Cleveland Community Police Commission Feedback

Re: CDP Equipment and Resource Plan

(Submitted Monday, December 12, 2016)

On November 30, the Cleveland Community Police Commission received the draft CDP Equipment and Resource Plan. Given the Monitoring Team's target date of December 19th to file the approved plan with the Court, the CPC decided to solicit feedback as quickly as it could. It did this in primarily in three ways: (1) by holding breakout sessions at its November 30th CPC Full Commission meeting; (2) through a targeted email query to community organizations; and (3) from Commissioners.

The community feedback in this document reflects all three sources, with the majority of the information stemming from community input during breakout sessions at its Full Commission meetings. At least two Commissioners participated in, helped facilitate, and take notes in each of the three small groups during the breakouts. The discussion was guided by the set of questions below. Additional information gathered, via email or from Commissioners, was categorized underneath and/or incorporated into these broad information areas. When a theme emerged, the CPC grouped the comments by that theme under each separate question. When a theme did not emerge, the CPC included a category of "Other" under each question.

1. **What do you expect to be in an Equipment and Resource Plan?**
   a. *As a community member, what equipment and resources do you think your CDP needs?*

   Body Cameras and Cameras

   - Body and dash cameras
   - Body cameras and dash cams: these are needed to keep the police accountable all the time; should not be switched on and off. To create more transparency/trust. Should have the capacity to upload data without the ability to delete or edit or manipulate data in any way, perhaps an automatic upload or live stream
   - Ensuring cameras are practical and durable to ensure they are operable and intact during altercations, etc.
   - Cameras in all cars
   - Pg28 Mobile Technology...Body worn cameras why has the city continued to purchase from the same deficient bodycam company that records 90 seconds after officer activation? Much can happen in 90 secs.

   Computers and IT

   - Computers in all cars, Excell, Access, Blue Team
   - Central Tracking, best practices for obtaining information and tracking
   - Computers in each vehicle-so officers could access info on individuals to get their history, if mental health client, would know to contact CIT
   - Comprehensive data base, SUV's

- IT designated staff to repair them
- Pg29 In vehicle computers… are alerts for every time LEADS database is accessed in place? And are emails set up for each officer saved without possible deletion?

Overall Philosophy, Governance, Audit, and Accountability

- See "Pillar Three: Technology and Social Media" in the *Final Report of the President's Taskforce on 21st Century Policing* as a critical guiding principle for developing, implementing, assessing auditing, and incorporating accountability with regard to new equipment, technology, and social media.[1]
- Initial and ongoing rationales that delineate the research and action steps for CDP acquisition, implementation, training, audit of equipment and resources
- Each component of the Equipment & Resource Plan, including accompanying technology, IT, personnel, should have an accompanying management control, accountability, and disciplinary standard.
- What role(s) will the Inspector General (IG) and/or other civilian personnel/entities play in oversight, assuring appropriate governance, training, as well as the implementation and enforcement of accountability measures?
- After the provision of basic necessary equipment, any new technologies, equipment, and resources should advance de-escalation as the core approach to policing and community problem-oriented policing as the core philosophy

Other

- App to assist with ways to handle difficulty situations

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[1] "**Pillar Three: Technology & Social Media --** The use of technology can improve policing practic- es and build community trust and legitimacy, but its implementation must be built on a defined policy framework with its purposes and goals clearly de- lineated. Implementing new technologies can give police departments an opportunity to fully engage and educate communities in a dialogue about their expectations for transparency, accountability, and privacy. But technology changes quickly in terms of new hardware, software, and other options. Law enforcement agencies and leaders need to be able to identify, assess, and evaluate new technology for adoption and do so in ways that improve their effectiveness, efficiency, and evolution without infringing on individual rights.

Pillar three guides the implementation, use, and evaluation of technology and social media by law enforcement agencies. To build a solid foundation for law enforcement agencies in this field, the U.S. Department of Justice, in consultation with the law enforcement field, should establish national standards for the research and development of new technology including auditory, visual, and bio-metric data, "less than lethal" technology, and the development of segregated radio spectrum such as FirstNet. These standards should also address compatibility, interoperability, and implementation needs both within local law enforcement agencies and across agencies and jurisdictions and should maintain civil and human rights protections. Law enforcement implementation of technology should be designed considering local needs and aligned with these national standards. Finally, law enforcement agencies should adopt model policies and best practices for technology-based community engagement that increases community trust and access."

