

# EXHIBIT A

**Title:** Supervisor Training – Foundation of Leadership

**Recommended Time:** 4 Hours

**Primary Audience:** All supervisory ranks within the Cleveland Division of Police

**Module Goal:** Through classroom instruction, role play scenarios, and class discussion, supervisors will gain the knowledge, skills and abilities to effectively apply leadership strategies in the course of their duties.

**Required Materials:** Digital presentation (PowerPoint, video); lesson plan

**Learning Objectives:** At the completion of this module, students will be able to:

- Understand the roles of a supervisor
- Implement the traits of an effective supervisor
- Apply techniques for effectively guiding and directing officers and promoting Community Engagement Problem Solving
- Apply techniques to conduct an employee counseling session
- Understand the Officer Intervention Program and how to utilize the body worn camera as a supervisory resource
- Understand behavior modification and how to implement techniques to motivate employees
- Have an overview of the Division’s progressive disciplinary matrix policy and its strategic application for supervisors
- Understand the operational and administrative roles and responsibilities of a CPD supervisor

<b>Recommended Time Allocation</b>		
	<b>Unit</b>	<b>Recommended Time (minutes)</b>
1	Introduction, Purpose and Importance	20
2	Roles, traits and strategies for Supervisors	50
3	Reviewing direct report performance along with Evaluating Written Reports	50
4	Counseling, Motivating, and Disciplinary Matrix/Guidance	50
5	Utilization of WCS as a supervisory resource and updates on the Division’s EIP	20
6	Active scenario participation	30
7	Scenario debrief and Course Conclusion	20
Total		240 minutes

## Supervisor Training – Foundation of Leadership

Instructor Notes

### I. Course Description, Introduction, Purpose, and Importance

#### A. Course Description

1. Leadership roles and traits will be introduced, followed by discussion on how these roles affect your role as a supervisor within CDP
2. Strategies for guiding and directing officers will be explained and their usefulness to supervisors will be expanded upon
3. Methods for reviewing direct report performance, including written reports, will be presented
4. The Officer Intervention Program is a useful resource for supervisors to use to mitigate potential disciplinary issues. It will undergo future updates to enhance its utility for supervisors.
5. The Body Worn Cameras can be used as supervisory resource
6. Supervisors can utilize CPOP to improve community partnerships and empower their direct reports
7. Leadership strategies dealing with motivating and counseling members will be presented to the student
8. Students will be provided with essential information relating to the Division's progressive disciplinary matrix and how a supervisor can utilize it in their duties
9. Students will participate and be evaluated in scenario-based training, which will require practical application of the leadership skills and training presented during this training

#### B. Introduction

1. Instructor Introduction
2. Course Goals

#### C. Purpose

1. This course serves to establish a leadership foundation for all CDP supervisors, in which future leadership training can be built upon
2. It provides the opportunity for supervisors to practice leadership foundational skills in a controlled environment and receive immediate feedback to adhere to CDP standards
3. Incorporates Consent Decree principles into the core of CDP supervisory techniques

#### D. Importance

1. Helps CDP conform to its new mission statement by progressing towards Community Problem Oriented Policing (CPOP) and working cooperatively with community partners to provide superior services
  - a. As part of the mission statement transformation process, officers, supervisors, the unions, community members, and community organizations all contributed to the process of updating CDP's mission statement
  - b. The new mission statement emphasizes our important role with respect to the community's well-being and safety
    - (1) "The mission of the Cleveland Division of Police is to serve as guardians of the Cleveland Community. Guided by the Constitution, we shall enforce the law, maintain order, and protect the lives, property, and rights of the people. We shall carry out our duties with reverence for human life and in partnership with members of the community through professionalism, respect, integrity, dedication, and excellence in policing."
    - (2) Note that P.R.I.D.E. acronym previously adopted by CDP is now a direct part of the mission
2. Supervisors play an integral role in ensuring the mission of CDP is being adhered to by Division members and this training will establish a foundation of leadership skills

## II. Roles, traits and strategies for Supervisors

### A. Roles a Division supervisor will assume

1. There are key differences being in a supervisory position
  - a. You are held directly responsible and accountable for not only your own actions, but your direct reports as well
  - b. There is the transition from simply doing your job to ensuring that your direct reports are doing theirs
  - c. The promotion from officer to Sergeant is considered one of the most challenging
2. Your role as a leader will have to change frequently

Small Group Exercise - Propose the question "What are some of the roles you have had to assume as a supervisor?" Have groups select a scribe to write out the responses and spokespersons to explain them.

- a. The first role is that of a manager. We will discuss what a manager is and how this role is associated with leadership

- (1) Supervisors are managers by virtue of promotion
  - (2) While managers focus is on doing things right, a leader ensures they are doing the right thing, by setting direction, inspiring vision, and supporting their employees to accomplish organizational goals.
  - (3) The goal is to be both a manager and a leader. Not all managers are leaders; however, leadership is an art and skill that can be refined with practice and introspection.
  - (4) CDP needs leaders who will uphold the Division's Mission Statement by promoting a "guardian" culture and proactively engaging with community partners to develop relationships and solve problems.
- b. The second role is that of an inspector. We will discuss what an inspector is.
- (1) Supervisors ensure members adhere to Divisional guidelines
    - (a) Members must be equipped and appropriately uniformed
    - (b) Dispatch assignments and officer activities must be monitored
  - (2) Supervisors must review paperwork and documentation for completeness, accuracy and appropriateness
    - (a) Ensure grammar and spelling are correct
    - (b) Evaluating written reports will be expanded upon later in class
3. The third role is that of a director/coach. We will discuss what a director/coach is and how this role can overcome key challenges faced by a supervisor
- (1) It is difficult to manage an incident when you are right in the middle of it
  - (2) Supervisors must take control of situations and provide guidance to their direct reports
    - (a) Supervisors can begin directing and managing while responding to an incident
    - (b) Requires knowledge of resources and the ability to request any that are needed
    - (c) Supervisors must prioritize and identify critical tasks to be accomplished
    - (d) These tasks should be delegated when necessary and handled if required

