



*"Individual Commitment
to Group Effort"*

Liberty Township Police Department

Liberty Governmental Center • 1315 Churchill-Hubbard Road • Youngstown, Ohio 44505

Phone: 330-759-1315 • Fax: 330-759-8477 • Emergency 911

Email: rtisone@libertytwp.com

Richard J. Tisone, Chief of Police

August 13th, 2018

Mr. Ungaro, Board of Trustees;

Ref: Internal Affairs / Captain Toby Meloro

CHIEFS SUMMARY:

Attached is the internal affairs board findings regarding death investigation #17-06489 and the investigation of **Captain Toby Meloro**. Although the report lacks specifics and details, due to the pending homicide investigation, the board determined that **Captain Meloro** did not perform his investigation into the death of **Lorraine Lynn** to the standards and past practices of this agency and for a 25 year veteran and captain of detectives.

On August 2nd, 2017 the body of **Lorraine Lynn** was found in a pond located on the property of her mother, **Wanda Pullin**, 1365 Shannon Rd. An initial investigation appeared that Lorraine Lynn became involved in a tractor accident and was found deceased by family members. From the onset family members had voiced their concerns to **Captain Meloro** that foul play was involved. On August 10th, 2017 a phone call was made to the police department by **Diane Pullin**, sister of the deceased, indicating that she had observed suspicious activity on the video recordings of the property and needed the detective to review the video. This information was passed onto **Captain Meloro** by e-mail on the morning of August 10th, 2017. **Captain Meloro** did not follow up by reviewing the video footage and the DVR was subsequently sent to a private investigator for examination.

On the day of the incident, August 2nd, 2017, **Lorraine Lynn's** vehicle was towed by **Captain Meloro** to garage 6 of the Liberty Police Department for evidence processing. On Friday, August 4th, 2017 video footage from garage 6 shows **Captain Meloro** backing the vehicle out of garage 6 into the parking lot and having it released back to the family of **Lorraine Lynn**. There was no processing of the vehicle, no evidence collection nor photographs taken which is standard practice for this agency. The family advised that **Captain Meloro** informed them that he had in fact processed the vehicle for DNA.

During the course of this investigation, **Captain Meloro** indicated in his case log that several persons were interviewed. The IA board determined that no audio or video records of any interviews were completed and that no actual written statements were obtain by **Captain Meloro**.

In February of 2018 **Dr. Humphrey Germaniuk** contacted this agency advising that he was in fact ruling the death of Lorraine Lynn a homicide. After learning this information, the case was re-assigned to **Detective Sergeant Ray Buhala**. This agency also contacted the supervising agent of the Bureau of Criminal Investigation for the State of Ohio and requested an investigator to assist in this investigation. An investigator was assigned and **Detective Sergeant Ray Buhala** and a BCI agent have been diligently working the homicide case. I expect charges to be filed in this case upon completion of their work.

Due to my pending retirement in four days, and the fact that I will not be supervising anyone at this agency, I am leaving any discipline regarding **Captain Toby Meloro** to the discretion of the board of Trustees and its legal counsel. **Captain Meloro** has been a faithful servant to this agency and I have personally enjoyed working with him throughout his career. However, it does not negate the fact that had **Captain Meloro** followed the video evidence to its logical conclusion we would have learned 8 days after the incident that this was not an accident and that the evidence would have taken this investigation into another direction.

If you have any questions or concerns, feel free to contact this office directly.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Richard J. Tisone". The signature is stylized with a large, sweeping initial "R" and a cursive "Tisone".

Richard J Tisone
Chief of Police



Liberty Township Police Department

Liberty Governmental Center • 1315 Churchill-Hubbard Road • Youngstown, Ohio 44505

Phone: 330-759-1315 • Fax: 330-759-8477 • Emergency 911

Email: rtisone@libertytwp.com

Richard J. Tisone, Chief of Police

*"Individual Commitment
to Group Effort"*

To: Sergeant Michael Shuster
Patrolman Chad McGarry
Patrolman Dave Rankin

From: Chief Richard J Tisone

Subject: Internal Affairs Investigation #17-06489

Date: July 16th, 2018

A formal complaint has been filed against Captain Toby Meloro for **(1.) Unsatisfactory Performance (2.) Dereliction of Duty and (3.) Misfeasance in the performance of his duties.** Per our department policy, a formal internal investigation requires three members of the police department to conduct an investigation. The three of you will conduct the investigation and report back to me within 30 days. All information gained from this investigation is confidential and shall not be discussed with anyone else except the three members of the internal affairs board.

Sergeant Shuster will be in charge of the investigative team and will report to me for any additional assistance that may be needed.

Regards,

A handwritten signature in cursive script that reads "Richard J. Tisone".

