

CLEVELAND COMMUNITY POLICE COMMISSION (CPC)
FATIMA FAMILY CENTER
MEETING MINUTES
DECEMBER 21, 2016

ATTENDEES: Commissioners: Kathleen Clegg, Mario Clopton-Zymler, Yvonne Conner, Lynn Hampton, Amanda King, LaToya Logan, Steve Loomis, Rhonda Williams

Staff: Deidra Gill, Community Relations Board; Peter Whitt, Enlightenment Consultant Group

EXCUSED ABSENCES: Lee Fisher, Gordon Friedman, Dylan Sellers

Co-Chair Mario Clopton-Zymler called the meeting to order at 5:40pm

OVERVIEW OF MEETING AGENDA

A Co-Chair reviewed the evening's agenda and meeting structure and flow.

CO-CHAIRS REPORT

Recognizing Deidra Gill:

Deidra Gill, from the Community Relations Board, was recognized for her work as a temporary staff member for the Commission.

Recognizing Law School Community Partners:

The Commission's partners at CSU's Cleveland-Marshall College of Law are creating an overview of the Consent Decree, the stakeholders, and each group's role in the process. Two key players in this project were recognized: Pam Decker, Cleveland-Marshall professor and Anastasia Elder, second-year law student.

GPOs and Reports Update:

CPC Annual Report

The CPC's annual report draft has been submitted but has not yet received feedback from the DOJ, City, and Monitoring Team. The Commission will therefore not be able to comply with the December 23rd deadline. Commissioners can provide additional comments to the report in the GoogleDoc.

CIT Roundtable

Community meetings were held last week to gather community input on Crisis Intervention Team (CIT) policies. Several commissioners attended both the afternoon and evening sessions. The Mental Health Response Advisory Committee (MHRAC) is incorporating this feedback into its policies now.

CPC Assessment: Use of Force GPOs

The Commission wants to know how CPC/community suggestions have (or have not) been incorporated into the final Use of Force GPOs.

Monitor Motion: Body Worn Cameras

Commissioners showed concern that the policy did not reach secondary law enforcement employment, though the complaint process does. The CPC will have to think about the statement it wants to make on this issue.

Monitor Motion: Equipment and Resource Plan

The Monitor did not approve of the CDP's draft Equipment and Resource Plan. The CPC contributed community feedback to the draft and will again after the CDP revises the policy draft.

Consent Decree Status Conference

The Consent Decree Status Conference will be held on January 6, 2017 at 3pm in Judge Oliver's courtroom on the 19th floor of the Justice Center. The CPC is invited to attend; all parties will be present.

Executive Director Search Update:

The ED Search Committee has held several meetings and phone interviews. The top 8 candidates will be interviewed by the Committee during the second week of January. In January, the Full Commission will participate in a final public presentation and private interviews.

The Community Engagement Coordinator search is underway and the Commission has received 150 applications to date.

Upcoming Meetings:

Future meetings' start times will now be 6pm. Commission-only PPA meetings will likely be held on the 2nd Tuesday of each month and public full Commission meetings will be on the 4th Tuesday of each month.

APPROVAL OF MINUTES

Det. Hampton moved to approve the October 27th and November 30th Full Commission Meeting Minutes as submitted. The motion was seconded. Seven commissioners approved: Dr. Clegg, Rev. Conner, Mr. Clopton-Zymler, Det. Hampton, Ms. King, Ms. Logan, Dr. Williams; one commissioner abstained: Det. Loomis.

BUDGET, IT, AND INFRASTRUCTURE COMMITTEE

A commissioner suggested that the Budget, IT, and Infrastructure Committee hold regular meetings in 2017 in preparation for the 2018 budget.

Mr. Clopton-Zymler will call a meeting of the committee in January 2017 to look at the submitted 2017 budget.

The membership of this committee will be discussed at the January PPA meeting.

COMMUNITY ENGAGEMENT AND OUTREACH COMMITTEE

Town Halls:

Rev. Conner announced the CPC's collaboration with SURJ for a January 16, 2017 screening of the documentary *13th* at Mt. Zion Congregational Church at 10723 Magnolia Drive. Dr. Conner and Mr. Sellers will serve as panelists on the panel discussion following the screening.

The CPC will also host a February screening of the documentary. Its date and location are still to be determined.

Rev. Conner asked for community input and the ranking of suggested topics for the other 3 Town Halls in 2017. Suggestions included:

1. Seattle Status Update
2. NACOLE/citizen oversight agencies
3. 21st Century Policing
4. Community and Problem-Oriented Policing
5. Inside voices of incarcerated juveniles
6. Other suggestions from the community or commissioners

Community and Problem-Oriented Policing:

The CPC is looking for a way to bring stakeholders together in the reform process. The CPC's goal is to bring the community together to provide feedback at the front end of the policymaking process rather than only at the back end (which was the case for the Use of Force community forums). Commissioners emphasized that community policing and problem-oriented policing still need to be defined.

Community Engagement Assessment Plan/Tool:

The Commission submitted this plan at the end of November and has received the Monitor's feedback. The CPC's and Monitor's visions have to be clarified. The Community Engagement Assessment will allow the community to provide feedback on their interactions with the police. The Commission now needs to: decide on the topics of community engagement that will be included; assess how the CDP engages with the community with evidence of such engagement; and discover the impact of police engagement with the community. The goal of this assessment is to create meaningful interactions between the CDP and the community that will last beyond the Consent Decree.

This assessment will allow for multiple partnerships and data analyses with experts and groups throughout Cleveland. The CPC will use its budget to employ consultants in data collection and analyses.