- b. The fourth role is that of a teacher and trainer. We will discuss what a teacher/trainer is and how a supervisor can use this role to improve their direct reports
  - (1) Supervisors can use roll-call training as a platform for training opportunities
    - (a) Keeps members current with updates to procedures, rules and regulations
    - (b) This allows the supervisor to ensure their direct reports are aware of organizational changes
  - (2) Supervisors must seize the opportunity to train from incidents that occur
    - (a) This allows supervisors to provide continuous improvement to their direct reports
    - (b) It helps improve officer safety and increase citizen satisfaction
  - (3) Supervisors should lead by example
    - (a) Show up on time and adhere to policy, rules and regulations
    - (b) Continually promote Divisional goals and mission
- c. The fifth role is to provide accountability and praise for their direct reports performance including their interaction with the community during non-enforcement interactions. We will discuss what this role is and how it should be utilized by supervisors
  - (1) It is essential for supervisors to publicly recognize good performance and behavior of their direct reports
    - (a) Can be formal or informal praise or recognition
    - (b) Excellent method to improve moral and motivation for direct reports
  - (2) Supervisors goal with discipline is to correct bad performance and behavior
    - (a) Supervisors have several strategies and can use Divisional policy for guidance
    - (b) Discipline should be fair and immediate
    - (c) Guided by the progressive discipline matrix
- d. The sixth and final role is that of a mentor. We will discuss what a mentor is and how Supervisors can utilize this role

Individual Exercise - Question to class - "Think of a Supervisor you viewed as a mentor. Why did you view them this way?" Allow students 1-2 minutes to list what makes a good mentor and prepare to have them discuss.

Instructor Notes

- (1) Supervisors actions set the tone for the workplace
- (2) Supervisors must support Divisional policy and demonstrate their usefulness to their direct reports
- (3) The Sergeant position is one in which mentorship can have the greatest impact on an officer
  - (a) Actions and decisions have the most direct impact on Division operations
  - (b) Direct reports will look at you for guidance and direction
  - (c) In a position to directly observe employees actions and behaviors

Show Video - "Good Leader versus Bad Leader"  
Use this video to show examples of both.

#### B. Traits of a Good Supervisor

1. This section explains what traits make up a good supervisor and how these traits influence leadership abilities
2. Traits are the distinguishing personal characters of a leader. Intelligence, honesty, and self-confidence are just a few.
3. Supervisors must have good communication skills, both verbal and written
  - a. Verbal - Interviews, relaying orders, motivating and teaching direct reports. Important to clearly and concisely relay what needs to be done.
  - b. Written - Ability to clearly describe in writing an incident or issue that needs to be documented, investigated, disciplined, and/or awarded
4. Integrity is the most cited response to survey questions of what employees want in a supervisor
  - a. Integrity means that a leader's character is whole, integrated, and grounded in solid ethical principles, and he or she acts in keeping with those principles
  - b. Honesty and integrity are the foundation of trust between leaders and followers
    - (1) Officers want to work for a supervisor they can trust.
    - (2) A strong leader uses influence to accomplish the objective and acts with integrity

- (3) Weak leaders resort to “Because I’m ordering you, that’s why!”
5. Optimism and Self-Confidence can have a positive effect on a leader’s capabilities
- a. Optimism refers to the tendency to see the positive side of things and expect that things will turn out well
    - (1) An optimistic attitude is the single characteristic most common to successful top executives
    - (2) People rise to the top because they see opportunities where others see problems and can instill in others a sense of hope for the future
  - b. Self-confidence is the assurance in one’s own judgements, decision making, ideas, and capabilities
    - (1) Does not mean arrogant and prideful, but knowing and trusting in oneself
    - (2) The confidence a leader displays and develops creates motivation and commitment among followers for the mission at hand
  - c. Trust is an attribute that can stand out above the rest
    - (1) Never assume people trust you because of your title
    - (2) It is through the leader’s actions that develop their followers’ trust
    - (3) Gaining trust takes time and must be earned

Show Video – “Colin Powell essence of leadership”  
<https://www.youtube.com/watch?v=ocSw1m30UBI>  
Discuss with the group how a leader would develop trust.  
Then discuss their points along with the eight key strengths below

- (4) Eight key strengths to earning trust
  - (a) Clarity – people trust the clear and mistrust or distrust the ambiguous
  - (b) Compassion – People put faith in those who care beyond themselves
  - (c) Character – People notice those who do what is right ahead of what is easy
  - (d) Contribution – Few things build trust quicker than actual results
  - (e) Competency – People have confidence in those who stay fresh, relevant, and capable
  - (f) Connection – People want to follow and be around people they trust – building trust is all about building positive relationships

- (g) Commitment – People believe in those who stand through adversity
- (h) Consistency – In every area of life, it's the little things – done consistently – that make a big difference

