Mr. Clopton-Zymler called the meeting to order at 5:47 pm.

OVERVIEW OF MEETING AGENDA
Mr. Clopton-Zymler reviewed the evening’s agenda and meeting structure and flow.

CO-CHAIRS REPORT
Executive Director Search Update:
Ms. Brennan gave commissioners a handout with updates on the ED search as well as a calendar of the search process. She mentioned that to date, she had received 94 applications. She pointed out key dates on the calendar including applications closing on November 8 and meetings which will involve full Commission involvement in January. She reiterated that there would be 5 staff positions and that two additional staff searches would occur in late 2016 and early 2017.

A commissioner asked whether the committee would change for the other two staff positions that will be hired in the coming few months. A co-chair replied that it would not change officially, but commissioners can leave or join the committee if they chose.

2017 Budget:
Mr. Clopton-Zymler explained that the CPC had asked the City for $755,000 as a 2017 budget and that said budget had been officially submitted. He discussed what would and would not be covered in the budget from previous Commission discussions. He emphasized that the 2017 budget was very similar to 2016’s. The co-chairs are working on a draft budget book and will present to City Council as they did last year.

Draft Use of Force GPOs:
Mr. Clopton-Zymler discussed that new drafts of Use of Force policy GPOs have been released to the public for discussion. He invited Deputy Chief O’Neill to speak about the new proposed policy changes. The ensuing Q&A (drawn heavily from community comment at past meetings) and Chief Deputy from this exchange are below:

- Commissioner Q: The community had shown concern over the lack of accountability measures for officers in the Use of Force GPOs.
Deputy Chief O’Neill: All accountability measures fall into a disciplinary GPO, not other policies.

- Commission Q: The public has called for a tightening of language around de-escalation and verbal intimidation as Use of Force. Could this be inserted into a GPO?
  Deputy Chief O’Neill: One of the policies coming out is a specific de-escalation policy. It talks about verbal and tactical de-escalation.

- Commissioner Q: There has been concern about collective bargaining and party agreements that can potentially override the discipline for breaking a GPO. The policies look good on paper, but if they can be easily overturned, do the GPOs have enough weight to follow what the consent decree calls for?
  Deputy Chief O’Neill: We write policies and best practices to positively impact the community and the City. The state law says that collective bargaining agreements can override policies, but management has some control over this by speaking to the union and communities while writing the policies. There could be some issues in the future, though.

- Commissioner Q: What measures will be in place in the new policies to avert some of the instances that have occurred over the years in which officers were let go in process but overturned in arbitration? How can new policies limit instances of this?
  Deputy Chief O’Neill: This is a difficult question to answer.

- Commissioner Q: A couple of policies, including the discipline matrix, are being overturned. Will we have an opportunity to see these new policies before they’re implemented?
  Deputy Chief O’Neill: Once it’s rewritten, the CDP can share the discipline matrix and open it up to public comment.

- Commissioner Q: What intervention training is currently available for officers to deal with the daily stresses of their jobs—before, during, and after incidents (especially before)? What health and mental health access to officers have?
  Deputy Chief O’Neill: There are a lot of programs offered to officers, such as the Employee Assistance Unit that is available to reach out to officers or for officers to contact the unit. There are many opportunities for an officer to confidentially get training-- wellness training, crisis training, periodic training outside of the division, etc.

- Commissioner Q: Does the CPD have a culture that promotes getting mental health help? How widely are the resources used?
  Deputy Chief O’Neill: Because this is confidential information, statistics are not kept, but these services are used.

Commissioner Q: Is there a way to respect confidentiality while still getting baseline statistics (numbers, not names)?
Deputy Chief O’Neill: It is a confidential unit—supervisors might have an idea of the extent to which it’s used, but it works because it’s confidential. If any information was released, officers might be less likely to use it.

Commissioner Q: You can collect information while keeping it confidential.

Deputy Chief O’Neill: She will see if that is allowed, but this is not subject to public record.

- Commissioner Q: What is the protocol for dealing with the day-to-day trauma of being a police officer?

