



# **About the Report**

## Consent Decree, ¶ 20

"At least annually, the Commission will issue reports, including any recommendations for improvement, related to each activity that it undertakes. The City will post the Commission's reports and recommendations to the City's website."

This report covers the period of January 2021- December 2021.

#### **Mission Statement**

The mission of the Community Police Commission is to make recommendations on policies and practices related to community and problem-oriented policing; bias-free policing; and police transparency; to work with the many communities that make up Cleveland for the purpose of developing recommendations for police practices that reflect an understanding of the values and priorities of Cleveland residents; and to report to the City and community as a whole and to provide transparency on police department reforms.

#### **Thank You!**

The Cleveland Community Police Commission is grateful for every volunteer who has joined our work groups and contributed their wisdom and experiences to the CPC's recommendations. You are truly valued and appreciated.

"We're going to show the nation that in Cleveland, we can have good, smart law enforcement, but also respect the rights of our residents all across this city. Because in this moment, after we lost our brother Tamir, after we lost George Floyd, we cannot afford more of the same in policing in America, and Cleveland will lead the way."

- Mayor Justin M. Bibb, November 2021

# **Table of Contents**

- Message from the CPC Executive Director & Co-Chair
- 5 About the Community Police Commission
- **6** 2021: Our Work in Review
- **8** 2021 Work Groups
- 15 "100 Years Project"
- A Look Ahead to the Future:
  Changes to the CPC & Police Oversight

# Message from the Executive Director

As 2021 began we were all filled with hope; hope that a COVID vaccine would end social distancing, hope that an election would advance police reform even further, and hope that years of Consent Decree work would finally yield results on the streets.

As the year progressed the initial hope we all felt would be tempered by challenges, unpredictable events and even some set-backs in reform efforts. Once again Commissioners and support staff rose to the occasion to overcome the obstacles before us. It may not have been our most productive year however I would argue it was one of our most impactful.

From the very beginning the Commission was plagued by a lack of "respect" and "transparency" from some city officials. In 2021 the situation reached its critical tipping point and the issue of the Commission's scope and authority was brought before a federal judge for resolution.

In his ruling Judge Oliver deemed the responsibility of the CPC to be broad; encompassing both community engagement and evaluating reform efforts to provide feedback.

This long overdue judgment validated the years-long effort of the CPC to obtain records and data the city had previously refused to provide. This was just one reason 2021 was a landmark year for the CPC. Not only did validation come from the federal bench it also came from the citizens of Cleveland.

A group of supporters of the Community Police Commission led a voter referendum to make the CPC a permanent entity in Cleveland's government. The petition also strengthened the powers of the CPC ensuring that it was fully independent and able to continue building on the Consent Decree reform via a robust citizen oversight process.

This event speaks volumes for the relationships with community members built by this commission. Commissioners and staff fostered feelings of trust and confidence through our stewardship of issues that mattered to so many citizens over the years. Our work uplifted the community and in return a large majority of the community uplifted the commission.

Yet, permanent civilian oversight is just another chapter in the story of police reform. Looking back through the lens of those who came before us in our comprehensive 100 Years of Police Reform Project it is evident that long term, lasting change to police culture has been elusive.

The research project spans dozens of reform documents, commissions, studies and reports in the period of 1922-2022. The evidence-based lessons learned through this research will provide a roadmap for the next iteration of this commission to navigate future reform efforts. The knowledge was also shared with the community in one of our most successful engagement events to date which has inspired us to incorporate some of it within this annual report as a special edition.

If this year has taught us anything it's that we cannot know what to expect in 2022 and beyond. Even with high hope and the momentum of history at our backs, achieving lasting changes in policing is extremely difficult.

As we begin the transition to Issue 24 implementation I remain hopeful for the future. I thank the community members who have given us their trust and enduring support over the years. I also thank the Commissioners who have volunteered their time over the past six years.

Finally, I extend my appreciation to the staff who have worked so tirelessly to support them. Keep hoping, keep pushing for change and best wishes to all who remain on this journey ahead of us.

Jason Goodrick

**CPC Executive Director** 



# Message from the **CPC Co-Chair**

The Cleveland Community Police Commission proudly shares our 2021 report with the Community. As the voice of the community within the Consent Decree, we tried to represent the interests of the community in the process of reforming the Cleveland Division of Police.

The pandemic seemed to make everyones' lives more complicated and difficult this past year. In the absence of in-person public meetings, we understand it has occasionally been challenging to communicate your thoughts and concerns to us. We did hear from members of the community by phone, email and text, and we made every effort to stay in touch. We remain your partners in the process of police reform.

This past year we were occasionally stonewalled when trying to advocate your interests and represent your opinions on serious issues such as the fairness of internal police disciplinary decisions and the effectiveness and wisdom of high-speed police chases, such as the one which resulted in the death of twelve year old Tamia Chappman as she left school. The fight for transparency in this tragedy lasted for over a year and a half.

As a result of community demands and our repeated requests, the issue of the Commission's authority to analyze and monitor issues of community concern was addressed by Judge Solomon Oliver. The Judge ruled on the side of transparency and granted the Commission greater access to records.

The community responded by adopting a Charter Amendment which makes the Commission permanent and will provide future Commissions the ability to access information without the need of court orders.

In addition to Tamia Chappman's case, the Commission asked for re-opened investigations in the killings of Tamir Rice, Desmond Franklin and Arthur Keith on behalf of the community's interest in equal justice and accountability for all.