### C. Strategies for Guiding and Directing officers

1. This section discusses strategies a supervisor can use to help guide and direct their direct reports, using leadership principles and theories
2. The Carrot and the Stick Approaches
  - a. Traditionally the only method used to motivate employees
  - b. Punishment and rewards the primary means used to guide and direct employee behavior
  - c. This method has been described as outdated and shown to have limited success
  - d. Greater success can be achieved with an approach that promotes intrinsic rewards versus extrinsic
3. Praise / Correct / Praise Method “Compliment Sandwich” can help address negative performance or issues with a direct report
  - a. Implementation of method
    - (1) Identify and reinforce a positive aspect of performance
    - (2) Identify and address an area needing improvement
    - (3) Identify and reinforce a positive aspect of performance
  - b. Method is used to prevent a purely negative interaction
  - c. May allow individual to be more accepting of negative comment
  - d. Technique is useful during:
    - (1) Conducting an overall review with employee
    - (2) Conducting yearly performance appraisal
    - (3) After a single incident, can help present positive and negative issues that occurred
  - e. Useful tool during coaching / mentoring conversation
  - f. Disadvantages to technique
    - (1) Supervisor may overly soften a potentially negative message
    - (2) Employee may only focus on positive aspect of message and ignore the negative
    - (3) Over-utilization may lead to members valuing positive statements less as it sets up framework for negative comments

Partner Exercise – “Working with person next to you, take a turn using this technique to address the following employee issue.” A patrol officer on your shift is a hard worker and always willing to accept additional assignments. However, you notice that his/her reports contain several grammatical errors and missing important facts about the incident. Using the technique just learned, meet with this employee and address the issue. Give 5-10 minutes.

4. Situational Leadership Model
  - a. Dr. Paul Hersey and Ken Blanchard
  - b. Based off of directive and supportive behavior
    - (1) Directive behavior – Structure/Control/Supervision
      - (a) Giving direction
      - (b) Telling the follower what, when and where
      - (c) Controlling the decision making
      - (d) One-way communication
    - (2) Supportive behavior – Listen/Facilitate/Praise or Correct
      - (a) Asking questions
      - (b) Seek out input
      - (c) Facilitate problem solving
      - (d) Two way communication
  - c. Four leadership styles
  - d. No one style is better than the other
  - e. Each style depends on the current situation, competency of the employee at the assigned task, and the commitment level they have to completing it.
    - (1) Supportive – low directive and high supportive
    - (2) Coaching – high directive and high supportive
    - (3) Delegating – low directive and low supportive
    - (4) Directing – high directive and low supportive
  - f. Style depends on follower’s development level
    - (1) Level is based on followers current competence and commitment
    - (2) Development level is ranked from 1 through 4
      - (a) D1 – low competence and high commitment corresponds with directing
      - (b) D2 – low to some competence and low commitment corresponds with coaching

- (c) D3 – moderate to high competence and variable commitment corresponds with supporting
- (d) D4 – high competence and high commitment corresponds with delegating

Individual exercises - Leader Style worksheet - Give 5-10 minutes for individuals to complete handout. Review recommended Development levels and best answer choice with them

Instructor Notes

#### D. Strategies for supporting Community Engagement Problem Solving

1. You learned about Community Engagement Problem Solving (CEPS) during annual training, but it is reinforced here because it is an important concept for engaging and collaborating with the community. Collaboration with the community is also a major priority for the Division of Police and as supervisors, you will be essential in its success.
2. The community desires to see the officers who patrol their neighborhoods engaged not just at special events but committed on a daily basis to develop relationships and learn from the community about their problems and priorities
3. Supervisors serve a vital role in ensuring CEPS success
  - a. Support the Divisions CEPS mission by:
    - (1) Showing enthusiasm for the programs mission
    - (2) Personally contributing to the Division's mission by engaging in CEPS, which means making it a personal priority to engage positively with community members and to understand the community's concerns and how they would like those problems to be resolved
    - (3) Emphasizing that frontline officers, not specialized units or officers, are the most important component of the Division engaging the community effectively, and that the Division now expects that 20% of officers' time will be spent engaging the community
    - (4) Reinforce through roll call training and thoroughly conveying the message of the policy and training to your direct reports
    - (5) Publicly commend and recommend awards for officers who demonstrate exceptional engagement in CEPS
4. ~~The plan is to fully implement Community and Problem-Oriented Policing in 2019, however members have learned about~~

E. Strategies for De-Escalating conflict as a Supervisor

1. Officers have been trained to request supervisors to respond to the scene as a de-escalation strategy, so it is critical for you to understand the importance of your role as new supervisors
2. Communication is at the heart of all positive and negative encounters
3. Supervisors should, unless it would be unsafe or otherwise not feasible to do so, reduce the level or intensity of the situation
  - a. Ability to arrive and play the mediator role in the situation
  - b. Can slow down the pace from immediate intervention or action if safe and feasible to do so
  - c. Be compassionate when communicating to defuse a tense situation before escalation by either an officer or citizen occurs
  - d. Use discretion to the officer's advantage - consider seriousness of offense and need for immediate intervention
  - e. Utilize specially trained CIT officers or another uninvolved officer when appropriate and feasible
4. Supervisors who demonstrate and require de-escalation strategies from their direct reports will see their officers face a decrease in complaints, engage in more professional relationships, and execute higher quality investigations

