers a wide variety of technical support and business knowledge.

**Jennifer Guenther** began her career with CCA in March 2012, as an Administrative Technician. Ms. Guenther is a graphic designer with administrative experience. In addition, Ms. Guenther designs the annual report and calculates and provides the statistical data for the department.

## FILING A COMPLAINT

In order to ensure that citizens are assisted in a timely, efficient and professional manner, CCA follows certain guidelines for accepting and investigating complaints. Any citizen can file a complaint concerning a Cincinnati Police Officer. The agency also accepts third party complaints.

Complaints may be filed with CCA or CPD by telephone, mail, in person, or the Citizen Complaint Authority e-mail address: [cca-complaints@cincinnati-oh.gov](mailto:cca-complaints@cincinnati-oh.gov).

Complaint forms may be obtained at the Urban League, NAACP, public library's website at: [www.cincinnati-oh.gov](http://www.cincinnati-oh.gov), or CCA's website at: [www.cincinnati-oh.gov](http://www.cincinnati-oh.gov). Complaints must be submitted within one year of the date of an incident. Any complaints submitted after one year of the alleged misconduct may, however, be reviewed by the Director. The agency will not accept complaints concerning incidents predating the effective date of CCA.

## Assignment and Investigation of a Complaint

Upon receipt of a complaint, the Director reviews the complaint and it is assigned within 48 hours to an Investigator for investigation. The investigation must be completed within 90 days. A copy is also submitted to the Chief of Police within five business days of the date assigned.





# AGENCY OVERVIEW

## Investigative Guidelines:

- Complaints are evaluated based upon the preponderance of the evidence standard
- CCA will consider all relevant evidence including circumstantial, direct, and physical evidence and make credibility determinations
- There will be no automatic preference for an officer's statement over a non-officer's statement
- Statements of witnesses will not be disregarded because the witness has some connection to the complainant
- Every effort will be made to resolve material inconsistencies between statements of witnesses
- During the investigation, Investigators will refrain from asking officers or other witnesses leading questions that improperly suggest legal justifications for the officer's conduct when such questions are contrary to appropriate law enforcement techniques
- All relevant police activity, including each use of force, and not just the type of force will be investigated
- Investigators will evaluate any searches or seizures that occurred during the incident
- An investigation will not be closed simply because the complaint was withdrawn or the alleged victim is unwilling or unable to provide medical records or proof of injury. Instead, the investigation will continue to determine whether the original allegations(s) can be resolved
- The guilty plea of a complainant will not be considered as evidence whether an officer used or did not use force, nor will it justify discontinuing the investigation. The complainant will be periodically advised regarding the status of the investigation
- Each allegation in an investigation will be resolved with one of the following dispositions:

**Unfounded** - where the investigation determined no facts to support the incident complained of actually occurred.

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

**Not Sustained** - where there are insufficient

facts to decide whether the alleged misconduct occurred.

**Exonerated** - where a preponderance of evidence shows that the alleged conduct did occur but did not violate CPD policies, procedures, or training.

Upon completion of an investigation, the Director forwards the investigative reports to the board. The board conducts a review hearing for the purpose of confirming the completeness of the investigation and approving or disapproving the Director's report. When the findings and recommendations are approved, they are submitted to the Chief of Police and City Manager.



# SERIOUS POLICE INTERVENTIONS INCIDENTS

## SERIOUS POLICE INTERVENTIONS INCIDENTS

During the January 2013 to December 2013 annual report reporting period, CCA's staff investigated 5 incidents where officers discharged firearms.

### Cases from the 2013 Reporting Period

Of the 5 discharge of a firearm incidents that occurred during the January 2013 to December 2013 annual reporting period; 2 incidents involved a citizen with a weapon. 1 incident resulted in a death; 2 incidents resulted in an officer discharging their firearm and striking the suspect in their leg, but not fatally wounding them. There were no officers shot during the 5 incidents.

#### Case# 13106

Police were dispatched to investigate a shots fired incident. When the Officer arrived at the location, he observed the suspect who turned toward the Officer with a gun. The Officer discharged his firearm at the suspect striking him once in the leg. The Officer was within policy.

#### Case #13138

A Sergeant was patrolling in the rear of a school. He was approached and attacked by an individual, which led him to discharge his firearm several times, striking the individual in the leg. The subject ran and was later apprehended in a wooded area behind the school by a Springfield Township canine unit. The investigation is pending.

#### Case #13152

A Sergeant received a call regarding a suspicious person sitting in a running vehicle outside of a residence. The Sergeant responded and when he knocked on the window of the vehicle, the male reached between the seats and turned toward the sergeant. The Sergeant discharged his weapon twice into the vehicle. The shots did not take effect. The Sergeant was within policy.