The Monitor Plan's deadline for Community Engagement Assessment Plan revisions is January 27, 2017. The co-chairs will request an extension if necessary.

POLICY AND PROCEDURE ASSESSMENT COMMITTEE

PPA Meeting:

The PPA's first meeting in 2017 will be on Tuesday, January 10th. The Committee will discuss work group structure, new work groups (e.g. Search and Seizure), and work group assignments for commissioners.

The co-chairs reminded commissioners that their recommitment statements were due on November 30th. They emphasized the need for commissioners to submit theirs if they have not done so already.

Commissioner-Only Retreat:

The best dates for the next Commissioner-only retreat were determined to be:

- Saturday, January 21st
- Sunday, February 5th
- Saturday, February 11th
- Saturday, February 18th

Ms. Brennan will send out another Doodle poll.

By-Law Votes:

The co-chairs reminded commissioners that their e-votes on the quorum and electronic voting by-law changes were due at 8:30pm on December 21st.

PUBLIC COMMENT PERIOD

Mr. Whitt reviewed the public comment period ground rules.

- A community member expressed concern that police officers are given too much opportunity to assess an individual's mental status.
- An attendee was concerned that officers may have PTSD or other mental health issues themselves and that they should receive psychological training.
- An individual expressed concern that minorities will be disproportionately impacted by officers' discretion regarding mental health crises.
- A member of the public was worried that police could discriminate over who gets transported to the hospital vs. who gets sent to jail immediately. This person was concerned that the police's partnership with SW was not enough since they may not always be present/accessible in a crisis event.
- A community member noted that a caller might not be able to identify that there are mental health issues involved in a case, so the properly trained officers may not be able to be notified. A commissioner responded that most calls regarding people in mental health crises come from family members. There will be 200 officers that will be specially trained in the 40-hour crisis intervention training, and others will receive an 8-hour training. He reminded the community that dispatchers know to ask for CIT officers and the officers do not have as much discretion than the community members suggest.
- An individual attended the Police Review Board meeting and was impressed by the new changes and the PRB's following of its manual. The PRB encouraged the public to attend to attend their meetings and the community member suggested that the meetings be held in the evening and moved around the city.
- A community member expressed concern that calling 911 during a mental health crisis could cause "more harm than good" and inquired whether there was an alternative number to call.
- An attendee asked whether it was possible for a dispatcher to ask the person calling whether the individual in crisis has a mental health issue, is on medication, or has another medical problem.
- A commissioner commented that the mental health system does not currently have the ability to go out into the community to assess people in crisis so this responsibility falls on police, fire, and EMS. The CDP is working on new policies for dispatchers including universal training and he anticipated that these changes would be made by June 2017.

- Another commissioner noted that the public comment period be reserved mainly for the public and commissioner input be brief.
- A community member submitted the following written message: My concerns remain the same as they've been since the inception of this process, what are the specific consequences for the actions of "rogue" police officers who abuse citizens and end the lives of unarmed persons they interact with or engage with? As I've said before, either officer pensions should be confiscated in an effort to offset the raiding of municipal coffers to settle wrongful death cases, or police should be required to obtain a sort of civilian protection insurance that would serve the same purpose. In this scenario, if an officer errs and this "insurance" is utilized it is possible the insuring entity would drop the insured officer. If the officer were dropped and could not get insured as required as a condition of employment, arbitrators could not then return officers to work against the public's wishes or overturn a mayoral termination.
- Another community member submitted the following written message: The consent decree should include a "law enforcement negligence/wrongful death" insurance requirement that CPD officers are mandated to obtain and maintain during their tenure as police officers for the City of Cleveland. This insurance, if properly implemented, would fulfill a number of conditions and protections for the citizens of Cleveland as this requirement would not only significantly reduce if not eliminate the siphoning of funds from municipal coffers to pay wrongful death claims, but officers could not easily be returned to work by Arbitrators if officers could not meet the mandate of maintaining this insurance. This would also apply to CPD officers working second jobs in their CPD uniforms using either CPD issue or non CPD issue firearms. If insurers dropped these officers after paying out for their reckless behavior, the Arbitrator could not override the insurance mandate and return them to work. Either insurance such as this or confiscations of pensions are the only provisions that would appear to provide an absolute "skin in the game" component that would guarantee compliance with a consent decree that continues to face fierce resistance from Cleveland Police."
- A community member submitted the following written message: "With respect to police officers, they have no medical training that would allow them to access someone with a mental illness. They themselves are individuals often suffering from PTSD, emotional, and domestic issues, which would make it impossible for them to adequately assess another person given their own impairments. Police officers should not be given the ability to request a person be evaluated or admitted for psychological testing based on their perceived assessment, which could in fact be seriously flawed by their own psychosis. A mental illness determination is done by a team of qualified medical personnel trained in the area of mental illness. This process, absent trained medical professionals, would be a counterproductive measure as those who suffer from mental illness are counted among the Federal, State and local protected class. The strict guidelines prohibit discrimination against them; these guidelines insure they are not subjected to disparate treatment. The proposition that would allow officers to enjoin with medical professionals could possibly cause an influx of complaints resulting in an unprecedented number of lawsuits from individuals as well as insurance companies such as Medicare, Medicaid and others. There is a clear belief that minorities will be disproportionately affected by these policies and practices. Again, this policy could cause a disparate impact on people with respect to race, color, religion, sex, or national origin. We cannot continue to support policies or pass laws that violate our Constitutional rights.

The meeting was adjourned at 7:03pm.