

CLEVELAND COMMUNITY POLICE COMMISSION (CPC)
JERRY SUE THORNTON CENTER
TRI-C CAMPUS
MEETING MINUTES
APRIL 25, 2017

ATTENDEES: Commissioners: Paul Baeppler, Kathy Clegg, Mario Clopton-Zymler, Yvonne Conner, Lee Fisher, Gordon Friedman, LaToya Logan, Steve Loomis, Dylan Sellers, Rhonda Williams

Staff: Katie Brennan, The Cleveland Foundation; Peter Whitt, Enlightenment Consultant Group

ABSENCES: Anthony Body, Lynn Hampton (notified day-of), Amanda King

Dr. Williams called the meeting to order at 6:09pm.

OVERVIEW OF MEETING AGENDA

All Commissioners introduced themselves at the beginning of the meeting. Mr. Clopton-Zymler reviewed the evening's agenda and meeting structure and flow. He noted that the Standing Committees and Work Group section of the agenda needed to be cut to make time for Commissioners to partake in an executive session following the meeting. Mr. Sellers moved to strike the section from the agenda. Mr. Friedman seconded the motion. All present were in favor of striking this part of the agenda. It was determined that the executive session would be discussed at the end of the meeting.

APPROVAL OF MINUTES

March 28th Commission Meeting:

Ms. Logan moved to approve the minutes. Mr. Sellers seconded the motion. All present but one approved of the minutes; Dr. Williams abstained as she was not present at the March 28th meeting. The public can find these minutes on the CPC's website under the March 28th Calendar event.

CO-CHAIRS REPORT

Acknowledge Community Groups:

Dr. Williams asked for all representatives of community groups to stand to be acknowledged and state which groups they represented:

- SURJ
- Peace Action
- Stop Targeting Ohio's Poor

Personnel & Search Updates:

Dr. Williams shared that the CPC's Executive Director who had been hired is no longer going to take that position. The CPC is currently in the process of trying to secure a replacement ED and will update the community as more information comes available.

CRB Report:

Mr. Clopton-Zymler is the representative for the CPC to the Community Relations Board. Attendees included a member of the Toledo CRB, members of the Monitoring Team, and the head of community policing. There were discussions of the tragic killings of Mr. Goodwin and the car dealership employees. It was noted that there has been an increase in funding going to youth employment programs. There was also a continuation of the discussion on Cleveland being a welcoming city to immigrants. Mr. Clopton-Zymler gave a report on the CPC at this meeting as well.

NACOLE—June 2017 Conference:

Dr. Williams wanted to make the Commissioners aware of the June 2017 NACOLE conference. Information can be found online. Future discussions can be held among Commissioners regarding whether Commissioners want to go and, if so, who will go. The CPC will not present at this conference, but the co-chairs hope to have Commissioner attendance.

A Commissioner noted that he thought *someone* should go and it should be decided sooner rather than later as Commissioners need to put it on their calendars soon. Mr. Clopton-Zymler asked Commissioners whether they had any interest in attending without knowing the dates. Dr. Conner expressed interest in attending once more information is made available.

There needs to be more clarity regarding specific dates and whether the Midwestern or national conference takes place in June. All Commissioners will be updated via email.

PRESENTATION & CONVERSATION: DISCIPLINARY GPOS

Summary of DRAFT Document:

The draft of the recommendations written by the CPC was circulated to Commissioners for review. Mr. Clopton-Zymler discussed the sections of the draft recommendations. He and Dr. Williams read the executive summary of the report for all community members who did not have the copy of the draft report.

Mr. Clopton-Zymler quickly explained what Commissioners discussed during the April PPA Meeting. He explained that this full Commission meeting was aimed at gathering community feedback to put more meat on the current recommendations. It was determined that Commissioners would review the document individually and provide their feedback online.

Breakout Groups:

Mr. Clopton-Zymler asked the community for more feedback on the draft GPO to add to the CPC's recommendations. The community was split into four groups, each focused on a different topic:

- 1) Early Intervention and Formative Practices
- 2) Use of Force
- 3) Comparison of Matrices
- 4) Definitions

Report Backs:

Group 1: Early Intervention and Formative Practices

- There should be non-disciplinary actions taken and early intervention policies so that officers can be helped in their practice without punitive action for some mild rule violations.
- Non-punitive actions that can help officers include: mental health services, chaplain services, family mentoring, etc.
- Giving officers opportunity to talk about best practices must be a part of career development like in other career fields.
- The CDP should provide training refresher courses as an early intervention process regarding actions that have been recorded as repeated issues among police officers that warranted verbal counselling.
- The CPD should encourage good-natured competition and incentivize training and voluntary corrective action.

Group 2: Use of Force

- This group examined Denver and Cincinnati's policies around Use of Force.
- Denver's description was too wordy and not clear enough, while Cincinnati's was easier to follow and stronger, but not descriptive enough. Cleveland should have a policy somewhere in between these two, with thorough descriptions.
- When describing instances of use of force, terms such as "excessive," "unnecessary," and "punitive" should be used instead of "inappropriate."

