In attendance: Anthony Body, Craig Boise, Kathy Clegg, V.Y. Conner, Lee Fisher, Lynn Hampton, Tim Higgins, Amanda King, Stephen S. Loomis, Max Rodas, Dylan L. Sellers, Rhonda Y. Williams

Minutes:
Meeting called to order and introductions proceeded from Commissioners and guests.

Purpose of special meeting outlined.
The Special Meeting was called to deal with ongoing infrastructural and internal dynamics, such as CPC operating documents, including the mission statement and bylaws.

Discussion and Approval of Mission, Responsibilities & Bylaws:

1. CPC Mission Statement

Commissioners considered three drafted versions of the mission statement edited by Mario Clopton, Stephen Loomis, and V.Y. Conner.

See Addendum: “12/16 Special Meeting By-Laws for Approval and Comment”

Opening remarks were made by Commissioners who made edits to the mission statement.

Stephen Loomis spoke to his edits, stating his beliefs: the Consent Decree speaks clearly on the CPC mission. He did not want to be in a position of expanding the notion of the CPC’s mandate. He did not want to exclude any groups and felt that the current phrase — “including the most aggrieved and vulnerable” — in the mission statement excludes people. He maintained that the Consent Decree, an agreement between the City and DOJ, has been approved by a federal job, and anything over the top of that does a disservice.

Another Commissioner pointed out his inclination to lift language directly from the Consent Decree, and pointed out that Loomis’s and Conner’s edits were similar, except for the proposed preamble in the latter version, which was language that already existed on the website.

Dr. Rhonda read Mario Clopton’s statement into the record:

“In regards to the mission statement, I support any draft that includes specifying working in consideration of community perspectives including “the most aggrieved and vulnerable.” Our mission statement is meant to highlight our ideals. And it should
be the mission of this Commission both in statement and in action to represent those who are most vulnerable and aggrieved within our community. Highlighting our work to uplift one group does not work contrary to the work of uplifting all of us. In fact when the vulnerable are made secure, we all benefit.”

After these opening remarks of the three versions, a motion was made and seconded to adopt V.Y. Conner’s edits. Further discussion ensued with Commissioners expressing a range of views:

- Several Commissioners were inclined toward the mission statement edited by Mario Clopton, because it captured the spirit of the work to be carried out, was concise, and maintained the language about the most aggrieved and vulnerable, which was described as “appropriate and consistent with the Consent Decree.”
- One Commissioner was inclined toward the mission statement edited by Mario Clopton, but expressed concern about the language most aggrieved and vulnerable. The Commissioner felt the language should be more accessible and suggested “underserved and underrepresented.”
- One Commissioner was inclined toward any version of the mission statement that did not include the most aggrieved and vulnerable, saying if the CPC focuses on “what we do,” the “aspirational will happen.” Support for the preamble was further expressed.
- A question emerged as to whether the preamble could be included as part of the mission statement edited by Mario Clopton. It was shared that a motion to amend would be needed, and maybe some editing to avoid redundancy.
- The question was called.
- One Commissioner asked for a restatement of the motion on the floor and a moment to re-read what was being considered.

RESOLVED, that the mission statement edited by V.Y.Conner was approved. The mission statement will read as follows:

Preamble
Guided by the Consent Decree, which seeks to remedy a pattern and practice of excessive use of force and other interventions by the CDP, the CCPC understands that realizing success and legitimacy in the eyes of the public means that its work must be independent, collaborative, and transparent, and its decision-making informed by best practices and community perspectives.

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
2. CPC Responsibilities

Commissioners considered the original language and two revised versions edited by Mario Clopton and Stephen Loomis.

Opening remarks were made by Commissioners who made edits, with Mario Clopton’s statement read into the record on his behalf by Dr. Rhonda:

“In regards to responsibilities, I would like to strike any mention of a timeline or set dates/times for accomplishing goals. We are learning more and more that these deadlines should not get in the way of quality, thoughtful work. I do like the detail in Det. Loomis draft and the broad structure of the original language. A middle ground should be found between the two. For the remainder of my recommendations, I yield to my edits in the document made available at the meeting.”