Human life is precious and after several officers' suicides following high profile events like these, the Commission also took on the task of examining officer wellness best practices.

Officer wellness is a component of the Consent Decree and has also been expressed as a high priority of

community members over the years. This was just one of several work groups that remained active during the pandemic.

The CPC's Community and Problem-Oriented Policing (CPOP) Work Group continues to work to improve the Division's monthly District Policing Committees to provide the opportunity for more diverse voices of the community to engage with district commanders.

The Accountability Work Group conducted a community satisfaction survey and provided feedback on Consent Decree related training for officers.

The Search and Seizure Work Group reviewed the Division's final proposals for arrest search and seizure policies, and made recommendations to the Division for changes.

This year with help from the City, the Commission created a new work group, Leaders of Tomorrow, consisting of a group of amazingly talented Cleveland residents, age 18 to 26, who are interested in police reform and helping the community. We hope to be preparing the Commissioners of the future through this group.

During a very brief lull in the pandemic, the Commission staff presented a live program, 100 Years of Police Reform in Cleveland. This year marks the 100th anniversary of the first attempt at police reform in Cleveland, originally sponsored by the Cleveland Foundation. The first effort was followed by several others, the Consent Decree being the most recent. The issues have not changed. The 1922 report focused on police use of excessive force, especially against people of color and advocates for reform.

With the wisdom of the past, a new Mayor and potentially new police leadership, hopefully, we will see great leaps forward in police reform this year. After all, the goals remain the same: effective policing that respects the constitution and achieving greater safety for all residents. The Cleveland Community Police Commission continues to pledge towards achievement of those goals.

**CPC Commissioner, Co-Chair** 



The purpose of the Commission is to bring community input in the process of police reform. The Commission develops recommendations on behalf of the citizens of Cleveland to the Division of Police related to policies specifically around the Consent Decree.

The Commission consists of 10 civilians who go through a selection process and are appointed for a four year term. Three officer organizations: the Black Shield, Fraternal Order of Police (FOP), Cleveland Police Patrolmen's Association (CPPA) are also represented on the board. Commissioner bios and contact information is available on the CPC's website: clecpc.org/about-us

# 2021 Commissioners

- · Dr. Terry Echols
- Det. Jeff Follmer, Cleveland Police Patrolmen's Association (CPPA)
- · Gordon Friedman
- · Harriet Hadley
- Frederick Knuckles \*
- · Charmin Leon, Black Shield
- Victoria Marion \* (2021 Co-Chair)
- · Luis Reyes
- · Marguesa D. Stephens
- Lewis Katz (2021 Co-Chair)
- LaToya Logan
- · Pastor Edwin Moore
- Mayele Ngemba
- Dr. Megan Testa
- Mark Worsencroft, Fraternal Order of Police (FOP)

### **2021 Staff**

Jason GoodrickShalenah WilliamsRyan Michael WalkerExecutive DirectorCommunity Engagement CoordinatorSenior Policy Analyst

Junita Thomas Sara Anderson

Assistant Administrator Marketing Communications Specialist

## **Division Appointing Authority, Designees & Support Group**

Sharon Dumas \*
Interim Chief of Staff &
Director of Finance

Gary Singletary Chief Counsel

Monica Madej \* Deputy Auditor Anthony Houston \*
Project Coordinator

<sup>\*</sup> No longer a Commissioner, staff member, or supporting authority as of the publication of this report



# **2021 Work in Review**

Below is a list of selected works the CPC produced in 2021. Additional details of the CPC's work can be found in the Work Groups section of this report or on our website: clecpc.org/our-work

Date	Recommendations Reports & Conversations	Status of Work & Notes
Jan Nov. 2021	United Way of Greater Cleveland & Cleveland NAACP Monthly Community Conversations on the Consent Decree	Commissioners participated in six of the conversations covering topics such as transparency, accountability, community involvement, bias-free policing, use of force and oversight. All conversations are available on YouTube and the United Way's website under the "Community Conversations" header.  www.unitedwaycleveland.org/community-conversations/cleveland-consent-decree
Jan Sept. 2021	All Outstanding Police Records Requests Revisited from 2019-2020	For over two years the CPC was denied access to many records by the Cleveland Division of Police and the Jackson Administration leadership. In January the CPC re-requested all outstanding records with intent to file an independent lawsuit. In July the Department of Justice brought the issue before the federal court under the Consent Decree. In September 2021 the Court issued a ruling granting the CPC broad access to records and ordering the City to comply. ending two years of stalemate and obstruction.  clecpc.org/case-updates-filings/2021/09/03/court-order-approving-the-cpcs-right-to-access-information
Jan Dec. 2021	Leaders of Tomorrow Work Group Begins	In January the CPC brought together ten individuals with ages ranging from 18-26 to begin working alongside the Commission on issues of police reform, civics and leadership. The group has spent the year learning the Consent Decree and will continue its work to support the CPC in 2022.  www.clecpc.org/leaders-of-tomorrow
Feb. 2021	Outside Affiliates Work Group Begins	Formed based on the Community's interest in knowing more about the numerous private and public law enforcement agencies that work inside Cleveland's municipal boundaries and have agreements with Cleveland Division of Police. The group has worked to discover how well these agencies have conformed to Consent Decree reforms and agreements with the City.
Feb. 2021	Quantification of Monitors 9th Semi-Annual Report	CPC document to assist the public with understanding the progress of the Consent Decree.  clecpc.org/wp-content/uploads/CPC-Quantification-of-the-CPMT-9th-Semi-updated-072021.pdf

