



Greater Cleveland  
Regional Transit Authority

1240 West 6th Street  
Cleveland, Ohio 44113-1302  
Phone: 216-566-5100  
riderta.com

## MEETING NOTICE

Notice is hereby given that the following meeting of the Civilian Oversight Committee of the Greater Cleveland Regional Transit Authority will take place on **Tuesday March 25, 2025**, in the Board Room of the Authority, 1240 West Sixth Street, Cleveland, OH 44113 for consideration of the listed items and such other items that may properly come before the Committee and be acted upon. Members of the public may attend in person.

The meeting package will be posted on RTA's website at (<https://www.riderta.com/coc>), on RTA's Facebook page, and RTA's Twitter page.

5:00 P.M. Civilian Oversight Committee

Office of Chair

Office of Vice-Chair

Review of Complaint Number C24-008.

Executive Session Requested –

- To enable the COC to conference with GCRTA attorneys for information-gathering, fact-finding, and to receive legal advice.
- To consider the investigation of charges or complaints against a public employee, official, licensee or regulated individual.

India L. Birdsong Terry  
General Manager, Chief Executive Officer

IBT: eb  
Attachment

## AGENDA

### CIVILIAN OVERSIGHT COMMITTEE

Tuesday, March 25, 2025

5:00 p.m.

Committee Members: Mr. David Morris, Chair  
Ms. Jakolya Gordon, Vice-Chair  
Ms. Elise Hara Auvil  
Mr. Michael Blake  
Mr. Jonathan England  
Mr. George Taylor  
Ms. Rebecca Wharton

Board of Trustees Liaison: Ms. Lauren R. Welch

Transit Police/  
GCRTA Liaison: Commander Orlando Hudson

Executive Assistant/  
COC Secretary: Ms. Emily Bailey

- I. Call to order.
- II. Roll Call.
- III. Certification regarding notice of committee meeting.
- IV. Approval of January 28, 2025, meeting minutes.
- V. Announcement of new COC Operating Procedures and COC reappointments.
- VI. Old Business
  - Office of Chair – Nominations and election of the Office of Chair.
  - Office of Vice-Chair – Nominations and election of the office of Vice-Chair.
  - Review 2025 regular meeting schedule.
- VII. Introduction of Complaint Number C24-008.

VIII. Executive Session Requested:

- To consider the investigation of charges or complaints against a public employee, official, licensee or regulated individual.
- To enable the COC to conference with GCRTA attorneys for information-gathering, fact-finding, and to receive legal advice.

IX. New business.

- Reports and Announcements

X. Adjourn.

## Minutes

Greater Cleveland RTA Civilian Oversight Committee  
5:04 p.m., Tuesday, January 28<sup>th</sup>, 2025

**Civilian Oversight Committee Members:** Elise Auvil, Jakolya Gordon, David Morris, George Taylor

**Not present:** Michael Blake, Jonathan England, Rebecca Wharton

**GCRTA BOT:** Lauren Welch

**Staff:** Bailey, Caver, Darden, Flachbart, Gettings, Hudson, Sulik

**Public:** None

The meeting was called to order at 5:04 p.m. There were four (4) Committee members present.

It was advised that notice of this meeting had been posted more than twenty-four hours in advance of the meeting, that the usual notification had been given to the news media and other interested persons, and that all requirements of the Ohio Revised Code and Rules and Bylaws of the Board of Trustees regarding notice of meeting had been complied with.

### Approval of November 19, 2024, COC Meeting Minutes

It was moved by Ms. Auvil and seconded by Mr. Taylor. There were four (4) ayes, and none opposed. The minutes were approved.

### Approval of December 17, 2024, COC Special Meeting Minutes

It was moved by Ms. Auvil and seconded by Mr. Taylor. There were five (4) ayes, and none opposed. The minutes were approved.

### Office of Chair and Office of Vice-Chair

It was moved by Ms. Auvil and seconded by Ms. Gordon that the nominations for the Office of Chair and the Office of Vice-Chair be postponed until the next meeting to allow the full Committee to be present. A Roll Call Vote was taken; Mr. Morris – Yes, Ms. Gordon – Yes, Ms. Auvil – Yes, Mr. Blake – Absent, Mr. England – Absent, Mr. Taylor – Yes, Ms. Wharton – Absent. The motion carries.

### Executive Session Requested

5:10 p.m. – it was moved by Ms. Gordon and seconded by Ms. Auvil that the committee enter executive session to enable the COC to conference with GCRTA attorneys for information-gathering, fact-finding, and to receive legal advice, and to consider the investigation of charges or complaints against a public employee, official, licensee or regulated individual. A Roll Call Vote was taken; Mr. Morris – Yes, Ms. Gordon – Yes, Ms. Auvil – Yes, Mr. Blake – Absent, Mr. England – Absent, Mr. Taylor – Yes, Ms. Wharton – Absent. The motion carries.

7:08 p.m. – It was moved by Ms. Auvil and seconded by Mr. Taylor to come out of executive session. A Roll Call Vote was taken; Mr. Morris – Yes, Ms. Gordon – Yes, Ms. Auvil – Yes, Mr. Blake – Absent, Mr. England – Absent, Mr. Taylor – Yes, Ms. Wharton – Absent. The motion carries.



### Discussion / Action regarding Complaint Number C24-006

For Complaint Number C24-006 there were five issues identified, and the committee would like to take them one at a time.

1. Did Sgt Tekautz, Officer Herod and Officer Smith Assault the Complainant?

Ms. Auvil made a motion seconded by Ms. Gordon that the committee found issue one Unfounded. There were four (4) ayes and none opposed. The motion carries.