Deputy Chief O’Neill: The CDP has a police stress consultant who is always available to officers who focuses on various de-stressing activities. We rely on other officers and supervisors to recommend officers they think need this help. There is supervisor training, but nothing very in-depth.

- Commissioner Q: The community is concerned that there are certain units that are exempt from/have different protocols in terms of following the current Use of Force GPOs. Are there different requirements for following the GPO, etc.?

Deputy Chief O’Neill: There is no difference in terms of the use of force itself for patrol officers or SWAT/gang unit members. The only difference is in terms of reporting instances of unholstering (e.g. it is expected that the SWAT team display their guns).

- Commissioner Q: Are there different rules for engaging with minors?

Deputy Chief O’Neill: The Use of Force GPO is not organized in that way; recording is the same regardless of age. Age plays a larger role in the de-escalation policy, as different characteristics result in different approaches to de-escalation.

Commissioner Q: Were experts referenced in the writing of the policy for how to deal with minors/mental health patients/the elderly?

Deputy Chief O’Neill: What is in the policies is the result of a lot of research.

- Commissioner Q: What are the current staffing levels of the CDP? Are there enough police officers to implement community policing, other policies, etc.?

Deputy Chief O’Neill: The CDP always adjusts staffing as needed. The goal is to have 1,520 officers and currently the CDP is at 1,500. Different districts have different priorities, but until they finish their staffing analysis, she can’t answer that. Compared to other cities (e.g. Memphis, San Diego), the CDP is overstaffed.

- Commissioner Q: Issue 32 on the ballot states that increased taxes are supposedly able to increase safety. Does that mean more officers?
Deputy Chief O’Neill: That’s for all public safety. We have a high crime rate so our staffing numbers make sense. We won’t know how many more officers/City safety services will be taken on until the staffing analysis is completed.

- Commissioner Q: How are we going to translate these policies onto the streets? If we don’t have enough officers to do a bike patrol, once we start talking about community policing, this could become problematic in implementing the policy. Would implementing this policy put officers in a difficult or more dangerous situation because we don’t understand the staffing numbers?

Deputy Chief O’Neill: This is why we’re doing the staffing study.

- Commissioner Q: We would like clarification on the Use of Force training in the new GPO. Has the training on the new GPO started already?

Deputy Chief O’Neill: No.

Commissioner Q: Once it is approved early next year, who will be the first to be trained?

Deputy Chief O’Neill: Our base control officers.

Commissioner Q: According to the consent decree, officers cannot be held accountable for policies they haven’t been trained on. When will this accountability start?

Deputy Chief O’Neill: The policy will have a date on it that states when the accountability starts.

Mr. Clopton-Zymler said these draft manuals had been given to the Commission for feedback and the CPC had a quick turnaround to submit recommendations. In January/February 2016, the CPC contributed full recommendations to these manuals, many of which were incorporated into later drafts, though some important CPC recommendations still have not been addressed. As the Commission will exist beyond the reform process, it was recommended that the CPC and community be able to offer suggestions to any future reforms of these manuals.

The CPC will have to ask the Monitoring Team whether it is acceptable to put these drafts on the CPC website, but the Commission will publicly post its recommendations.

_CWRU and CSU Law Clinic Collaborations:_
Since late summer, the CPC has been working with the CWRU Law Clinic. They assessed the amount of CPC recommendations that had made it into the draft GPOs, discussing levels of compliance. Commissioners emphasized how useful these documents are. One commissioner suggested that CWRU continue to do similar analyses to the Use of Force feedback for all future policies.

About a month ago, Cleveland-Marshall College of Law expressed interested in helping the CPC. Dr. Williams and Mr. Clopton-Zymler met with Maya Simek of C|M|Law and established an assignment for the law clinic to put together a resource for the community that explains the roles of all stakeholders in the reform process. They will also help on a project regarding community engagement groups and their role in fulfilling the consent decree.
CPC FACILITATOR INTRODUCTION
Mr. Whitt introduced himself as the new facilitator for the CPC.

BY-LAWS REVISIONS
Mr. Clopton-Zymler shared a handout about the by-laws with the Commission, reading the current language, proposing new language, and offering an explanation for the changes.