III. Reviewing direct report performance and Written Reports

A. Reviewing direct report performance

1. It is necessary for supervisors within the Division to provide proper and fair evaluations for several reasons
  - a. It is ethically and morally right
  - b. Necessary to accurately gauge performance
  - c. Allows supervisors to identify training needs
  - d. Creates an environment based on procedural justice concepts
  - e. Helps bolster integrity and trust in the system
2. What is the purpose of evaluations?
  - a. Determine whether members are doing the job they were hired to do
  - b. Allows for documented measure of the quantity and quality of work performance
    - (1) Reward those who are doing well

- (2) Recognize and remediate those who are deficient
- c. Provides essential feedback to the member regarding their performance
  - (1) Assess members strengths and weaknesses
  - (2) Objective data is utilized
  - (3) Fair and fact-based appraisals tend to fortify and enrich supervisor-direct report relationships
3. This process allows supervisor an opportunity to:
  - (1) Define expectations
  - (2) Give performance feedback
  - (3) Identify weaknesses and hold the person accountable to fix them
  - (4) Be protected from frivolous complaints
    - (a) Proper Documentation
    - (b) Proper Evaluations
4. Assess whether training or previous remedial measures have been effective in altering behavior
5. Officers recognized through performance evaluations are identified and receive appropriate consideration for promotion
  - (1) Evaluations will include:
    - (a) De-escalation strategies
    - (b) Compliance with policy
    - (c) Community engagement and collaborative problem-solving
  - (2) CDP will hold supervisors of all ranks accountable for conducting timely, accurate, and complete performance evaluations
6. Reasons why evaluations do not work effectively
  - a. Supervisors do not take the process seriously
  - b. The process is perceived as difficult or distasteful
  - c. Supervisors approach an evaluation as routine or superficial and treat it in a blasé manner
7. Traits of a competent evaluation
  - a. Be firm, fair and impartial when dealing with others
  - b. Orientation to and understanding of the evaluation process
  - c. Strong human relation and communication skills
  - d. Capacity to empathize with those they are evaluating
  - e. Competency in tasks performed by member
  - f. Ability to use de-escalation strategies when dealing with disagreements, criticism or conflicts
    - (1) De-escalation strategies applied in use of force situations can relate to conflict management and de-escalation during evaluations
    - (2) De-escalation techniques include:
      - (a) Using and maintaining a calm tone

- (b) Slow down the pace of the conversation
  - (c) Focus on facts and not feelings
- 8. Key considerations for supervisors conducting performance evaluations
  - a. Promote improvement through illustrating acceptable on-the-job behavior
  - b. Limit expectations and specific plans for substantive change to a few important items that can be achieved in a reasonable period of time
  - c. Do not assume fault is all due to the direct report
  - d. Allow the member to respond to the evaluation
  - e. Encourage member to analyze their own performance
- 9. Utilizing other evaluative tools such as self-evaluations and counter evaluations can be highly beneficial to supervisors
  - a. Counter Evaluations occur when you allow the direct report to evaluate you
    - (1) Use as a guide to be a better supervisor
    - (2) Can be very beneficial to personal growth
    - (3) Best if provided to person you are not reviewing
  - b. Self-evaluation allows the member to conduct an evaluation on their own performance and compare it with the supervisor's evaluation
    - (1) Often members score themselves harsher
    - (2) Helps address any issues with over inflated ego or unclear self-perception
- 10. Future training will be provided focusing on the evaluation process

## B. Evaluating Written Reports

Large Group Discussion – Question to class – “Why is it important to write good reports?” Be prepared to discuss points below

- 1. Importance of a good report
  - a. A properly written and factual report ensures:
    - (1) Officers are professional
    - (2) The facts are presented in detail
    - (3) Efficient handling of incident is documented and helps investigators during the follow up
    - (4) The best case to prosecute or defend against a lawsuit
    - (5) It's a permanent record and can be used to establish case law!
      - (a) Terry v. Ohio example

1. Local Cleveland case
2. Lasting impact on law enforcement
  - a. Established “Terry Frisk”
  - b. Set guidelines for officers relating to stops

Small Group Discussion “Have groups come up with response to – What are some reasons officers write poor reports? – allow 5-10 minutes for them to come up with responses and then discuss. Typical reasons are listed below

2. Reasons officers write poor reports
  - a. Lack of Accountability by supervisors
    - (1) All reports are reviewed by a supervisor
    - (2) Supervisors are the last line of defense against a poorly written report
    - (3) Signing off on subpar reports tarnishes a supervisors reputation
  - b. Officers are hurried and not allotted enough time to complete their reports
    - (1) Supervisors can monitor the type of report being completed and account for the seriousness or complexity of the incident
    - (2) Field Base Reporting software can improve the efficiency of completing reports
  - c. Some Officers lack the necessary knowledge, skills and abilities to write effectively
    - (1) Supervisors can make recommendations for additional report training
      - (a) Academy
      - (b) OPOTA – Report Writing Class
      - (c) College Courses
      - (d) Yourpolicewrite.com

Large Group Discussion - Question to class – “What types of things should a good report contain?”  
Handout good & bad report example to class

3. What a good written report must contain
  - a. Completeness
    - (1) The report must answer the essential questions
      - (a) Who
      - (b) What
      - (c) Where
      - (d) When
      - (e) Why