March 2021	2020 Community Satisfaction Survey Findings Report	Report analyzing feedback from the CPC's annual survey which assess changes in the community's satisfaction with Cleveland Division of Police Officer's training and performance.  clecpc.org/wp-content/uploads/CPC-2020-Community-Satisfaction-Survey-Findings-March-2021.pdf
May 2021	District Policing Committee Task Force Formed	A joint effort between the Commission and the Division of Police to bring District Policing Committees in compliance with the Consent Decree.
May - Dec. 2021	2021 Community Satisfaction Survey	The CPC's annual survey is utilized to assess changes in the community's satisfaction with Cleveland Division of Police Officer's training and performance. Survey findings will be available in early 2022.  https://clecpc.org/wp-content/uploads/CPC-Community-Satisfaction-Survey-2021.pdf
June 2021	Mayoral Forum on Criminal Justice Reform and the Consent Decree	Volunteer Commissioners partnered with CWRU's Law School to host the first mayoral primary debate centered around police reform and public safety. *Note: no city staff or tax funding was utilized for this event.  case.edu/law/our-school/events-lectures/cleveland-mayoral-candidates-forum-criminal-justice-reform-and-consent-decree
July - Sept. 2021	Search and Seizure Policy Update Recommendations	The Search and Seizure Work Group reviewed the updated draft policies in five key areas centered around the 4th Amendment: 1.) Strip Searches 2.) Miranda Warnings 3.) General Search and Seizure 4.)Investigatory Stops / Probable Cause 5.) Warrantless Arrest  The Division has accepted some of the recommendations into its new policy.  clecpc.org/our-work/2021/09/30/cpc-work-group-feedback-on-search-and-seizure-policies
July 2021	Common Ground Conversation	The Accountability Work Group hosted a Common Ground event titled, "Centering Police Reform on Community Safety" to discuss ways to create community safety through police reform that is founded on transparency, accountability, and collaboration. The event included both group discussions and smaller group breakout sessions.
Oct. 2021	100 Years of Police Reform in Cleveland Presentation	A special presentation highlighting the CPC's research spanning 100 years of police reform efforts in Cleveland  clecpc.org/news-and-updates/2021/10/29/community-qa-cpc-forum-on-police-reform-history
Dec. 2021	Annual NACOLE Conference	The CPC had five representatives attend the National Association for Civilian Oversight (NACOLE) conference in Tucson Arizona.
Dec. 2021	Officer Wellness Survey Created	The Officer Wellness Work Group finalized a comprehensive survey to assess the current wellness environment for officers. The survey will be administered in 2022.





# **CPC Work Groups**

The Commission brings recommendations on behalf of the citizens of Cleveland to the Division of Police related to policies specifically around the Consent Decree. The Commission does this by having quarterly meetings, meetings about special topics, and work groups around specific issues.

Work groups discuss issues and develop recommendations on the ways current policing policies and practices can reflect community values and expectations. Work groups are active depending on current CPC activities. A list of current work groups and ways to join can be found on the CPC's website: clecpc.org/get-involved/work-groups

# **2021 Active Work Groups:**

Accountability Work Group

Chairperson: LaToya Logan

Community & Problem-Oriented Policing (CPOP) Work Group

Chairperson: Harriet Hadley, Co-Chair: Charmin Leon

Leaders of Tomorrow

Chairperson: Terry Echols, Co-Chair: Mayele Ngemba

Officer Wellness

Chairperson: Megan Testa

Outside Law Enforcement Affiliates Work Group

Chairperson: Lewis Katz

Search & Seizure Work Group

Chairperson: Gordon Friedman

# Accountability Work Group

**Purpose:** The Accountability Work Group works to develop proactive and preventive policy recommendations designed to reduce officer misconduct locally in Cleveland. The safety of both the community and police officers who serve the community is the primary concern of the recommendations developed by the work group.

Chairperson: Commissioner LaToya Logan

The Commission will: "on an ongoing basis, review CDP's civilian oversight structure to determine if there are changes it recommends for improving CDP's accountability and transparency"

Consent Decree, Paragraph 17(d)

#### 2021 Work Overview

The scope of work group includes topics such as: police training impact on the community, criminal police conduct & accountability, and civil police conduct & accountability. The work in 2021 focused primarily on:

#### • Continued evaluation of Consent Decree mandated training for officers

With a significant increase in the amount of training, the group's goal is always to examine the effectiveness of the training from a perspective of retention, community expectations and application in daily interactions.

#### Annual Community Satisfaction Survey

The Accountability Work Group conducted its second annual *Community Satisfaction Survey*. The survey is designed to measure the effects of training as experienced by community members and others who have had an encounter with a Cleveland police officer. A special section of the survey was created for officers to also share their experiences with training and their peers. Survey findings will be available in early 2022.

#### • Examination of Court Proceedings

The work group examined how the Division applies criminal charges to officers when they have allegedly broken a law as well as how they are defended in civil court.

In July 2021, the Accountability Work Group hosted a conversation as part of the Cleveland Foundation's Common Ground event to discuss ways to create community safety through police reform that is founded on transparency, accountability, and collaboration. Thank you to the Cleveland Foundation and its community partners for creating a forum for discussions that drive change in our neighborhoods through this annual event.



Image from the CPC's Common Ground discussion "Centering Police Reform on Community Safety" held on July 30, 2021



Community Surveys were available online and in print. Survey postcards were mailed to select zip codes.