Article VII: Decision Making:
The co-chair explained that the City maintains its autonomy and the consent decree does not override the City Charter. Under the City Charter, the CPC falls under the Chief of Police. The co-chair discussed that the current Chief has surrendered authority granted to him in the City Charter to control the Commission, but once the consent decree is over and the Chief of Police changes, the co-chair emphasized that the CPC should have an explicit statement of independence from the police in its by-laws.

Removal Process:
The co-chair prefaced this conversation with a mention that the mayor has the power to appoint and remove all commissioners. If the CPC makes a recommendation to remove within the by-laws, it would go to the mayor.

The Commission reviewed the new removal language and commissioners proposed and discussed the following issues:
- Due to the seriousness of removing a commissioner, no other voting restrictions will affect the proposed ¾ majority (¾ of the Commission minus the commissioner in question) vote to remove a commissioner.
- Voting will be done in an executive session. It can be voted on in such a session as it is dealing with personnel issues, which is acceptable in Robert’s Rules of Order.
- The commissioner in question will be invited to the meeting as a courtesy, but if they choose not to attend, the meeting should continue as planned.
- The vote should be in person, not electronic.
- There should be two votes: one for removal and one for revoking the vote of the commissioner in question (in case the mayor does not approve the removal request). Although the mayor controls the removal process, the CPC controls its internal processes, so it can take rights away from commissioners as a separate process.
- If there is anything in these by-law changes that goes against the CPC’s mission, the Monitor will make this known.

Quorum:
Currently, the quorum is 10 out of the 13 commissioners but it will be changed to a simple majority of the full Commission. There has not yet been an e-vote on this issue.

Article II: Attendance:
Commissioners discussed definitions of tardiness and full absences. Tardiness entails being 15 or more minutes late to a meeting, while a full absence is not attending the meeting at all. Any policy about how many tardies are equivalent to an absence will be in an unofficial manual rather than the by-laws so as
not to over-legislate. Tardiness can be documented to see if patterns begin to arise. In terms of attendance/tardiness and voting status, any implementation should wait until at least three staff members (including the administrative assistant) are hired, though a vote can occur before this time.

Commissioners argued for work to be included as an official reason for missing a Commission meeting, but there was no substantial conclusion.

**UPDATED FIRST YEAR MONITORING PLAN**
Mr. Clopton-Zymler highlighted a few key points in the updated First Year Monitoring Plan that affected the Commission’s work for the rest of the year.

**Annual Report:**
The preliminary draft of the CPC’s Annual Report is due to the Monitor on November 23, with no plans to extend the deadline. Some commissioners still have outstanding sections. Mr. Clopton-Zymler and Ms. Brennan can add to the Community Engagement section of the Report due to their work on the Community Engagement Assessment. Ms. Brennan also offered to format the Report for submission.

**Community Engagement Assessment:**
The Community Engagement Assessment plan is due to the Monitor on November 30. The CPC has already approved the working draft for submission, so any edits will be polishing and formatting changes.

**Updated Tasks and Priorities:**
Focuses of the new monitoring plan include Use of Force, training, GPOs, manuals (OPS, CPRB), and body camera policies.

The Monitor’s goal is that a civilian head of Internal Affairs will be chosen by January 31. Mr. Clopton-Zymler will follow up on whether the CPC will have any part in this decision. The Commission still has not seen the Internal Affairs policy manual to give feedback.

**COMMUNITY ENGAGEMENT AND OUTREACH COMMITTEE—TOWN HALLS**

*CPC Full Commission Schedule—November and December:*
Rev. Conner reminded everyone of the last two full Commission meetings of the year:
- November 30 at Estabrook Recreation Center
- December 21 at Fatima Family Center

*Update on Town Hall Planning:*
At the September 22 meeting, the topics of future Town Halls were discussed at length. Rev. Conner has been in touch with Chief Williams about him coming or sending someone to talk about special units (giving an overview of what they are and how they operate) to the next Town Hall. This request was made two or three weeks ago, but she had still not heard back.