- (f) How
- (2) They report must be written so as to be understood by a third party
- (3) When completed
  - (a) Must be signed with full name in signature form
  - (b) Include position or title
  - (c) Date the report
- b. Factual
  - (1) Records the facts of the incident
  - (2) Includes statements that can be proven
  - (3) It does not contain opinions
  - (4) Inference or conclusions can be valuable, but they must be based upon sufficient facts
- c. Accurate
  - (1) A well written report is accurate/specific
    - (a) What does “uncooperative” actually mean? – explain what the individual did
    - (b) How did the individual “drive erratically” – state how the vehicle was moving
  - (2) An effective report accurate records the correct time and date, correct names of all persons involved
  - (3) Uses concrete words, names of people, numbers, and title
    - (a) Ms., Mr., Miss
    - (b) Uses words that point to a specific person or thing
    - (c) Correct spelling of names is important
  - (4) Does not “over reach” ones vocabulary by using words which can be misunderstood
    - (a) An example is intercourse – can mean verbal communication between two or more people; modern day usage however, gives it an almost completely sexual context
    - (b) Does not use slang or disparaging phrases, unless quoting a direct statement
  - (5) Uses correct language
    - (a) Reports are formal and become part of a permanent official record
    - (b) Uses precise words to describe a situation
      - 1. How fast is a “high rate of speed”?

2. What was the person doing that made him/her “suspicious”?
  3. Only uses “legalese” where it is necessary
    - a. In an indictment
    - b. In codes of laws
    - c. In a courtroom
    - d. Not in reports
  4. Avoids jargon and abbreviations
  5. “Canned”, boilerplate or conclusory statements are unacceptable and supervisors shall ensure members fully articulate incident reports
    - a. Involves statements that relate to a conclusion
    - b. No supporting evidence is provided
    - c. Look for statements such as, furtive movements, disorderly actions, and aggressive behavior
- (6) Uses proper grammar
- (a) Capitalize all proper names, persons, places and organizations
  - (b) Punctuate correctly
- (7) Writes out numbers
- (a) Decimals can be misplaced
  - (b) Years should be written in full 2010 not ‘10
- (8) The date needs to be written out
- (a) Spell the month
  - (b) Use one or two digits for the day
  - (c) Uses four digits for the year
- (9) Report is chronological order and tells a story
- (10) Contains supporting information to officers’ actions
- (a) Elements of accused crimes
  - (b) Probable cause and reasonable suspicion exists
  - (c) There is detail and specifics of the incident with supporting facts
- d. Objective
- (1) Reports must be factual
  - (2) Credibility of person providing information must be considered

- (3) Objective means non-opinionated, fair and impartial
    - (a) Keeping to the facts
    - (b) Using words with non-emotional overtones
      - 1. Examples:
        - a. The man cried – objective
        - b. The man wept – reader feels positive towards the man
        - c. The man blubbered – reader feels negative towards the man
  - (4) Lack of objectivity can result from poor word choice and omission of facts
4. Written report considerations
- a. Written report is one-way communication
    - (1) There is no opportunity to:
      - (a) Ask questions
      - (b) Clarify information
      - (c) Simplify concepts
    - (2) No non-verbal clues normally used to assist meaning
  - b. Active and passive voice
    - (1) Officers, many times, have trouble with the use of active and passive voice
    - (2) Passive is common practice and not as clear
      - (a) Passive is long succession of passive verbs that is awkward and difficult to understand
      - (b) “A search of the vehicle was conducted by the undersigned officer”
    - (3) Active voice expresses and action performed by the subject of that verb
      - (a) Often shorter and has a clearer meaning
      - (b) “I searched the vehicle”
  - c. Appropriate Report Writing Style
    - (1) Use first person “I”
    - (2) Write in past tense, recording what has already occurred
    - (3) Identify all people by name, if known, not by supposed titles
      - (a) Subject may become defendant
      - (b) Witness may become suspect
    - (4) Report should read chronological

- (5) Detailed
  - (a) Specific with words
  - (b) Complete sentences
  - (c) Words understood by target audience
    - 1. Citizens
    - 2. Courts
    - 3. Officers
    - 4. Lawyers
    - 5. Media
    - 6. EVERYONE
  - (d) Include negative as well as positive results
  - (e) All elements of the crime and facts of incident are included
  - (f) All loose ends have been covered
- 5. Supervisors will be provided additional material relating to reporting requirements and review process in UOF supervisory review and stops, searches, and arrest training.

#### IV. Counseling, Motivating, and Disciplinary Matrix/Guidance

##### A. Counseling

- 1. Counseling session can serve several objectives:
  - a. Motivate employees toward more effective performance
  - b. Provide guidance in deficient areas
  - c. Provide assistance to employees who reveal personal concerns affecting their work
  - d. Correct performance problems before they escalate requiring discipline
    - (1) The Early Intervention Program (EIP) is a useful resource for supervisors
    - (2) This is not a new policy, the Division has always had an EIP with thresholds
    - (3) The Early Intervention Program Policy will be undergoing substantial changes in the future – once revamped, members will receive specific EIP training
    - (4) Used to provide guidance and assistance to members displaying changes in performance and/or diminished inter-personal skills
    - (5) True purpose is to prevent inappropriate conduct, that without intervention, would lead to discipline
    - (6) A member's participation is voluntary and all information/documentation is confidential