# Community & Problem-Oriented Policing (CPOP) Work Group

**Purpose:** The CPOP Work Group focuses on developing a community-driven approach of policing in Cleveland. Community members and police officers work together to identify and develop solutions to local public safety issues.

Chairperson: Commissioner Harriet Hadley, Co-Chair: Commissioner Charmin Leon

The Commission will: "On an ongoing basis, assess CDP's community activities, and make recommendations for additional strategies for CDP to consider to increase community engagement with and community confidence in CDP."

Consent Decree, Paragraph 17(c)

#### **About CPOP**

Community & Problem-Oriented Policing (CPOP) is a model of policing in Cleveland which was adopted through a comprehensive plan in 2019. The *CPOP Plan* is designed as the key method for promoting and strengthening partnerships within the community, engaging constructively with the community to ensure collaborative problem-solving, and increasing community confidence in the Cleveland Division of Police (CDP).

The Commission was involved with the creation of the initial plan and supporting documents including the CPOP General Police Order and District Policing Committee Strategy.

#### 2021 Work Overview

In 2021, and over the past several years, one of the primary focal points of the CPOP work group is to continue to monitor and improve District Policing Committee meetings. Although challenges related to COVID have persisted, the CPOP work group was able to move forward on this important work by staying connected remotely to both the Division of Police and the community.

#### **District Policing Committees (DPCs)**

District Policing Committees are established to facilitate regular communication and cooperation between CDP and community leaders at the local level. The meetings typically occur monthly in each of the five CDP districts.

The CDP's DPCs Strategy, which was designed to bring them into compliance with the mandates of the Consent Decree, was approved by the Court on



A screen shot from a virtual CPOP meeting on Nov 2021

February 20, 2019. The CPC is mentioned in the Consent Decree as one of the stakeholders in these meetings and is charged with working jointly to improve them.

As a result of CPC's assessments and observations of DPCs in 2019 and 2020, the Monitoring Team and the Division of Police created a special DPC Task Force. The purpose of this Task Force is to work with the Division to develop strategies that will bring the DPC's into compliance with the Consent Decree pursuant to paragraphs 23-26.

The task force had five meetings in 2021 and is currently on hiatus due to leadership changes in the CDP. The CPOP Work Group remains committed to improving the DPC's in 2022 and beyond.

The CPOP work group will continue to make recommendations across all aspects of CDP's engagement activities. The goal of 2022 is to educate the community about Community & Problem Oriented Policing and how individuals can become more involved in the process.

# Leaders of Tomorrow (LoT) Work Group

**Purpose:** An opportunity for young people (18-26) to discuss issues and develop solutions to policing related issues that impact young people in Cleveland. These solutions will take the form of policy recommendations that the CPC will submit to the City and other stakeholders as outlined by the Consent Decree.

Chairperson: Commissioner Terry Echols, Co-Chair: Commissioner Mayele Ngemba

The Leaders of Tomorrow (LoT) work group is an opportunity for young people (18-26) to discuss issues and develop solutions to policing related issues that impact young people in Cleveland. These solutions will take the form of policy improvement recommendations made to the Community Police Commission (CPC) that will be submitted to the city and other stakeholders as outlined in the Consent Decree.

Commissioner guidance, interactive workshops, and group research projects are designed to help members develop the confidence, knowledge, and skills needed for members to become effective problem solvers and encourage future civic engagement.

Chaired by Commissioners Terry Echols and Mayele Ngemba, the LoT members use a hybrid-style approach to civic engagement. There is a combination of individual as well as joint research projects coupled with classroom-style instruction. This combination provides members a solid foundational understanding of policing reform as well as professional development for the purpose of community engagement.

Additionally, LoT members are paired with CPC members for professional mentoring and continued professional development.

The LoT leadership curriculum is based on five pillars:

- 1.) Leadership 2.) Communication 3.) Advocacy
- 4.) Young adults in public policy 5.) Reflection

The LoT members have made a two year commitment to the Commission and formally began meeting in April of 2021. They receive a \$150 monthly stipend from the city if they participate a minimum of 10 hours of monthly engagement. They participate in a plethora of activities based on their individual interest.

Examples of activities may include but limited to: community events/ meetings such as District Policing Committee (DPC) meetings, Cleveland City Council meetings, social justice meetings, advocacy organization meetings (ACLU, NAACP), CPC Work Group Meetings and regional/ national conferences.

#### 2021 Leaders of Tomorrow Members:

- Ivan Conard
- Judith Cusack
- James Egan
- Mica Jordan
- Omar Kelly
- Samantha Montenez
- Esther Ngemba
- Jazmyne Shaw



LoT Members along with CPC Commissioners and Staff on their first virtual meeting of 2021

# Officer Wellness Work Group

**Purpose:** The Officer Wellness Work Group focuses proactively on the mental health of all officers, the elimination of stigma around mental health issues, and ways to strengthen CDP wellness policies.

Chairperson: Commissioner Megan Testa

"CDP will implement an effective employee assistance program that provides officers ready access to the mental health and support resources necessary to facilitate effective and constitutional policing."

Consent Decree, Paragraph 299

The Officer Wellness Work Group began its work in 2020 and is chaired by Commissioner Megan Testa. The group is made up of Commissioners (both civilian and officer), community psychiatrists, forensic psychiatrists, social workers, and trauma specialists, who are committed to ensuring that the Cleveland Division of Police (CDP) has a resilient, mentally healthy police force.