Stephen Loomis spoke to his edits, stating that the responsibilities of Commissioners were already in the Consent Decree. He felt it was important to mention the timelines and be cognizant of them.

General discussion ensued:

- One Commissioner expressed support of Loomis’ edits, except for the reference to 90 days.
- One Commissioner felt the reference to “90 days” should be removed because it would be outdated information based on where the CPC currently is.
- One Commissioner made a motion to accept Mario Clopton’s edits with the following adjustments: (1) deleting the phrase 90 days because it would inaccurate, and (2) adding the word “all” before the word “community” in Paragraph (f.) The motion was seconded.

Robust discussion ensued:

- One Commissioner expressed a desire to go with the current language of the CPC Responsibilities, because it captured in summary form the essence of the many specific delineated duties and responsibilities listed, too many to include in the summary statement. To solve this, we could put a hot-link in the Responsibilities section that will take readers directly to the more specific time-lines and responsibilities in the Consent Decree -- as they now stand -- and make adjustments as needed as we move through the work. The current language, then, was read into the record. [See Addendum “12/16 Special Meeting By-Laws for Approval and Comment,” “Our Responsibilities,” Current Language.]
- One Commissioner asked what was wrong with the original language.
● One Commissioner responded nothing, but as per his edits, he is inclined to rely heavily on the exact language in the Consent Decree, saying any attempt to rephrase the Consent Decree is opinionated and subjective: “I don’t think opining and subjectiveness belongs in this.” The Commissioner expressed a belief that the Commissioners should not bring personal life experiences into their work as Commissioners because that would be diverting from what they are charged to do.

● Several Commissioners responded that the current language is more succinct and easier to read. One further expressed: “I am not sure what you mean by opining or individual perspectives. There is nothing about this language that is opining.”

● One Commissioner expressed that perhaps a more pragmatic way of approaching the work is to repeat the Consent Decree. The Commissioner also expressed a need to have deadlines included.

● One Commissioner responded thusly: “My statement is going to be very simple. If we are sticking to the strict letter of the Consent Decree, you can’t rephrase or reword… We can literally say see the Consent Decree, and say good bye.” The Commissioner expressed that she did not believe the Consent Decree limits the Commissioners from rephrasing and doing so would not go beyond the spirit of the Consent Decree. Some other Commissioners expressed agreement.

● There was discussion of whether the phrase “ongoing basis” should appear in the Responsibilities statement. Several Commissioners felt it was important, because the CPC will have to go back to the City and readdress issues over the next four years.

● Several Commissioners stated that if the CPC responsibilities were stated simply and in layperson’s terms on the website, that would be better. Then, a link could be provided that takes the general public and eventually the Commissioners’ placements to the Consent Decree for more detail.

● One Commissioner expressed that: “If we stick completely to the letter of the Consent Decree, we are reaffirming the City and DOJ’s position and not including the community’s voice and input. Those are the reasons why this CPC exists,” because “they wanted my recommendations, my thoughts, and my experiences.” The Commissioner added that if the CPC is trying to build a better Cleveland between the community and police officers, this means the CPC has to figure out how to repair the community trust, and make recommendations on the items included in the Consent Decree. The mission, responsibilities, and bylaws document should be created with a view to also guiding and including people who are here after us.

● One Commissioner, affirming other commissioners statements regarding sticking completely to the letter of the Consent Decree, added that if everything was in the Consent Decree that needed to be in the Consent Decree, then there would be no need reasons for the CPC to give recommendations, get community input and have community voice, and expressed a hope that the CPC doesn’t get caught up into the strict constructionist mode. The Commissioner added that, “Even when we are talking to the DOJ, we, and I mean we the Collaborative for a Safe, Fair and Just Cleveland…were the main group that suggested having a Community Police Commission, so that there would be community voice, would be
community input, different ideas, and there would be commissioners to help craft recommendations so that the different research, best practices, and interviews could be included.