- (7) Indicators that the Early Intervention Program uses to identify members
- (a) Administrative charges (sustained by the Chief's Office)
  - (b) Sick time abuse
  - (c) Officer of Professional Standards Complaints
  - (d) Use of Force incidents
  - (e) Internal Affairs Investigations
  - (f) To include:
    - 1. District/Bureau Investigations
    - 2. Firearm Discharges
    - 3. Vehicle Collision and Pursuits
- (8) Members may be referred to the Employees Assistance Unit by the Chief's Office, the members commander, or other concerned members
- (9) Upon receipt of EIP package, commanding officer and officers OIC or immediate supervisor shall meet within 72 hours to determine if intervention is appropriate
- (a) If determined EIP is not appropriate, commanding officer notes "intervention not merited" and provides a brief synopsis
  - (b) If determined it is appropriate or more information is required, commanding officer shall meet with member within 72 hours.
    - 1. A union member may be present
    - 2. An EIP officer shall be attend meeting and shall be notified by commanding officer holding meeting
    - 3. Upon conclusion, commanding officer may determine:
      - a. Need for retraining
      - b. Temporary change in shift, duty hours, partner or assignment
  - (c) EIP officer and Occupational Medical Director, shall initiate intervention through EAU
    - 1. No action is warranted
    - 2. If intervention by EIP is appropriate, EIP officer shall submit monthly progress reports

to Occupational Medical Director  
for a minimum of six months

Instructor Notes

- (10) Upon concluding program
  - (a) EIP provides summary report, including program synopsis, actions taken and results to Occupational Medical Director
  - (b) Occupational Medical Direction will advise members commanding officer of the final outcome of the members involvement in the EIP
  
2. The primary purpose of counseling is to address work-related issues at an early state so as to prevent their growth and further affect the operation of the organization
  - a. Letting things slide could increase the chance of an incident that requires more severe discipline or termination
  - b. Early intervention is always the best practice
3. Counseling may involve assisting an employee in addressing outside problems that might be affecting his or her work
  - a. Supervisors should make referrals to Employee Assistance Unit, EASE at work, Stress Consultant or other professional services in these situations
4. Goal is that employee's behavior will be changed so that he or she once again becomes a productive member of the organization
5. Handling a counseling session:
  - a. Supervisors should prepare for the meeting by identifying the topics or concerns to be addressed
    - (1) Collect all the facts to ensure you are clear on the specific concern
      - (a) Who
      - (b) What
      - (c) When
      - (d) Why
      - (e) Where
      - (f) How
    - (2) Consult resources at needed
      - (a) Personnel file
      - (b) Other Supervisors
      - (c) Performance Evaluations
      - (d) Work productivity and reports
    - (3) Preparing notes to keep details straight will assist during the counseling session

- b. Meet with employee as soon as possible after a concern is discovered or an issue has been identified
  - c. Ensure sufficient time is allotted for the meeting
    - (1) Inform Radio off the air
    - (2) Provide coverage for supervisor and members responsibilities during meeting
    - (3) An office or area where no interruption would occur should be used
    - (4) Having another supervisor attend as an observer only (can help with escalated situations or documentation of events that occur)
    - (5) Do not:
      - (a) Rush through the meeting
      - (b) Hold the meeting when angry
6. During meeting, keep conversation focused on the specific concern or issue
- (1) Inform goal is to improve work performance and is not disciplinary in nature at this time
  - (2) Understand employee may want to deflect the blame or shift the focus of attention to someone else
  - (3) If personal problem or issue is revealed, do not let it shift focus away from the purpose of the meeting
    - (a) Focus on the work related performance concern
    - (b) Be sympathetic to personal concerns, but not to deficient work performance
    - (c) Provide referrals for personal concerns to assistance units, such as, the Division Stress Consultant and Employee's Assistance Unit
    - (d) Ultimately it is the employee's responsibility to address personal issues that are affecting work performance
  - (4) Be objective and be as specific and clear as possible regarding the performance issues observed
- b. Be consistent in applying the same approach and expectations to each employee
  - c. Supervisor has final determination of what action plan to implement, if employee is in disagreement
    - (1) Best to achieve buy-in from employee
    - (2) If reasonable, allow them to provide input
  - d. Establish a follow-up meeting or plan and summarize the agreement you approved

- (1) Both must follow through with plan and what was agreed on
- (2) Provide notification to immediate supervisor in chain of command to ensure accountability for plan
- e. Goal is to make counseling sessions more productive and comfortable for involved parties
  - (1) Non disciplinary in nature, but progressive discipline matrix is reserved for failure to abide by set plan or any indirect report actions
- 7. Counselling session must be documented
  - a. At a minimum, the session should be documented in the supervisor's daily duty report
  - b. Verbal counseling entered into Blue Team if the counseling involves improper procedure/behavior.

## B. Motivating

- 1. What is motivation
  - a. Motivation is a mental process that produces an attitude resulting in an action leading to a result
  - b. It is highly individualistic
  - c. Each person has their own motivational hierarchy based on needs, rewards, and values
  - d. Motivation can change over time

Large Group Discussion - Question to class - "Why were you motivated to become a supervisor?"

- 2. Discuss possible motivations and reasons
  - a. Provide guidance and help better division members
  - b. Have influence over policy and Division operations
  - c. Desire to work with community partners and improve community interactions
  - d. Advance career goals and responsibility
- 3. Supervisors have the ability to provide motivation, guidance and direction to members of the department

Small Group Discussion - Break into groups and have them discuss and respond to "What are some things that motivate employees to perform well?" - Give 5-10 minutes