#### Case #13170

Officers were dispatched to a service call for a mentally unstable man who was carrying a loaded gun.

Attempts were made to engage the subject and a struggle ensued. An Officer deployed his Taser and the subject fired a shot at the Officer. The Officer discharged his firearm several times, fatally wounding the subject. The investigation is pending.

#### Case #13280

An Officer was sitting in the parking lot of a local business when she was approached by a woman asking for her assistance in removing her boyfriend from her car whom she had been arguing with. The Officer requested the man show his hands and exit the vehicle several times and he refused. The Officer discharged her firearm into the rear window at the man, which did not take effect. The investigation is pending.



# DIRECTOR'S SUMMARY OF ACTIVITIES

## DIRECTOR'S SUMMARY OF ACTIVITIES

During the twelfth year of operation, CCA looks forward to working with the Mayor, City Manager, City Council, CPD and the citizens of Cincinnati to ensure the agency has the resources it needs to perform its tasks. CCA will continue to operate as an agency that provides the citizens of Cincinnati with an independent and impartial forum for the investigation and timely resolution of police misconduct complaints. CCA has an excellent staff and the entire team will be working in 2014 to be as efficient as possible. The agency's success can be attributed to the steps the agency has taken to utilize its limited resources and develop creative ways to enhance the agency.

The operating budget for fiscal year 2013 was \$451,119. The breakdown is as follows:

Personnel Services	\$306,017
Employee Benefits	\$108,386
Other Expenses	\$36,716
<b>OPERATING TOTAL</b>	<b>\$451,119</b>

### CCA & CPD Relationship

In order for the agency to be effective, it is important that a relationship of mutual respect be maintained with CPD. CCA and CPD established a written protocol for the timely exchange of information and coordination of investigations. The Director and the Professional Standards Section Commander communicate monthly to reconcile cases that have been investigated and prepared for the monthly board meeting. The relationship of mutual respect and professionalism between them continues.

## 2013 ANNUAL REPORT STATISTICS

The Collaborative Agreement and the policies of CCA mandate the review of allegations of police misconduct, including major uses of force, excessive force, discharging a firearm, death in custody, improper pointing of a firearm, improper search and seizures, improper entry and discrimination.

The agency reviewed 270 complaints in 2013 for an average of 22.5 complaints per month. Of those complaints, 200 were referred to CPD in accordance with its Citizen Complaint Resolution Process (CCRP). 55 cases were retained and investigated by CCA. There were 15 non-jurisdiction cases sent to Professional Standards Section (PSS) to investigate. In 2013, there was a decrease of 4% of CCA investigations with a 13% decrease in allegations and a decrease of 12% of CCRP investigations with 16% decrease in allegations compared to 2012.

CCA is presently using January of the previous year through December of the previous year for its annual report.

**Chart 1: Total Complaints**

Complaint Type	# of Complaints	% of Total
CCA Complaints	55	20%
CCRP Complaints	200	74%
Non Jurisdiction	15	6%
<b>TOTAL</b>	<b>270</b>	<b>100%</b>

**Chart 2: Total Allegations**

Allegation Type	# of Allegations	% of Total
CCA	113	24%
CCRP	334	70%
NJ	27	6%
<b>TOTAL</b>	<b>474</b>	<b>100%</b>

### Type of Cases Investigated by CCA

Of the 55 cases investigated by CCA in 2013, there were 113 allegations. The chart below contains 50 allegations of excessive/use of force, five discharging of a firearm incidents; 14 improper search/seizure/entries, 15 improper pointing of a firearm, 11 discrimination, 9

discourtesy, 5 procedure violations, 2 improper detention and 2 improper stop complaints. In 2013, the force allegations decreased by 11%, improper pointing of a firearm complaints increased by 86% and discrimination increased by 45% over 2012.

**Chart 3: Types of Allegations Investigated**

Allegation Type	# of Allegations	% of Total
Discharge of Firearm	5	4%
Discourtesy	9	9%
Discrimination	11	10%
Excessive/Use of Force	50	44%
Improper Pointing of Firearm	15	13%
Procedure Violation	5	4%
Improper Search/Seizure/Entry	14	12%
Improper Detention	2	2%
Improper Stop	2	2%
<b>TOTAL</b>	<b>113</b>	<b>100%</b>

From the 55 CCA investigations, there were 6 officers working off-duty details. And from the 200 complaints referred to the CPD CCRP process, 2 officers were working off-duty details.