Group 3: Comparison of Matrices

- This group focused on the levels of disciplinary action rather than the grouping of offenses.
- At this point, there is a discrepancy between offensive actions and the punishment for them—this discretion needs to be as small as possible.
- An independent consultant could look at aggravating/mitigating factors rather than the police.
- If discipline is warranted, it should be prosecuted as though the officer was a civilian.

Group 4: Definitions

- Denver's example of aggravating factors was good, but sometimes vague and subjective.
- In general, this group thought there was a lot lacking in Denver's model; though it gives a relatively robust view of aggravating and mitigating factors, it was still too subjective and more examples should have gone along with the terms.
- There needs to be a process and procedure for arriving at decisions around aggravating and mitigating factors.
- The City of Cleveland needs a clean slate with its matrix—people should not be grandfathered in.
- The City does not currently do well with filing and investigating cases.

PUBLIC COMMENT PERIOD

Commissioner-Specific Request

- A member of the second district noted that an officer was present in his wife's delivery room and they wanted to reach out, but did not have the name of the officer, and no one in the CDP would help him get this information. He claimed that they had been mocked by undercover officers and was getting very frustrated. He wanted help so he could get closure on this situation.
 - Det. Loomis took this individual's name and spoke to him privately, saying he would look into the situation. The Commission noted that each Commissioner has their own individual network and specific community concerns can be brought back to the appropriate network, such as in this case.

Disciplinary GPO

- A community member asked when recommendations for the Disciplinary GPO were due.
 - A Commissioner responded that written feedback is due May 1st, but because the process is reiterative, it may be brought back to the public in the future (e.g. bias-free recommendations will be brought up to the public again soon).
- An individual noted that she would have preferred to have information before the small group discussion. She asked whether the public would get another opportunity to discuss these topics before the feedback was submitted.
 - A Commissioner noted that in an ideal world, the CPC could have its information available far in advance. The Commission will work on it, but all of them are volunteers, so sharing this kind of information far in advance is currently difficult.
- A community member asked whether the CPC is recommending to edit the Disciplinary GPO or completely rewrite it.
 - The CPC responded that the recommendations are for edits of the current document; providing feedback on the CDP's policy that was presented to the Commission.
 - The individual said that the CDP should not be writing these policies because the consent decree notes that the department is the issue.
 - A Commissioner explained that this is the CDP's problem and they ultimately need to be the ones who correct it. There are other stakeholders providing feedback and working toward reform, but change ultimately must be internal. The CPC does not have implementation power, so the community must stay involved in the process to make sure their voices are heard as the CDP drafts their GPOs.
 - Based on the CPC's pages of recommendations, the CDP's changes to the GPO draft could result in a total revamp of the policy. It is hard to say whether the CPC is drafting, editing, or re-writing the GPO and it differs on a policy-by-policy basis.
- An attendee asked whether the district court would sign off on the final version of the Disciplinary GPO.
 - A Commissioner responded that yes, Judge Oliver must sign off on the GPO.
- A Commissioner thanked the community for their input and research into the recommendation process.

General CPC

- A community member thanked Dr. Rhonda for her service on the CPC.
- A member of the Monitoring Team asked whether surveys were online and the community members were encouraged to complete them.
- An individual asked where the CPC stands on their by-laws.
- A member of the public noted that attendance at the meeting was sparse and that the CPC should have a radio station or another way of connecting to the public.
- An attendee asked whether the CPC was considering alternate ways to get word of meetings out to the community?
 - A Commissioner responded that streaming live wouldn't be an issue, but it is important to collect the community's voices properly and the priority will always be to the individuals present. He also noted that radio is a good idea and the CPC is looking for ways to best attract more people.
- An individual asked whether the CPC holds other community forums that are more public.
 - A Commissioner responded that the Community Outreach & Engagement Committee is looking into diving deeper into issues at other types of sessions. Town halls are current designated for educational purposes.
- A member of the Monitoring Team underscored the amount of work that Commissioners do as volunteers.
- A Commissioner reminded the community that the CPC has a Facebook and Twitter page. He also recommended individuals bring friends to the meetings.

General Police Reforms

- A member of the public asked why the CPC does not look for examples from cities that have not reformed, but have best practices.
 - A Commissioner responded that through the CPC's academic research on best practices, it could find the most information published about cities inspected by the DOJ. The Commission can look elsewhere; there is just less information available.
- A community member asked where the consent decree stands under the Trump administration and whether the reform process will change.
 - A Commissioner responded that the consent decree is still being enforced by Judge Oliver and the DOJ is still a stakeholder in the process. The City is committed to the consent decree and the judicial branch—not the executive branch—is controlling the process currently. The Commissioner suggested that everyone should stay alert, but the reform process is continuing to move forward.

The meeting was adjourned at 8:05 pm.

Ms. Logan moved to enter into executive session. Dr. Conner seconded the motion. All Commissioners present agreed and the CPC entered into executive session.