The next Town Hall is scheduled for November 22 from 6-8PM. The location has not yet been determined. The subject has not yet been clarified: either Chief Williams will join or there will be a backup plan.
**CRB Update from CPC Representatives:**
The CPC liaisons to the CRB did not attend the Community Relations Board meeting. Commissioners asked Mr. Whitt to report on the CRB meeting. He reported that a number of community-related events were happening and that details could be found by contacting Laveta Parker (Blaine Griffin’s assistant). During this meeting, issues of race, race relations, and racial equity were brought up to the mayor.

**CPC Operations Manual**
Rev. Conner presented the Commission and staff with a very early draft of an Operations Manual.

**FUTURE E-VOTE CONFIRMATION**
With a change in the quorum policy, commissioners hope that more votes can be held in public meetings and that the two issues below will hopefully be the final e-votes.

**Quorum:**
There will be an e-vote to change the quorum to a simple majority.

**August and September Meeting Minutes:**
The Commission will participate in an e-vote on these minutes.

At the November meeting, there will be a formal vote approving the 2017 budget and the rest of the by-laws.

**FUTURE QUARTERLY TOWN HALLS: BRAINSTORMING OF POTENTIAL TOPICS**
Mr. Whitt introduced this section and opened it up for community discussion.

**Issues to be Covered:**
Mr. Whitt asked what issues the public wanted to cover in future Town Hall meetings. The following were the community’s suggestions:

- A community member wanted to learn more about the collective bargaining process, arbitration, and the state’s policies that can affect discipline. He wanted information sheets but also the ability to ask questions.
- A community member wanted to learn more about the mental health system in Cleveland and other police departments around the country including: how do other cities track officers? What is the standard health policy for officers? What are other places doing for officers’ mental health? Why isn’t this information being documented in Cleveland? What is the impact/effectiveness of the support officers are getting?
- A community member raised the issue that currently the PRB can override the Chief of Police when it comes to disciplining officers. This, along with arbitration makes it seem as though no policies are straightforward, so he wanted this issue clarified. The member of the public wanted to know which policies/practices override policies?

**Future CPC Community Engagement Ideas:**
Mr. Whitt asked the public what effective community engagement looks like. The community offered the following ideas:

- A community member suggested that the CPC partner with other organizations/institutions to host Commission meetings (full meetings or possibly Town Halls), thereby making them part of
the outreach effort. For example, the CPC could hold a meeting at a Cleveland retirement home to get the elderly voice involved. Possible organizations that were represented at this meeting that could partake in the partnership were SURJ and the ACLU. The Commission determined that these partnerships would begin in January onward.

- A community member suggested that the CPC engage with the community beyond meetings with events such as movie watches. The Netflix film 13th was suggested as a possible movie to screen in February. This would not necessarily be put on by the full Commission, but rather the Community Outreach and Engagement Committee.

- A community member asked what kind of past Commission meetings got the best public engagement? Commissioners said that the one at the Boys and Girls Club was effective as they got to hear from kids about youth engagement with officers—a voice that often gets lost. Another commissioner said that bias-free meetings (which were well-attended) allowed commissioners to interact more fully with various organizations around the city. Commissioners defined success as meetings in which the community has an opportunity to interact (like in the bias-free meetings).

PUBLIC COMMENT PERIOD
Mr. Whitt opened the floor up for public comment. The following community questions were raised and discussed:

- A community member inquired as to when the updated monitoring plan would be released. Mr. Tim Tramble of the Monitoring Team, responded that the current monitoring plan was approved by the court in February and it has to be done yearly. The second year’s monitoring plan should come in February 2017.

- A community member asked for clarification about the executive team and the commission. Mr. Clopton-Zymler stated that the four people present at the table were part of the 11-person Commission. The executive meeting is for personnel issues and is used sparingly. These are private meetings.

- A member of the public asked about how many commissioners were required to vote for a commissioner’s removal. The Commission replied that nine commissioners would have to be present at an executive session and six commissioners would have to vote in favor of removal for the recommendation to be brought to the mayor.

- A community member asked how many commissioners attended each meeting on average. The Commission replied that there were usually 4-6 commissioners in attendance.

The meeting was adjourned at 8:00 pm.