- One Commissioner responded that quoting the Consent Decree as the legal basis for what we do does not contravene including other duties, and references point (e.) in both edited versions as capturing other functions.
- One Commissioner felt that language needed to be added to the current version, and to the extent that we reference the Consent Decree, we should footnote it so that we can follow back to where the language has been pulled. The Commissioner also stated that “speaking to the idea of working with the framework of the consent decree, it gives you a guideline. It doesn’t tell you how you do your work. To me they are two different things.”
- The question was called.

RESOLVED, the Responsibilities statement edited by Mario Clopton was approved with the following amendments: The opening line shall read, “The Commission will, on an ongoing basis: …” The phrase “on an ongoing basis” will be deleted from (a.)-(d.). The phrase “within 90 days of appointment” will be deleted from (a.). In (f.), the word “all” will appear before the phrase “community perspectives.” The Responsibilities statement will read as follows:

The Commission on an ongoing basis will:

a. hold public meetings across the City, complete an assessment of CDP’s bias-free policing policies, practices, and training, and make recommendations;

b. including through its membership on the Training Review Committee, assist as appropriate in CDP’s development of training related to bias-free policing and cultural competency;

c. 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;

d. review CDP’s civilian oversight structure to determine if there are changes it recommends for improving CDP’s accountability and transparency; and

e. perform other functions as set out in the Consent Decree.

f. represent community needs and listen to all community perspectives

g. partner with the residents of Cleveland in developing recommendations for police practices that reflect an understanding of their values and priorities

(Vote Count: 6 in favor, 5 against, 1 abstention)

3. Bylaws Article I: Commissioners

Expectations
RESOLVED, that the current language for Expectations is approved.
See Addendum “12/16 Special Meeting By-Laws for Approval and Comment,” “Expectations,” Current Language.

(Vote count: 9 in favor, 0 against, 3 abstentions)

Terms of Office
One Commissioner asked for an explanation of the difference between the versions under consideration.

A motion was made to adopt the current language of Terms of Office and seconded.

Discussion ensued with regard to clarity of the provision with regard to the “pursuant” phrase in the edited version.

A Commissioner stated that his belief that despite what some folks in the room think, the Commission works at the discretion of the Mayor who appoints the CPC. The Charter spells out the CPC is a non-paid commission. And the Consent Decree lays out how the CPC is chosen. The CPC doesn’t have the legal authority to appoint, dismiss, or reconvene the group that brought all of us here to this table.

The question was called.

RESOLVED, that the current language for Terms of Office is approved.

See Addendum “12/16 Special Meeting By-Laws for Approval and Comment,” “Terms of Office,” Current Language.

(Vote count: 6 in favor, 3 against, 3 abstentions)

Resignation
The current language and edited versions were read.

A motion was made to adopt the current language of Resignation and seconded.

Discussion ensued:

● One Commissioner asked if the issue of resignation was specified in the consent decree. The answer is no, neither to the Commission Chairs as proposed in the current language or to the Director of Public Safety as proposed in the version edited by Stephen Loomis.

● One Commissioner suggested why not sensitize it, and suggested an amendment to combine the current language and the edits of Stephen Loomis.

● A motion was accepted to amend and seconded.

● One Commissioner argued that the Commission, which is independent according
to the Consent Decree, does not report to the Director of Public Safety and therefore should not be rendering letters of resignation to that person. The Mayor appointed the Commission.

- One Commissioner disagreed, stating that the Commission’s “boss” is the Mayor or his designee, and that could be a janitor. “You resign to your boss.”
- One Commissioner intervened, stating the Commissioners missed the edits provided by Mario Clopton on the next page.
- One Commissioner welcomed acknowledgement of this oversight and indicated that the edits by Mario Clopton supported the point just made about the Mayor appointing the Commissioners.
- The original motion was withdrawn.
- A new motion was made to accept the edited version by Mario Clopton and seconded.