Police work is fraught with trauma and stressors, and all too often officers bear the burden of trauma and its effects without help because of the societal stigma of mental illness, as well as fear of judgment and career implications.

In addition, officers facing the same traumatic situation may have varying experiences of that situation - based in part on the officer's race, gender, or other identities, and those differences deserve to be acknowledged.

Unfortunately, the mental health and wellness of officers is generally only considered after disciplinary issues arise, and at that point officers have been suffering for far too long.

The Officer Wellness Workgroup has focused proactively on officer mental health, specifically, on developing recommendations for CPD to eliminate stigma around mental health issues, support officers in maintaining wellness and processing trauma and vicarious trauma, and ensure timely access to confidential, comprehensive, quality mental health treatment when needed.

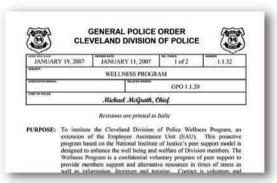


Image of the CDP Wellness Program GPO

At is inception, the work group immediately began reviewing literature on officer wellness, best practices in police wellness, employee assistance and suicide prevention.

The past year has been spent developing a survey for officers to complete. The goal of this survey is to ask officers what they want to see going forward in terms of improving their and their colleagues well being. This survey is anonymous and designed to help make recommendations that are customized to the needs of Cleveland Division of Police employees.

Surprisingly, the survey has been met with some resistance from the administrative leadership of the Cleveland Division of Police. The work group is hopeful that this important work will be well received by the new administration and the survey will move forward early in 2022.

# Outside Law Enforcement Affiliates Work Group

**Purpose:** To gain an understanding of how each of the nine law enforcement entities operating within the city of Cleveland are operating and if they are following consent decree policies.

Chairperson: Commissioner Lewis Katz

the Commission has the authority to: "review and comment on CDP's implementation of initiatives, programs, and activities that are intended to support reform"

Consent Decree, Paragraph 18 (b)

The Outside Affiliates Work Group looks at law enforcement agencies that operate in Cleveland and the application of Consent Decree Mandates to these affiliates. This may include policies and procedures related to Task Forces that consist of police from multiple agencies such as the U.S. Department of Justice's Operation Legend Task Force which has been a topic of public interest at our meetings the past several years.

The Cleveland Division of Police has entered in agreement, or Memorandum of Understanding (MOU), with nine police departments, some private and some public, which allow them to exercise concurrent police authority within their physical areas. These police departments are:

- Cuyahoga Community College
- · Cleveland Clinic Foundation
- Cleveland Metropolitan Housing Authority
- · Cleveland State University
- Cleveland Metropolitan School District
- University Hospitals
- Case Western Reserve University
- MetroHealth Medical System
- University Circle Incorporated

Those agreements were modified to incorporate certain requirements pertaining to the Consent Decree.

These police departments will determine how well the Consent Decree is operating within their territories. The overall goal of this group is to gain an understanding of how well they are operating and living up to the Consent Decree. The group is also monitoring the homicide investigation of 19 year old Arthur Keith who was killed by the Cleveland Metropolitan Housing Authority (CMHA) Police Department at King Kennedy Housing. The use of force by CMHA may be subject to the agreements previously mentioned.

The group has diligently worked to collect documents, training records and records of communications from these departments over the past year. As is typical with other commission record requests, there has been some resistance.

The group will continue to pursue records of interest to the public and provide a full report on these agencies in the year ahead.

We encourage the public to continue to reach out to the commission to share experiences they may have had with any of these police departments.



















Organizations with police departments that operate within the city of Cleveland

# **Search and Seizure Work Group**

Purpose: To ensure that the Cleveland Division of Police will conduct searches and seizures lawfully, fairly, respectfully and in a manner consistent with the ideals of procedural justice, problem-oriented policing, and community values.

Chairperson: Commissioner Gordon Friedman

"CDP will conduct all investigatory stops, searches, and arrests with the goal of ensuring that they are conducted in accordance with the rights secured and protected by the Constitution and state and federal law."

Consent Decree, Paragraph 160

In 2018, Commissioner Gordon Friedman formed the Search and Seizure Work Group. The work group consists of local experts on criminal and constitutional law, practitioners from local criminal justice systems, and policy experts from community advocacy groups.

The group was originally formed to address five draft general police orders:: "Search and Seizure". "Investigatory Stops", "Probable Cause/Warrantless Arrests", "Miranda Warning and Waiver" and "Strip Searches & Body Cavity Searches."

#### The goals of the work group:

- To build upon the past work of the Bias-Free Policing Work Group
- To ensure that the Division of Police will conduct searches and seizures lawfully, fairly, respectfully and in a manner consistent with the ideals of procedural justice, problem-oriented policing, and community values.

In the years since its formation the Search and Seizure Work Group has had a great deal of influence in CDP policy.

This past year, all five policies were reviewed and updated with additional recommendations made by the group. Recommendations include:

- Update policies to reflect new legal requirements consistent with recent court decisions related to searches and seizures
- Standardization and consistency across multiple policies, particularly in relation to youth interactions

- Continued advocacy for additional protections in policy to ensure the rights of youth are not violated
- Continued advocacy for the prohibition of strip searches by CDP officers
- · Continued advocacy for higher quality legal training for officers taught by practitioners of the law including public defenders and prosecutors

As we enter 2022, the Work Group is shifting its focus to another pressing community concern; the expanded use of new technology by police.