- 4. Expected responses are:
  - a. Earn division awards
  - b. Pay

- c. Assignments
  - d. Promotions
  - e. Recognition
  - f. Pride
  - g. Ego
  - h. Fear of discipline or criticism
5. What Motivates
- a. Behavioral Scientists accept the proposition that behavior does not happen spontaneous, it is caused
  - b. Individuals motivation to act depends on two factors
    - (1) The strength of the need
    - (2) Belief a certain action will lead to satisfaction
  - c. Supervisors have the responsibility to motivate all employees
    - (1) Acknowledge every officer as a unique individual
    - (2) Each individual is motivated by different needs
    - (3) These needs can and will change depending on the prior to factors
  - d. Supervisor must consider the ecology of the organization
    - (1) Supervisory activities should stimulate the development and growth of every officer
    - (2) Authoritarian or laissez-faire supervisor should be avoided
6. Behavioral Modification Approach
- a. All employees need to know what is expected of them
  - b. Feedback is essential. Officers must know what they are doing is right or wrong
  - c. If officers perform poorly because of deficiency in knowledge, they should be coached, trained, or mentored before discipline is appropriate/necessary
  - d. Supervisor rewards and recognizes positive behavior
  - e. Supervisor's purpose is to influence behavior in a way that organizational objectives and goals are attained
  - f. If a behavior is to be modified, consequences must occur immediately after a behavior occurs, not days or months afterward
    - (1) Punishment will eliminate or reduce undesirable behavior however, using as a means to get work done serves to alienate officers from managers and the department
    - (2) Punishment should be only used as a last resort, not a supervisory style
  - g. Reinforcement must be continuously, consistently and after the fact, not before
  - h. Reinforcement should be tied to positive behavior

Large Group Discussion – “What are some situations or examples, in which supervisors can use positive reinforcement?”

Instructor Notes

- i. Examples of positive reinforcement:
  - (1) During training you see an officer taking notes, writing down important items you talked about and is engaged in the class – You make a point to complement their behavior.
  - (2) During roll call you provide information about recent vehicle thefts in a specific neighborhood. You review Daily Duty reports and notice several zone cars provided attention to that area – next shift you make it a point to thank and show your appreciation for the officer’s actions.
  - (3) An officer goes out of their way to help a community member outside of the typical duties, such as helping an elderly resident repair a broken window – recommend a Division commendation and publicly praise member for his/her actions.

C. Leadership Foundation Roleplay Scenario

- 1. Groups of 3 will be set up with three roles:
  - a. Manager
  - b. Employee
  - c. Observer
- 2. Each group will receive a scenario and worksheet
- 3. They will have 30 minutes to conduct the roleplay exercise and complete the worksheet

D. Scenario Debrief

E. Disciplinary Matrix and Guidance

- 1. The Cleveland Division of Police General Police Order 1.07.06, Discipline Guidance, shall be used as a resource to Supervisors relating to disciplinary procedures
- 2. What supervisors need to know regarding recommending discipline
  - a. Any supervisor in the ascending chain of command has the authority to recommend disciplinary action in lieu of the originally recommended non-disciplinary action
    - (1) Example:
      - (a) Sgt. And Lt. recommends verbal counseling for an Officer

- (b) Cpt. determines there is a need to recommend discipline instead of non-disciplinary measure
  - (c) The initial supervisor shall then recommend discipline
- b. Supervisors shall not make any recommendations as to what actual discipline or corrective action shall be imposed
  - (1) Example:
    - (a) Sgt. Recommends a verbal reprimand during their investigation
    - (b) Only the Safety Director or Chief of Police may determine discipline or corrective action
- c. The Disciplinary Process
  - (1) Request is made by the supervisor through BlueTeam
  - (2) Endorsement with recommendations through the chain of command
  - (3) Decision by the Chief to proceed
  - (4) Goes to the Case Preparation Officer
  - (5) Deputy Chief makes recommendation only at hearing
  - (6) Chief can impose discipline with a max of 10 day suspension, but recommend discipline greater than 10 days to Safety Director
  - (7) Public Safety Director can impose discipline in excess of 10 days including demotion and termination
- d. Relevant Case Law
  - (1) Cleveland Board of Education vs. Loudermill (1985)
    - (a) United States Supreme Court case
    - (b) Certain public-sector employees can have a property interest in their employment, per Constitutional due process
    - (c) This right entails the right to a hearing before being terminated
    - (d) The right to oral or written notice of charges against them
    - (e) An explanation of the employer's evidence
    - (f) An opportunity to present their side of the story

- (g) Pre-disciplinary hearing is not a full evidentiary hearing, but a determination of whether there are reasonable grounds to believe the charges are true and support the proposed action

e. Important Time Frames

Handout to class – This handout consist of any changes in time frames that occur with the CPPA and FOP contracts.

- (1) Written reprimands removed from record after 6 months with CPPA
- (2) CPPA suspensions no longer considered after 2 years, will change with new contract to 3 years
- (3) FOP suspensions are no longer considered after 3 years
- (4) Subject to Public Records request 5 years after separation from the Division
- (5) For non-criminal offenses
  - (a) CPPA administrative charges must be instituted within one (1) year of the Chief's knowledge of the incident for non-criminal criminal offenses
  - (b) FOP administrative charges must be instituted within six (6) months of the Chief's knowledge of the incident for non-criminal criminal offenses
- 3. This section is to ensure supervisors knowledge and understanding regarding the Division's disciplinary matrix
- 4. Definitions regarding disciplinary guidance
  - a. Aggravating factors - Relevant facts and circumstances that increase the severity or culpability of a member's actions
    - (1) Deceitfulness
    - (2) Dishonesty
    - (3) Maliciousness
    - (4) Injury or harm to the public or a member
    - (5) Prior history of corrective action
    - (6) Supervisory or command rank of the officer who committed the violation
  - b. Mitigating Factors – Relevant facts and circumstances that decrease the severity or culpability of a member's actions
    - (1) Intent
    - (2) Truthfulness