**RESOLVED**, that the Resignation statement edited by Mario Clopton was approved. The Resignation statement will read as follows:

_A Commissioner who wishes to resign from the CCPC should submit a letter addressed to the Mayor to the Commission Chairs who will then inform the Parties of the resignation._

(Vote Count: 12 in favor, unanimous.)

**Removal**
The current language and edited versions were read.

A motion was made to approve the edits submitted by Stephen Loomis. No second. It died.

One Commissioner expressed that he felt it unwise to have any provision in the CPC bylaws about removal, because it sent the wrong message internally and externally that now and in the future the CPC wants to remove someone. If that circumstance arises, the CPC can address at that time to enact such a policy.

That Commissioner then made a motion to not adopt any provision related to the removal of a commissioner at this time, but reserve the right in the future. The motion was seconded.

Discussion ensued:
- One Commissioner expressed that the CPC should have a general provision. It was stated that saying we all will all do our jobs is probably nice and good. But in the case, those do not, we should have something stated as generally as possible, as to not allow for its use in a vindictive way.
- One Commissioner, in referencing the current language, suggested if a vote is
taken and three-fourths of the Commissioners agree, that is not sending the wrong message. Instead it sends a message that this work should be taken seriously by those now, or those 10-15 years before now. Moreover, this statement does not giving us any legal power, but recommendation power. The power to remove ultimately remains with the person with the power to appoint.

- The CPPA representative to the Commission stated that he felt the CPPA and Black Shield representatives on the Commission “were the best. We, ourselves, felt we were the best suited for this commission. We could have put anybody on the commission, but chose ourselves.” The Commissioner continued that the Commissioners have no authority to remove anyone and that there needs to be no discussion with us on this board.
- One Commissioner expressed an inclination to not have the currently proposed language or Stephen Loomis edited version with regard to removal or vacancies. The language needs to be consistent with what the Commissioners approved with regard to the Resignation statement. Moreover, it was stated that Commissioners should not be voting, because we are coming from different walks of life, and we are going to have a lot of disagreement. However, it was expressed that there was no objection to a clause that says a commissioner could be removed for cause.
- One Commissioner believed there should be a clause in there, but we should not have the final vote on it, because it is not within CPC’s authority. The Commissioner added that Commissioners do have the authority, however, to vote on the removal of co-chairs.

Note: One Commissioner had to leave, but joined the rest of the meeting via teleconference.

The question was called.

RESOLVED, that no provision would be adopted related to the removal of a Commissioner at this time, but the Commission reserves the right to establish such a clause in the future.

(Vote Count: 8 in favor, 2 against, 2 abstentions)

Vacancies:
The current language and edited versions were read.

A motion was made to approve the version edited by Lee Fisher and seconded.

Discussion ensued:
- One Commissioner stated that a process was established to select commissioners, and that allowing Commissioners to be involved “may serve to be a power grab in one direction or another. And that would be unfortunate. The machine that was employed to create this commission can be reemployed to replace people who will leave.”
One Commissioner asked Lee Fisher about his edits, particularly what is the difference between the current language and what he was suggesting. Lee Fisher responded that he agrees the Commission does not have appointing authority, but that Commissioners always have the right to express their view. His statement just says that expressly. It does not say “will,” but that we “may” do so.

One Commissioner, in responding to an earlier statement about reemploying the machine that was employed, expressed a concern that the community or civilian members cannot be involved in the process of the police members’ replacements, but the officers have the ability to talk about who the community/civilian replacements will be. The Commissioner believed that some provision, whether a “will” or a “may” moment, allows the collective mindset of the community/civilian Commission members to have equitable input.