CDP has expressed continued desire to increase or deploy new technologies to combat violent crime such as smart cameras, license plate readers, gunfire detection systems, drones and other remote monitoring systems.

While many of these technologies have contributed to increased solve rates of crimes, there is also great potential for misuse and bias applications against over policed communities.

The Search and Seizure Work Group will continue to ensure that the community is involved in the conversation about how these technologies should be used in our neighborhoods and what policies should be in place to guide their use by police.

# OLICE REFORM URGED

Hoover Analysts

REPORTS OF THE CLEVELAND FOUNDATION SUR' THE ADMINISTRATION OF CRIMI s police review pane

# **CPC Research Project**



# 100 Years of Police Reform in Cleveland

An educational project documenting the history of police reform efforts in the city of Cleveland from 1922 to the present

# "100 Years Project" Overview

What did policing in Cleveland look like in the past? This is the question that initiated the CPC's research and led to the findings of numerous documented attempts to reform the Cleveland police – the first of which dates back to the year 1922.

The 700 page study published in 1922 titled, "Criminal Justice in Cleveland" conducted by the Cleveland Police Foundation, was the first of its kind to survey the Cleveland police and recommend major changes to the way it operates. Since that initial report, the CPC found documents that show reoccurring organizational problems, bias, and misconduct within the Cleveland police are still present today and that many reform attempts have proven short lived and often unsustainable.

The CPC's "100 Years Project" is a collection of these documents that is open to the public on the CPC's website at: clecpc.org/100-years-project. It is an ongoing project that will be continuously updated as research continues.

# Purpose of the 100 Years Project



By looking into Cleveland's past, the CPC aims to help the community gain a better understanding of:

- What policing practices have been successful,
- What issues exist, and
- The lessons still need to be learned to move forward in creating a more sustainable policing model for the future.

# Documents cited in the project



Reports by past commissions, scholars and experts assessing policing in Cleveland and recommended reform proposals that followed. Cleveland's government records were also utilized such as memos and internal reports.

Documents were found online, at the Public Administration Library (PAL), and the Case Western Reserve Law Library.

# What you will find on the CPCs website



Read about key documents and events by decade, or learn about how each police reform issue area mandated by the 2015 Consent Decree compares to recommendations made in the past.

While some of the terminology has changed, the 462 paragraphs of the 2015 Consent Decree largely repeat the recommendations we have seen over the last 100 years.

www.clecpc.org/100-years-project

# How this project benefits the people of Cleveland



There are clear patterns of problematic policing behavior in Cleveland over the past century. They often repeat themselves decade after decade. Change is slow to occur and often short lived.

Examining patterns of the past will empower citizens, politicians, and change agents with knowledge to make lasting reforms.

# 100 Years Project: Takeaways

What the CPC has learned so far from its research into the history of policing in Cleveland

# **Initial Impressions**

- Crime is ever present in Cleveland, often a "high" levels.
   Fear of crime, particularly violent crime, is also ever present.
   Police impact on crime levels is negligible or unproven based on our reviewed data.
- Cleveland Division of Police are always described as having a high to moderately high number of personnel based on population when compared to other cities.
   This is even true in the toughest times of fiscal crisis.
- Change inside the division does not keep pace with changes in the city itself or even in law enforcement nationwide. The Cleveland police is an extremely siloed bureaucracy. This is a significant source of internal and external tension.
- Morale is described as low in the Division in the majority of cases it is studied. Low morale appears to be the baseline of the Cleveland Division of Police. The players and "ins" and "outs" may change but the in-fighting, cliques, favoritism and racial inequalities inside the department are well document, toxic and enduring throughout the century.

- Changes in leadership happen at an extremely high rate in Cleveland. There is no doubt an impact to police reform. The Jackson administration is the exception. 19 mayors in the period of 100 years and 40 police chiefs since the Division was created.
- The relationship between the majority white, male police force and communities of color has never been good. Until recently the police held all the power and there is a well documented history of racism, brutality and other discriminatory police practices in Cleveland against minorities.
- Reform is a roller coaster ride in Cleveland. We get studies and reports, we make some progress, courts sometimes intervene, then there is backslide or a new problem which starts the cycle over.
- Most recommendations for change are ignored or have the life expectancy of the administration in charge, with few exceptions.

## What we have achieved

- There is more diversity in the Division, but it still does not mirror Cleveland populations.
- Large scale "organized criminal corruption" appears to have been addressed. We are now focused on personal officer misconduct.
- Use of force is down currently. However, there is no agreement on why or for how long.
- The complaint process is currently more efficient then it has ever been.
- There is more consideration of the Constitution in policy now than in any period of time in the Division's history. In some instances policy goes beyond the Constitution.
- There is significant pencil policy change in 100 years.
   This is especially true due to the Consent Decree.
   This is the easiest change to achieve, the quality and efficacy is not typically measured historically.
- Body cameras add a large amount of public transparency.

# Lessons we are not learning

- Cultural change is difficult to achieve; It will take more than providing training, adding diversity or changing policy.
- Use Civilians. One of the primary issues with lack of service is officers doing civilian work or "special details" for 100 years.
- The shadow organizations in Cleveland Division of Police are a problem. They must be addressed. Period.
- We are not taking a data driven, scientific empirical approach to policing, organizational issues or crime.
   We are guessing and relying on tradition or experience.
- Trust will not be achieved through a public relations campaign or a few statistics that show brief improvement.