### Director's Recommendation

Upon completion of an investigation, the director forwards the investigative report to the board. If the board conducts a review hearing, its purpose shall be to confirm completeness of the investigation and approve or disapprove the director's report. Where the findings and recommendations are approved, they shall be submitted to the Chief of Police and City Manager.

**Chart 4: Director's Recommendation**

Unfounded	12
Exonerated	32
Not Sustained	44
Sustained	13
Pending	12
<b>TOTAL</b>	<b>113</b>

### City Manager's Final Disposition

The Collaborative Agreement states the City Manager shall agree or disagree with any findings and recommendations of either the Board or the Director, and

shall inform the Director and the Board in writing of any reasons for disagreeing with the recommended findings. It shall be the Director's responsibility to inform the officer(s) and the complainant when a final decision has been reached by the City Manager. Of the investigations completed in 2013, the City Manager reviewed 73 allegations against officers. In those investigations where the City Manager agreed or disagreed, with the recommended findings, the reason for the action was forwarded to CCA in writing.

**Chart 5: City Manager's Final Disposition**

Agree	72
Disagree	1
Pending	40
<b>TOTAL</b>	<b>113</b>

### How CCA Complaints Were Received

CCA's goal is to make it as convenient as possible for a citizen to file a complaint. CCA received 61 complaints referred by CPD, 131 from ETS (the CPD database system,) 7 e-mail, 32 by telephone, 3 from the U.S. mail service, and 36 from citizens that walked into CCA's office. In addition a complaint can be filed online at our homepage.

**Chart 6: How CCA Complaints Were Received**

CPD	61
ETS	131
Email	7
Phone	32
US Mail	3
Walk-In	36
<b>TOTAL</b>	<b>270</b>

### Citizen Complaint Resolution Process (CCRP)

The Citizen Complaint Resolution Process (CCRP) is defined in part as follows: CPD's investigating supervisor will thoroughly investigate all allegations. Based on the investigation of the complaint, the investigating supervisor will make a determination whether the member's conduct was consistent with CPD's policy; a complaint resolution meeting with the complainant and the involved officer. Upon completion of the investigation, the complainant will be notified of its outcome, including an

appropriate statement regarding whether any corrective action was taken.

CCA referred 200 complaints to CPD with 334 allegations. Additionally there were 15 complaints with 27 allegations that were classified as non-jurisdiction, criminal or not received by CCA in a timely manner from CPD. 175 CCRP/Referral cases were completed with 25 cases and 36 allegation findings pending. 16 of the pending CCRP cases are well over the 90 days window to complete an investigation.

### CCRP Allegations

Of the 200 cases referred to CPD in 2013, there were 334 allegations. The CCA referred 131 allegations of discourtesy, 141 allegations of lack of service, 31 allegations of procedure violation, and 31 classified as "other." In 2013, discourtesy allegations decreased from 2012 by 20%, lack of service decreased by 16%, and procedures violations decreased by 38%.

**Chart 7: CCRP Allegation Types**

Finding	Total
Discourtesy	131
Procedure Violation	31
Lack of Service	141
Other	31
<b>TOTAL</b>	<b>334</b>

### Chart 8: CCRP Findings

Finding	Total
Exonerated	90
Not Sustained	102
Sustained	28
Unfounded	78
Pending	36
<b>TOTAL</b>	<b>334</b>

### Cincinnati Police Districts

The districts where CCA/CCRP complaint incidents occurred. The neighborhoods where incidents occurred.





# STATISTICS

**Chart 9: Districts**

Police District	Total	% of Total
District 1	65	24
District 2	22	8
District 3	53	20
District 4	82	30
District 5	39	15
Unknown	9	3
<b>TOTAL</b>	<b>270</b>	<b>100%</b>

**Chart 10: Neighborhoods**

<b>District 1</b>	Central Business Section	20
	Mt. Adams	1
	Over-the-Rhine	19
	Pendleton	2
	Queensgate	1
	West End	22
<b>Total</b>		<b>65</b>
<b>District 2</b>	Columbia Tusculum	1
	East End	1
	East Walnut Hills	1
	Evanston	3
	Hyde Park	1
	Kennedy Heights	1
	Madisonville	3
	Mt. Lookout	2
	Mt. Washington	4
	Oakley	2
	O'Bryonville	2
	Pleasant Ridge	1
<b>Total</b>		<b>22</b>
<b>District 3</b>	East Price Hill	21
	East Westwood	3
	English Woods	1
	Lower Price Hill	1
	Millvale	1
	Riverside	2
	West Price Hill	9
	Westwood	15
<b>Total</b>		<b>53</b>