This concern was echoed by other community/civilian commissioners, who raised concerns about the dissimilar, non-transparent way the police representatives were appointed versus the community/civilian commissioners. Dr. Rhonda wanted it stated for the record that the way this commission was formed was done in a two-tiered process and proposes that that needs to be dealt with in future selections if all of us have equal voting power.

One Commissioner expressed a belief that the selection and appointment process was appropriate.

One police Commissioner representative argued that the commissioners have equal votes and an equal amount of authority; that it is inappropriate for commissioners to consider people from the pool. He called the Commissioners who raised the issue about the separate selection processes “disingenuous.”

One Commissioner responded that a suggestion was not made that the commissioners look at the pool, but that commissioners have the ability to recommend persons just as members of the police unions recommended their representatives to the Commission unlike the community/civilian representatives who had to go through an application process, have their applications made public, as well as an interview and background check process, which raised some concern, before they were selected. This did not happen with the police representatives.

The question was called.

**RESOLVED, that the Vacancies statement edited by Lee Fisher was approved. The Vacancies statement will read as follows:**

*Per the Settlement Agreement, paragraph 16, “vacancies on the Cleveland CPC within the original four year term will be filled in the same fashion as the original appointments.” By means of a written request to the DOJ and the City, the remaining Cleveland CPC members may seek to be involved in the selection process for any new members within the original four-year term.*

(Vote Count: 7 in favor, 5 against, 0 abstentions)
4. **Bylaw Article IV: Attendance**
The current language and edited versions were read.

A motion was made to approve the version edited by Mario Clopton and seconded.

Discussion ensued:
- One Commissioner bought up the issue of work as an excused absence and stated that the version edited by Mario Clopton was better than the current language, because it kept it simple.
- One Commissioner expressed “I don’t know what kind of sense we have of this provision, since we don’t have removal power.”
- One Commissioner said that the current language of the attendance statement represented “a solution in search of a problem,” but the edited version by Mario Clopton was far superior.

RESOLVED, that the Bylaws Article IV Attendance statement edited by Mario Clopton was approved. The Attendance statement will read as follows:

**Article IV: Attendance**

*It is the responsibility of each Commissioner to attend all scheduled meetings of the CCPC. Commissioners shall notify the CCPC staff and Co-Chairs prior to a physical absence, stating a specific reason. If the circumstances prevent a Commissioner from notifying staff or Co-Chairs prior to the meeting, the Commissioner will notify staff and the Co-Chairs as soon as possible. If a Commissioner anticipates an extended (1 month or more) physical absence from Commission activities, that Commissioner should notify the Commission Chairs as soon as possible.*

(Vote Count: 12 in favor, unanimous)

It was proposed that the remainder of the Special Meeting Agenda be tabled for time and that the last 10 minutes be spent on public comment.

With regard to the Agenda item on the proposed Retreat, it was shared that Mario was organizing. One Commissioner asked and then stated that the CPC needs to provide a clear reason and purpose for the retreat.

The Commissioners proceeded to the Public Comment period.

**Public Comments**
- One participant indicated this was her first meeting, and it was interesting to see how the CPC works. She expressed maybe the Commission could speed up its
decisions. She shared she attended a CMHA meeting at Lakeview Terrace, and that those people are scared out of their lives, and no one is helping them. Not the Mayor, Police, no one, and stated the CPC was wasting time. She wanted to know how many Commissioners take a visit to real neighborhoods.