Richard J Tisone
Chief of Police

Cc. Mr. Ungaro
Board of Trustees
Captain Meloro



Liberty Township Police Department

Liberty Governmental Center • 1315 Churchill-Hubbard Road • Youngstown, Ohio 44505

Phone: 330-759-1315 • Fax: 330-759-8477 • Emergency 911

Email: rtisone@libertytwp.com

Richard J. Tisone, Chief of Police

*"Individual Commitment
to Group Effort"*

Date: July 16th, 2018

TO: Captain Toby Meloro

FROM: Chief Richard J. Tisone

CASE: #17-06489 (Loraine Lynn Death Investigation)

Captain Meloro,

On July 9th, 2018 this office received a formal complaint that has been filed against you and you are the subject of an Internal Affairs Investigation. (See attached complaint) You will be notified promptly of the case disposition upon conclusion of the investigation. You should familiarize yourself with the rights and responsibilities of a member who is the subject of an Internal Affairs Investigation.

Investigators Assigned: Sergeant Michael Shuster

Patrolman Chad McGarry

Patrolman Dave Rankin

Complaint: 1.13 Unsatisfactory Performance

Dereliction of Duty

Misfeasance

Officers Signature: _____

Toby A Meloro

Date: _____

7/16/17

Witness: _____

Richard J. Tisone

Date: _____

7-16-17

Internal Affairs Investigation #17-06489

Chief Tisone initiated an Internal Affairs investigation after receiving a formal complaint against Captain Toby Meloro. Friedrich & Associates, Inc. a private investigating firm out of Brecksville, Ohio, filed the complaint on the behalf of the Lynn/Pullin family. This family strongly believes that the death investigation of Lorraine Lynn-Pullin was not thoroughly conducted by the Liberty Police Department. The family formed the basis of their complaint after comparing the investigative product of Robert Friedrich of Friedrich & Associates versus that of Captain Meloro. Chief Tisone informed Captain Meloro of the complaint and three allegations: Unsatisfactory Performance, Dereliction of Duty, and Misfeasance. The Chief assigned the Internal Affairs investigation to Sgt. Michael Shuster, Ptl. Chad McGarry, and Ptl. David Rankin. The IA was to determine if there was validity to the above allegations.

The IA Board found through their investigation the below listed departmental policies were violated:

1. INITIAL INVESTIGATIONS 600.2- An officer responsible for an initial investigation shall complete no less than the following:

- a. Make a preliminary determination if a crime has been committed by completing, at a minimum:
 1. An initial statement from any witnesses or complainants.
 2. A cursory examination for possible evidence.

Findings: As the lead investigator, the Internal Affairs Board found that Detective Captain Toby Meloro did not take charge of the scene on August 2, 2017 at 1365 Shannon Rd. Captain Meloro stated that Chief Tisone informed him that the death appeared to be accidental. From the onset of the death investigation, Captain Meloro's actions proceeded based on the opinion of Chief Tisone, not his own investigative work. As lead investigator, Detective Captain Meloro failed to have any conversation with any of the primary witnesses at the scene. By his own admission, he did not speak with the two (2) individuals that were present when the body was found, nor did he get close enough to the actual scene to even view the body. Evidence at the scene, such as the digital video recorder (DVR) and the victim's motor vehicle were not properly collected and/or processed. The DVR footage was left in the possession of the family at the scene. The motor vehicle was collected as evidence but was not thoroughly processed. The Trumbull County Coroner's office had deemed the case "Pending Investigation." Captain Meloro's Detective Case log was vague and insufficient.

2. Vehicle Towing Policy 502.4.1 (2)- Vehicles impounded by or otherwise taken into the custody of this agency shall be inventoried in a manner consistent with this agency's policy on motor vehicle inventories.

- a. Inventories should be performed at the scene or at a safe place nearby whenever this can be done safely and effectively.
- b. Officers shall complete forms authorized by this agency whenever a vehicle is towed for impoundment as evidence or for other purposes.
- c. Officers shall document vehicle impoundment in the Records management System's Towed Vehicle Log.

Findings: At the request of the family, the victim's car was towed "in case" there might be something of evidentiary value. However, the vehicle was not processed or inventoried effectively. The day after the vehicle was towed to LPD, Detective Captain Meloro instructed Patrolman J. Newton to fill out a tow sheet. The form was incomplete.

3. Death Investigation 328.1- The investigation of cases involving death include those ranging from natural causes to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The importance of a thorough death investigation cannot be emphasized enough.

Findings: The Trumbull County Coroner's Office deemed the cause of death "Pending Investigation". As lead investigator, Captain Meloro failed to perform the above listed tasks. The IA Panel finds that the initial death investigation was not performed thoroughly.

The IA Board examined the complaint filed by the Lynn/Pullin family, the notes compiled by Friedrich & Associates and the interview of investigator Robert Friedrich. This information was compared to Detective Case Log and the interview of Captain Toby Meloro. Procedure and Policy defines how the investigator should conduct a thorough investigation. In the case of Internal Affairs Investigation #17-06489, a thorough death investigation was not performed.