<b>District 4</b>	Avondale	21
	Bond Hill	12
	Carthage	2
	Corryville	8
	Hartwell	5
	Mt. Auburn	4
	North Avondale	3
	Paddock Hills	5
	Roselawn	8
	Walnut Hills	14
<b>Total</b>		<b>82</b>
<b>District 5</b>	Camp Washington	3
	Clifton	5
	Clifton-University Heights	11
	College Hill	8
	Mt. Airy	5
	Northside	3
	Winton Hills	3
	Winton Place	1
<b>Total</b>		<b>39</b>
Unknown Districts		6
Non Jurisdiction		3
<b>TOTAL</b>		<b>9</b>

## US Census Bureau Cincinnati Population

2010 US Census Bureau Cincinnati Population estimates (296,943).

**Chart 11: 2010 US Census Bureau Cincinnati Population\***

Male	142,672	48.1%
Female	154,271	51.9%
Caucasian	146,435	49.3%
African American	133,039	44.8%
Other-Ethnic Groups	17,469	5.9%
<b>TOTAL POPULATION</b>	<b>296,943</b>	<b>100%</b>

\*data collected from <http://quickfacts.census.gov>

## Cincinnati Police Department Ethnicity & Gender

As of December 2013, CPD had 960 sworn officers. 739 are males and 221 females. 636 are Caucasian, 297 are African-American, and 27 are classified as other ethnicity.

**Chart 12: Total Sworn Personnel\***

	Total	Percentage	Caucasian	African American	Other
Male	739	77%	488	226	25
% of Total Males			66%	30.6%	3.4%
Females	221	23%	148	71	2
% of Total Females			67%	32.1%	.9%
<b>TOTAL</b>	<b>960</b>		<b>636</b>	<b>297</b>	<b>27</b>
% of Total Sworn			66.3%	30.9%	2.8%
Total Sworn in Districts	663				
% of Total Sworn in Districts	69.1%				

\*CPD Staff Notes as of 12/28/2013

## CCA/CCRP Complaints by Complainant's Gender & Ethnicity

During 2013, 270 complaints with 272 complainants. In some incidents, the complainant filed multiple allegations regarding the same interaction. There were 4 complaints with multiple complainants. The chart below defines the gender of the complainant in relation to the total number of complaints. There were 144 complaints filed by males, 127 complaints by females, and 1 by an unknown gender. 188 complaints were filed by African Americans, 63 were filed by Caucasians, 2 filed by Hispanics, 12 were filed by unknown race and 7 were other races.

**Chart 13: Complaints by Gender & Ethnicity of Complainants**

Male	127	46%
Female	144	53%
Unknown	1	1%
African-American	188	69%
Caucasian	63	23%
Hispanic	2	1%
Unknown	12	4%
Other	7	3%
<b>TOTAL</b>	<b>270</b>	<b>100%</b>

## CCA/CCRP Allegations by Gender of Officer

During 2013, there were cases where the complainant filed multiple allegations against the same or multiple officers. Of the 270 complaints reviewed, there were 474 allegations involving 369 officers. Below defines the gender of the officer compared with the total number of allegations. An officer will be counted once in a complaint even though they may have more than one allegation. 305 male officers, 57 female officers and seven unknown genders account for the 474 allegations.

**Chart 14: Allegations by the Gender of Officers**

Male	305	83%
Female	57	15%
Unknown	7	2%
<b>TOTAL</b>	<b>369</b>	<b>100%</b>

## Allegations by the Ethnicity of Officers

Of the 474 allegations, 236 were filed against Caucasian officers, 119 were filed against African American officers, 2 were filed against Hispanics, 2 against Asians, 2 against other race and 8 were filed against unknown ethnic backgrounds.

**Chart 15: Allegations by the Ethnicity of Officers**

African-American	119	32%
Caucasian	236	63%
Hispanic	2	1%
Asian	2	1%
Unknown	8	2%
Other	2	1%
<b>TOTAL</b>	<b>369</b>	<b>100%</b>

# APPENDIX I: 2013 CCA PATTERNS REPORT



January 10, 2014

To: Jeffrey Blackwell, Chief of Police

From: Kenneth E. Glenn, CCIA Director

Cc. CCA Board Members; Scott Stiles, Interim City Manager

**Subject: CCA 2013 Officer and Citizen Complaint Patterns Report**

Section 83 of the Collaborative Agreement (CA) and Article XXXVIII, Section 4, of the Cincinnati Municipal Code states the following:

*CCA will examine complaint patterns that might provide opportunities for the CPD and community to reduce complaints. At a minimum, CCA will look for three types of patterns: (i) repeat officers (ii) repeat citizen complaints, and (iii) repeat complaint circumstances. Following the identification of such patterns, CCA and CPD jointly will undertake a problem-solving project to determine the reason(s) for the pattern and whether there are opportunities to eliminate or reduce root causes. Where feasible, this project should involve both affected officers and the community.*

CCA conducted a review for repeat officer and citizen complaints for 2013. The criterion used is any officer with complaints from at least 10 complainants over a three-year period and any citizen who filed more than 3 complaints during that same period. For this report, CCA examined the years 2011 through 2013.