- One Commissioner responded that the Commission is “not the ombudsman for police issues.”
- One Commissioner agreed that “we do waste tons of time on minor things,” and that the CPC is established to make recommendations for a certain segment of population, but we can’t make recommendations if we are not going into those neighborhoods.
- One participant stated she thought the public comment period was for people in the public. An exchange ensued with one Commissioner stating, I think you want to hear from us as well, and other Commissioners stating actually the public has heard from us most of the meeting, and we need to acknowledge people in the audience who want to speak.
- Another participant stated it sounded like Lakeview Terrace would be a great location for a teach-in for the Consent Decree.
- One participant stated that what will serve the best interests of the black community and be a good Christmas present was Steve Dettlebach’s resignation.
- One participant identified himself as Chairman of the Board of Commissioners of CMHA and stated that he’d like to hear about the CMHA residents’ issues. He also offered general observations and comments to the CPC, and particularly referenced a point made by Commissioner King. He stated that while the Consent decree created this body, to strictly adhere to the language of the Consent Decree, negates the input and voice of the community. The Consent Decree only reflects the City and the DOJ. What has been missing all along has been the outcry of community. There were efforts for that to occur here with the formation of the CPC. The CPC, as a body, is an alternative to the fact that the community was not a party to the development of the Consent Decree. He also emphasized that the CPC needs to keep in mind that, while the Consent Decree is a legal document, the CPC needs to speak to the spirit.
- One Commissioner stated that as the CPC makes its recommendations, it will look to the backing of the community whether voicing their support to the CPC, or reaching out to the City Council, etc. The CPC will need their input and support on this work on the back end.
- One member of the Monitor Team, Charles See, spoke, explicitly identifying himself. He stated that he will be meeting with all the residents of CMHA for the specific purpose of forming study groups to become aware of the Consent Decree. He stated his support of the work that the Commission is doing, and encouraged substantive, sustained, and inclusive involvement of the community. Shared that the Monitor Team has had 40 meetings with community groups, and not the usual suspects, but the people who are impacted. He expressed openness to further suggestions.
- One Commissioner stated that is a great idea for the CPC to go to the Terrace to speak, but also wanted to point out that Commissioners “didn’t include them in
our mission statement,” or “didn’t vote that they mattered enough to be written in the body of this document.”

- One participant stated that “considering community members’ level of input and concern, not explicitly and affirmatively including them most upfront in the mission,” she suggested that the agenda for December 17th meeting also include the proceedings and outcome of what happened here and the process by which the mission statement was chosen.

- An exchange ensued. One Commissioner responded that there is something more important than this mission statement, and that is crafting legislation. The mission statement is a bit of a smokescreen. The participant rebutted that the mission statement is equally instructive and important because it is truly representative of your charge. As the gentleman from the Monitor has articulated, and several Commissioners in the room, it is about ensuring that not only your actions, but also your upfront mission and charge everyday, are responsive and articulated. Despite the language of he most aggrieved and vulnerable language being “null and void” as stated by another Commissioner, the participant expressed her embrace of such language because it is inclusive of those often excluded, and it makes the charge of the CPC’s work that much more affirmative.

- One Commissioner asked Charles See if he could add anything to the conversation, and asked his view on the listening tours and input gathered there.

- Charles See felt that the listening tours were broad and across the community and that the intent was to be representative.

- The Commissioner replied that with us being commissioned and mandated, the CPC cannot stray away from police reform. We can’t fix traffic lights. But we are here to reform and make recommendations re: the way police work.

- The Chairman of the Board of Commissioners of CMHA reemphasized that with regard to the language of most aggrieved and vulnerable that was stricken from the mission statement, these are segments of the population who are not generally heard and acknowledged. That is why it is important to have that language explicitly stated, especially with this type of work, civil rights and advocacy work.

- One participant remarked that Cleveland is fixing to change. In 90-120 days, we are going to have military equipment. What will be the repercussions for and how will this be handled with people in the city?

- One participant stated we are in a police state in the black community. Dettelbach has never prosecuted a white police officer that has killed a black man. Jackson is between Flask and McGrath, whom he called Neo-Nazis.

- One Commissioner clarified that Lakeview Terrace is a CMHA property, and that is CMHA police. The CPC work is specifically for Cleveland.

- One Commissioner closed affirming the importance for the community to continue attending these meetings, and that the voice of people have to be ongoing. People cannot stop speaking out and making their voices heard just because we had listening tours and other community meetings prior to the Consent Decree.
The meeting was adjourned at 8:20 p.m.