- (3) Lack of prior corrective action
  - (4) Willingness to accept responsibility and acknowledge wrongdoing
- c. Corrective Action – Any non-disciplinary or disciplinary action. This does not include any Early Intervention Program actions
- d. Group I Violation – Conduct that has a negative impact on the operations or professional image of the Division
- e. Group II Violation – Conduct that is contrary to the values of the Division, or interferes with its mission, operations or professional image, or that involves a demonstrable serious risk of officer or public safety
- f. Group III Violation – Conduct that involves a serious abuse or misuse of authority, unethical behavior, or an action that results in an actual or serious and adverse impact on officer or public safety or to professionalism of the Division.
  - (1) Any violation of law, rule, policy or training which foreseeable results in death or serious harm to another.
  - (2) A willful and wanton disregard of Division values
  - (3) Demonstrates a serious lack of the integrity, ethics or character related to an officer's fitness to hold the position
  - (4) Egregious misconduct substantially contrary to the standards of conduct reasonably expected of an officer
  - (5) Conduct which constitutes the failure to adhere to any contractual condition of employment or requirement of certification mandated by law
- g. Non-Disciplinary Action
  - (1) Verbal Counseling – A discussion between the supervisor and the member where the member is advised and cautioned about unsatisfactory work performance or irregularities
  - (2) Letter of Reinstruction – Any instruction or guidance issued by the Chief of Police to the member, where they are advised of their action that needs correction and directs member to review specific policies, procedures, or rules
  - (3) Remedial Training – Any instruction or guidance to be completed by a member designed to correct a performance deficiency or misconduct
- h. Disciplinary Action
  - (1) Written Reprimand – Written documentation presented to the member advising and cautioning

- them about their unsatisfactory work performance or misconduct
- (2) Suspension – temporary prohibition of the member performing their duties as a result of their unsatisfactory work performance or misconduct
  - (3) Demotion – Reduction in pay grade of a member with a corresponding change in job duties as a result of unsatisfactory work performance or misconduct
  - (4) Termination – involuntary separation from employment initiated by the appointing authority as a result of members unsatisfactory work performance or misconduct
5. Corrective action shall be imposed in an equitable manner while providing management with the discretion necessary to maintain fairness and the good order of the Division
  6. Members of the Division shall be responsible for adherence to all laws of the United States, the State of Ohio, the Charter provisions and ordinance of the City of Cleveland, and the written directives of the Division of Police and the City of Cleveland
  7. Discipline is guided by a matrix, that is intended to create a culture of transparency, fairness, and consistency while maintaining the highest standards of professionalism and integrity in policing
    - a. Establishes standards of corrective action to encourage compliance with all applicable laws, ordinances, rules, and directives
    - b. Delineates categories of conduct for Group I, II, or III policy violations
    - c. Outlines the presumptive discipline ranges within those categories and for specific policy violations based upon the severity of the violation
    - d. Gives notice to officers of the likely sanction for a particular violation
    - e. Defines and identify aggravating and mitigating factors to consider when determining the imposition of corrective action
    - f. Provides the framework for consistent and fair corrective action
  8. All discipline or non-disciplinary outcomes shall be decided without consideration of the member's race, religion, gender, sex, national origin, age, ethnicity, familial relationships or sexual orientation
  9. Supervisors shall follow the contractual procedures of the collective bargaining units

10. The role of the supervisor is to investigate suspected violations of rules, regulations, or procedures
  - a. If investigation reveals that non-disciplinary action is warranted, then the supervisor shall proceed with the Verbal Counselling procedures, submitting the same through Blue Team
  - b. Any Supervisor in the ascending chain of command has the authority to recommend disciplinary action in lieu of the originally recommend non-disciplinary action as appropriate
  - c. If investigation reveals that disciplinary action is warranted, then the supervisor shall prefer Divisional charges in Blue Team
    - (1) Supervisors shall not make recommendations as to what discipline or correction action shall be imposed
11. The Chief of Police reserves the right to pursue disciplinary action for suspected violations of rules, regulations, or procedures, independent of the recommendations made by the review chain of command
  - a. Chief of police may suspend an officer for ten (10 days or less)
  - b. If Chief recommends a greater penalty, the Director of Public Safety will hear the disciplinary charge filed against the member and render judgement

V. Utilization of the WCS as a supervisory resource

- A. Utilization of Body Worn Cameras (WCS) can be a beneficial tool for supervisors to use when reviewing and monitoring direct reports performance

Large Group Discussion - Question to class - "What are some benefits and drawbacks to using WCS footage as a supervisory tool?"

1. Advantages include:
  - a. Decreases complaints against officers
  - b. Reduces the number of uses of less lethal force
  - c. Assists supervisor to monitor employee's past actions
  - d. Supervisors can use WCS audits and media review as a valuable assessment tool to monitor, praise and critique direct reports performance
  - e. Inclusion of WCS videos during an evaluation and counseling sessions can help support area being addressed

- f. Video allows for real example to be used for training and education purposes
          - (1) Roll calls
          - (2) In-service
          - (3) Recruit classes
    - 2. Drawbacks can include:
      - a. Only one limited visual perspective
      - b. Reduced clarity at times such as running or in dark areas
      - c. Audio may be distorted
    - 3. Using multiple perspectives from other officers can help overcome some of these drawbacks
  - B. The WCS review policy procedures are currently being reevaluated and rewritten
  - C. Future training will address policy changes
- VI. Written Exam and Course Conclusion

Instructor Notes