This report shows the number of officers with ten (10) or more complaints increased from 7 in 2012 to 9 in 2013. Over the three year reporting period, the nine officers had 99 complaints with 148 allegations.

## Repeat Officer Complaints

CCA examined the following criteria:

- 2011 - 2013
- Officers with complaints from 10 complainants or more within the past three years
- One of the complaints were filed in 2013

1. Officer Tytus Fillmore, District 4 had 12 complaints with 17 allegations
2. Officer Kevin Broering, District 3 had 10 complaints with 15 allegations
3. Officer Andrew Fusselman, District 4 had 10 complaints with 13 allegations
4. Officer Eric Kohler, District 3 had 11 complaints with 14 allegations
5. Officer Brendon Rock, District 3 had 15 complaints with 26 allegations
6. Officer Carlos Sherman, District 5 had 10 complaints with 16 allegations

7. Officer Zachary Sterbling, District 3 had 10 complaints with 17 allegations
7. Officer Robert Wilson, Narcotic/Vice Section had 11 complaints with 16 allegations
8. Officer Dennis Zucker, Traffic Unit had 10 complaints with 13 allegations

#### Repeat Citizen Complaints

CCA examined the following criteria:

- 2011 - 2013
- Citizens who filed three (3) or more complaints within the past three years
- One of the complaints were filed in 2013

The 2013 report identifies 0 citizens, two less than the 2013 report.

## APPENDIX II: DEFINITION OF TERMS

1. **Allegation** - When a citizen accuses an officer of a specific wrongdoing.
2. **Case** - The identification of an investigation assigned to a complaint.
3. **Complainant** - A citizen filing a complaint against CPD sworn officers.
4. **Complaint** - An allegation (excluding any criminal investigation) from any source, of any action of inaction by CPD personnel, which the source considers to be contrary to law, proper procedure, good order, or in some manner prejudicial to the individual, CPD or to the community.
5. **Death in custody** - A person who dies while in police custody whether or not the police officer's action contributed to the death. "In custody" is defined as under the control of the police. The control does not have to be an arrest or physical possession of a person.
6. **Exonerated** - Where a preponderance of evidence shows that the alleged conducts did occur but did not violate CPD policies, procedures, or training.
7. **Finding** - The conclusion of the investigation of the allegations against an officer.
8. **Improper pointing of a firearm** - When an officer points a firearm at a person without just cause.
9. **Investigation** - Includes, but not limited to interviewing witnesses, collecting evidence and concluding on a finding.
10. **Non-jurisdiction** - The term "non-jurisdiction" includes, but not limited to an allegation against a sworn Cincinnati police officer outside of the city limits or a non-Cincinnati police officer or CPD's non-sworn personnel and any criminal allegation.
11. **Not sustained** - Where there are insufficient facts to decide whether the alleged misconduct occurred.
12. **Officer** - The term "officer" or "police officer" means any sworn law enforcement officer employed by the CPD.
13. **Racial discrimination** - Contact or action against a citizen by an officer that was motivated by the race of a person.
14. **Discharge of a firearm** - Any and all discharging of a firearm by a Cincinnati police officer either intentional or accidental. This includes accidental discharge of a firearm whether the projectile strikes anything or not and intentional shooting at a person or animal.
15. **Sustained** - Where the complainant's allegation is supported by sufficient evidence to determine that the incident occurred, and the actions of the officer were improper.
16. **Unfounded** - Where an investigation determined no facts to support the incident complained of actually occurred.
17. **Improper search** - The search of one's property (residence, vehicle, etc.) or person without just cause or a search warrant. The search is not improper if it is incident to an arrest or written permission is granted to conduct the search. The courts have granted exceptions to searches without a search warrant and each specific incident should be reviewed.
18. **Improper seizure** - The seizure of one's property without the permission of the owner/possessor or a warrant. The courts have granted exceptions to a seizure without a search warrant and each specific incident should be reviewed.
19. **Use of excessive force** - Officer(s) use of some type of force whether physical or by instrument that is beyond what is reasonably necessary.
20. **Use of force** - Officer(s) use of some type of force whether physical, instrumental, or physical contact restricting the movement of a person.