- Look to private sector leadership and management practices, phase out top down, military style organizational principles.
- Openness and transparency matter. Collective brain power of academia, the private sector and others will help this organization grow.
- Human relations, not just discipline, must be a key characteristic of police leadership. Police experience should be the lesser required trait.
- Long-term planning with key performance indicators and continuity in leadership commitment must occur.
   The Consent Decree should be considered a starting point, not a finish line.

# 100 Years Project: Quotes & Headlines

Highlighted report quotes and newspaper headlines found during the CPC's research



- The Plain Dealer (1973)



- The Plain Dealer (1966)

# WORKERS' ORDER IN PROTEST AGAINST POLICE BRUTALITY

In a terse, strongly worded letter of protest addressed to both Mayor H. Burton and Safety Director Elliot Ness, The International Workers Order, boasting 6000 members in Cleveland, emphatically protested the alleged beating of Joe Gray, a prisoner, by officers at Central Police Station on June 27, and urged that persons responsible for the "sadism" be fittingly punished.

The organization's letter termed the beating "almost unbelieveable...brutality and barbarism", and a "blot and disgrace to the City of Cleveland.

Cleveland.
Gray, arrested during a fight with his wife, claimed that officers Theodore Carlson, Hary Weitzel and Herbert Wachsman took him to Central Station where they knocked him down, kicked him in the ribs several times, breaking several ribs. Docters at City Hospital verified the fact that he had suffered the broken ribs.

Through Attorney Chester K. Gillespie, Gray has entered suit against the detectives for damages in the amount of \$7,500.

> - Cleveland Call and Post (1938)

The following extract is taken from the minutes of the Cleveland Little Hoover Commission meeting of January 12, when this report was considered:

"During the discussion it was brought out that the Police Report was unique as compared to other Commission reports in that it did not have general agreement with the concerned city department personnel. Out of the total of 65 recommendations made, only 31 -- mostly minor points -- were accepted, while 34 major ones were rejected.

- Little Hoover Commission Report (1966)

- Criminal Justice in Cleveland (1922) Doubtless, to a considerable extent, the survey proved what was already suspected by many and known to a few. The point is that the survey proved it. Instead of speculation, we have demonstration. Now, one ventures to say, there is no possible excuse for a citizen of Cleveland not knowing the shortcomings of the system, and the indispensable conditions for their correction. The system is judged not by the occasional dramatic case, but by its normal, humdrum operations.

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# Police Chief Pledges Reform In Raiding

A drive to end the armed methods of police raiders in their war on gambling and vice dens was called for in City Council meeting Monday night. Chief of Police George J. Matowitz assured the Council that he never had and never would destroy any property. "No man honors the Constitution of the United States more than I do," Chief Matowitz asserted.

Councilman Charles V. Carr cri-ticized the tactics of the newer members of the force and Chief Matowitz reminded the councilman from the 17th ward that his men were trained at the police academy, one of the finest in the country, before they went on duty and that he, himself, held a law de. gree and was a member of the bar

- Cleveland Call and Post (1951)

WE DO NOT MEAN TO CONDEMN CERTAINLY AN ENTIRE POLICE DEPARTMENT BUT WE DO MEAN TO MAKE CONSTRUCTIVE CRITICISM SO THAT ALL MAY BENEFIT BY THE SAME, SO THAT OUR POLICE DEPARTMENT OF TOMORROW AND THE DAY AFTER WILL BE ONE OF QUALITY; SO THAT IT WILL BE A PROFESSION ATTRACTING YOUNG MEN; THAT IT WILL BE THE PRIDE OF

- Cleveland Grand Jury Report (1974)

# THE PLAIN DEALER

ALL OF OUR CITIZENRY. TO REMEDY IN PART THE WRONGS THAT WE SEE,

# High court OKs police review panel

Amendment backers elated over ruling

- The Plain Dealer (1988)

# Chiefs discriminate against ? minority police, judge rules

- The Plain Dealer (1976)

# Ban on political activity by policemen is upheld

- The Plain Dealer (1976)

RADICAL POLICE REFORM

Court Issues Ultimatum on Dixie Schools



Hoover Analysts Ask Job Lopoffs, New Leadership

- The Plain Dealer (1966)

#### A Look Ahead to the Future:

# Changes to the CPC & Police Oversight

#### How Issue 24 / Charter Section 115 Changes the CPC

On November 2nd, 2021, the citizens of Cleveland approved a ballot initiative, known as Issue 24, that overhauled police oversight in Cleveland. Now codified as Section 115 of the City's charter, the amendment makes the CPC a permanently established, independent municipal commission with a set of new responsibilities.

As of the publication of this report, implementation of the new charter section is still in progress. Below is a comparison of the changes as outlined in Charter Section 115.