2. Did Sgt Tekautz, Officer Herod and Officer Smith illegally arrest the complainant?

Ms. Auvil Made a motion seconded by Mr. Taylor that after substantial time was spent reviewing the video, analyzing the evidence put before them and receiving information from the Transit Police Staff the committee found issue two Unfounded. There were four (4) ayes and none opposed. The motion carries.

3. Did officers unlawfully take the complainant's property during the July 9th visit?

Mr. Morris made a motion seconded by Ms. Auvil that the committee found issue three Unfounded. There were four (4) ayes and none opposed. The motion carries.

4. On July 11, 2024, did Sgt Tekautz and Officer Herod deny the complainant the opportunity to file a criminal complaint against RTA Officers?

Ms. Auvil made a motion seconded by Mr. Taylor that the committee found issue four Unfounded. Ms. Gordon noted that the officers did not take anything from the complainant, but they did go through his things. There was no evidence that what the officers did was unlawful. There were four (4) ayes and none opposed. The motion carries.

5. Did Officers threaten the complainant with criminal trespassing charges and to be arrested?

Mr. Taylor made a motion seconded by Ms. Auvil that the committee found issue five Not Sustained. Ms. Auvil and Mr. Taylor noted that there was no way for the committee to hear that there was a threat, or that the threat ever existed. There were four (4) ayes and none opposed. The motion carries.

6. Did Sgt Tekautz and Officer Herod physically threaten the complainant by charging at him as if they were going to attack him?

Mr. Taylor made a motion seconded by Ms. Auvil that the committee found issue six Exonerated. There were four (4) ayes and none opposed. The motion carries.

### New Business

Mr. Morris stated that the review of the regular meeting schedule for 2025 should wait until the next scheduled meeting in March so that the whole committee is present to discuss.

### Upcoming Meeting

The next regularly scheduled Civilian Oversight Committee Meeting is Tuesday March 25, 2025, at 5pm in the Board Room of the Authority, Root-McBride Building, 1240 West Sixth Street, Cleveland, Ohio 44113. The public is welcome to attend in person.

Adjourn

7:20 p.m. – It was moved by Mr. Morris and seconded by Mr. Taylor that the meeting be adjourned. There were four (4) ayes, and none opposed. The meeting was adjourned.





INCIDENT: Date 9/10/24 Time 0741-1000 hrs Ticket and/or Report Number 24-44202

Location Tower City and Lutheran Hospital

Please provide details of the incident and the alleged misconduct, describe any sustained injuries and other facts related to the incident. Do not include unsubstantiated information such as gossip or rumor. Attach additional pages as necessary, including other reports or documentation, photographs, medical records, etc.

\*\*The following complaint was dictated to Sgt. [REDACTED] Hudson by Jeremiah Berbiglia on September 10, 2024.

Greetings All,

On today 10-Sept-24, at Tower City RTS, Jeremiah Berbiglia was cited for Criminal Trespass and transported to Lutheran Hospital for a psychological evaluation. Mr. Berbiglia returned to Tower City later in the shift and requested to speak to the sergeant who responded to his scene earlier. Ptl. Hartman #87 contacted me and advised of Mr. Berbiglia's request. I responded to Tower City RTS and met with Mr. Berbiglia, who stated he wanted to file a formal complaint against Ptl. Hartman #87 and Ptl. Rosa # 49. Mr. Berbiglia opted to provide his statement via my BWC. Mr. Berbiglia's complaint against Ptl. Hartman #87 was that sleeping is not a crime, and he did not agree with being issued a citation. Mr. Berbiglia's complaint against Ptl. Rosa #49 was that she advised medical staff that he was hallucinating. Mr. Berbiglia stated after making this comment, Ptl. Thomas #25 informed Ptl. Rosa #49 that Berbiglia was referring to his vision without his glasses. Berbiglia stated that the medical staff was advised about the correction to Ptl. Rosa's statement.

Mr. Berbiglia became repetitive and argumentative during his interview and would not provide any contact information for follow-up to his complaint. After concluding my interview with Berbiglia, Ptl. Hartmann #87 and I responded to a service call regarding a male disturbing on a train. Mr. Berbiglia was observed following Ptl. Hartman #87 during this scene and afterwards. I advised Lt. Wilson #909, and he responded to Tower City to speak with Mr. Berbiglia.



I hereby state under penalty of Perjury (Revised Code 2921.11) that I am the complainant in this complaint, that I have prepared, read, and fully understand all matters set forth in this complaint, that this may result in an official investigation, and the information provided is true and complete to my knowledge.

I understand that filing a false report of misconduct against a Peace Officer is in violation of section 2921.15 of the Ohio Revised Code, a misdemeanor of the first degree.

Refused (Taken Verbally) \_\_\_\_\_  
Signature of Complainant Date

Complaint received by:

 Hudson \_\_\_\_\_  
Printed Name and Signature of Representative Accepting Complaint Date Time

**DEPARTMENTAL USE ONLY**

Investigating Supervisor \_\_\_\_\_

Investigative Actions: \_\_\_\_\_

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Approved by \_\_\_\_\_ Date \_\_\_\_\_

**Civilian Oversight Committee Recommendation:**

Sustained       Sustained in Part       Sustained for Violation Not Based on Original Complaint  
 Unfounded       Exonerated       Non-sustained       Administratively Dismissed

**Final Determination:**

Sustained       Sustained in Part       Sustained for Violation Not Based on Original Complaint  
 Unfounded       Exonerated       Non-sustained       Administratively Dismissed