#### **Cleveland Community Police Commission (CPC)**

2015 Consent Decree	Charter Section 115
<ul> <li>Appointed by selection panel</li> <li>Under the Department of Public Safety</li> <li>Temporary</li> <li>Recommended policy changes to the CDP</li> <li>Could only recommend changes in disciplinary policy</li> <li>Could only request documents</li> </ul>	<ul> <li>Appointed by the Mayor, confirmed by City Council</li> <li>Independent municipal commission</li> <li>Permanent</li> <li>Has final authority over CDP policies, procedures, hiring practices, and trainings</li> <li>Has final say over officer discipline</li> <li>Has the power to subpoena documents</li> </ul>

### **Civilian Police Review Board (CPRB)**

2015 Consent Decree	Charter Section 115
<ul> <li>Under the Department of Public Safety</li> <li>Considered complaints brought by citizens</li> <li>Decisions could be overturned by Chief of Police or Safety Director</li> </ul>	<ul> <li>Independent entity</li> <li>Investigates complaints brought by citizens and can initiate its own investigations</li> <li>Decisions cannot be overturned by Chief of Police or Safety Director</li> </ul>

### Office of Professional Standards (OPS)

2015 Consent Decree	Charter Section 115
<ul> <li>Under the Department of Public Safety</li> <li>Could not conduct an investigation if another investigation into the same incident was ongoing (e.g., an Internal Affairs investigation or criminal investigation)</li> </ul>	<ul> <li>Directly under CPRB</li> <li>May conduct investigations regardless of whether there is another investigation is ongoing</li> </ul>



# Cleveland police oversight amendment Issue 24 passes by a wide margin



(Ideastream Public Media)

Cleveland voters
approve Issue 24,
boosting civilian
oversight of the police
department

Updated: Nov. 03, 2021, 1:58 a.m. | Published: Nov. 02, 2021, 11:46 p.m.

# Yes on Issue 24, which would provide community police oversight, passes



(News 5 Cleveland)



(cleveland.com)

Article headlines from Cleveland.com, Ideastream Public Media, and News 5 Cleveland on Nov. 3, 2021 following the passage of Issue 24



# **Get Involved in Your Community**

Achieving positive, citizen-driven reform of policing in Cleveland depends on the continued support of the entire Cleveland community. Here are ways to have your voice heard in the reform process:



# Attend CPC & **Community Events**

Attend CPC meetings and take part in events hosted by local community organizations to share your thoughts about policing and related issues in your community. A calendar of Commission and community events can be found on our website: clecpc.org/calendar



# Join a CPC Work Group

Take an active role in the reform process by joining a work group. Discuss issues & develop policy recommendations on topics related to CPOP, bias-free policing, accountability, and transparency. View all active work groups: clecpc.org/get-involved/work-groups



# **Have your Voice Heard by City Council**

Find your councilperson on City Council's website to speak to your council person directly, or sign up to make a public comment at an upcoming council meeting: clevelandcitycouncil.org/resources/public-comment



#### Votel

Visit the Cuyahoga County Board of Elections website to register to vote, check for upcoming election dates, or find your voting location: boe.cuyahogacounty.gov



# Take the CPC's Annual Community Survey

A lot of work has gone into drafting new police policies and trainings. The best way to assess how effective these changes have been is by getting feedback directly from the community.

If you've had a recent interaction with a Cleveland police officer, please let us know your experiences in our Community Satisfaction Survey. Your feedback will help us understand how CDP training on new policies and procedures put into place under the Consent Decree has been noticed by the community.

Take the 2022 Survey: www.surveymonkey.com/r/CPC-CSS-2022



## Join the Conversation

Follow the CPC on social media and share your voice in the reform process, or visit our website at: www.clecpc.org.



@216cpc



@cleveland\_cpc



@216cpc



bit.ly/216cpc-youtube

## **Attend District Policing Committee (DPC) Meetings**

Each Cleveland police district regularly holds a community meeting called a District Policing Committee (DPC) meeting. These meetings provide all residents in a district with the opportunity to directly engage with local CDP officers, voice opinions on policing and crime, and network with neighbors and local community organizers.

DPC meetings are an important component of implementing the City's Community and Problem-Oriented Policing (CPOP) Plan, which is a collaborative problem-solving approach between police and the community. Learn more about meetings: clecpc.org/get-involved/dpc-meetings

There are five police districts in Cleveland. Use the information below to participate in your local DPC meeting. Contact your district's community relations representative or visit your police district's social media pages for updated details on meeting times and locations.

#### **Monthly DPC Meeting Schedules**

#### First District

• Meeting Dates: First Thursday of the Month

• Community Services: 216.623.2503

www.facebook.com/District1CDP

#### Second District

• Meeting Dates: Second Tuesday of the Month

• Community Services: 216.623.5220

 www.facebook.com/Second-District-Community-Relations-Committee-132773990129064

#### Fourth District

• Meeting Dates: Fourth Wednesday of the Month

• Community Services: 216.623.5426

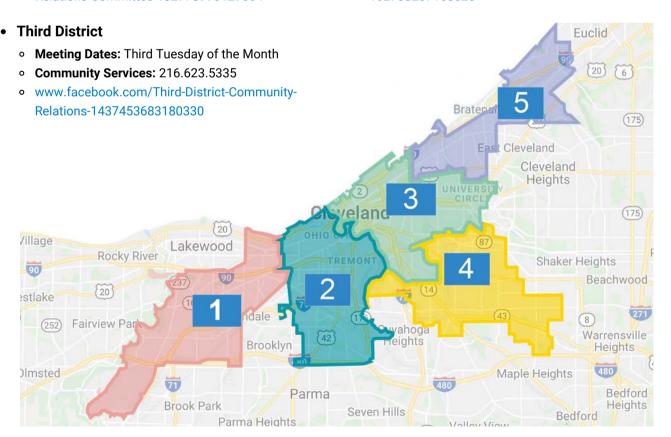
www.facebook.com/clevelandpolicefourthdistrict

#### Fifth District

• Meeting Dates: Third Wednesday of the Month

• Community Services: 216.623.5517

 www.facebook.com/Cleveland-Police-Fifth-District-162733287168828



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