https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf

- Equipment to ask for MH [mental health] assistance and a procedure to address MH [mental health] needs
- Training, software, questionnaire for dispatch prior to officer arrival
- Monitoring system for officers seizing property/materials
- A reminder to treat all citizens with respect and dignity
- Quality assurance and inventory, not using a perfunctory tool
- What is the cost, effectiveness and expected implementation?
- What other localities nationwide are utilizing said technologies and to what end is efficiency and safety achieved/met?
- Are there ongoing conversations with other agencies nationwide of applicable practices/best practices and what is considered safe, successful, and fruitful for citizenry and police?
- Will this new equipment and technology capacity result in the decommissioning of use of private cell phones and other technologies by police officers in the carrying out of their official duties?
- What technology will the CDP have to prevent tampering with or manipulation of evidence in violation of policies?
- The plan should outline how the securing of new technologies and equipment will occur, and develop a plan that includes the community when developing use and accountability policies.

b. *What do you not want the CDP to have?*

   Militarized weapons
- Combat, militarized weapons, drones or vehicles
- Militarized vehicles such as tanks, helicopters, or weapons such as water cannons, sound cannons, grenades, concussion bombs, only SWAT teams should have any of these if absolutely necessary, "this is not a war zone"
- Can public see inventory of tools/weapons CDP has?
- Batons, OC spray (flammable), some officers should be unarmed when performing certain duties like in elementary schools
- Any stock of militarized, military-grade, or surplus military weaponry, gear, hardware and other related military supplies should be publicly delineated and decommissioned.

   Questions Re: Social Media

- Social media monitoring (if they do, provide the policy for how social media is tracked and how the information is stored.)
- I do not have a problem with police accessing social media sites related to open investigations. I would like to know how the information is accessed and stored. Additionally, after an investigation is complete, how long is the information kept? Are there any limits to what information can be obtained with or without a warrant?

- How is technology being used: The CDP should not be using technology in the surveillance of activists engaged in their First Amendment rights. This would have an intimidation and chilling effect on civilians' civil rights. What guidelines and rules are in place to ensure that technology is not being used against civilians in this manner? What are the accountability mechanisms? What are the disciplinary repercussions for doing so?

Other

- CPD should not profit from civil assess forfeiture
- Civilian Surveillance

2. **What questions regarding equipment do you have post-RNC, and how should this be reflected in the plan?**

Equipment Provided by Federal Government

- Were the surveillance tools utilized removed
- Inventory of all federal equipment utilized, how is it currently inventoried, monitored, and disseminated throughout precincts
- What grounds allows the CPD to keep the tools provided for the RNC?
- Civilians should have time to give input and a plan for what should be kept.
- And in closing one must bear in mind that they have yet to disclose any and all equipment received just before, during and after the RNC

Information Sharing

- How safe is the information collected and who is it being shared with?
- What are the procedures for use and effectiveness?
- How is footage or data processed and stored from all mobile tech tools?
- Is there sharing of information via cell phone providers with or without a warrant?
- How safe is the information collected and who is it being shared with?

Bikes

- Intent for bikes???
- Inventory, don't know what they have; riot gear? 300 bikes

Tracking Equipment/Proper Use

- Is there discipline for defective or turned off equipment?
- Is there tracking capability to show when cameras are on or a light to show if the camera is on?
- How is footage or data processed and stored from all mobile tech tools?
- How much training is received to ensure proper usage of all technology and IT?
- How does the CPD monitor seized property?

- What determines effective use of this technology?
- All weapons should be tracked and audited for how they are used, and there should be ongoing inventory checks to promote management control

Other

- Where does the funding come from?

3. What types of situations have you had with officers that could have benefited from new or updated technology/equipment?

Camera Concerns

- Camera functionality, training, non-lethal weapons, equipment to scan for real or fake weapons, improved relay -response time between the dispatcher and the officer to improve information sharing prior to arrival
- Officer told me his body cam can easily fly off in a chase or tussle. Officer decides when to slide the camera on to begin recording, he has never had any follow up mental health review after first joining the force
- Pg14 In vehicle dash cams…. Are cams going to activate once unit accepts call or turns on emergency lights. Will there be audio and will it also begin recording when officer accepts call and or turns on emergency lights? Audio and immediate recording gives insight into state of mind and possible premeditation moments before a 4th amendment rights violation.
- Is there any way to monitor when body cameras are on and off? Are there any reprimands or follow ups for dysfunctional cameras or user errors?
- What are the policies specific to releasing camera footage to the public? Is there any confidentiality for the individuals (civilians) on footage?

Police Presence and Aftermath

- Person in crisis- six officers arrived, were polite, knocked on door and waited for it to be answered, talked to person calmly and respectfully
- At the RNC there were an overwhelming number of police officers
- After the [Michael] Brelo trial, presence of tanks, military equipment was intimidating and traumatizing and sent the message that "if you step out of line in the least bit, we will kill you"

Other

- Recommendation for an independent observer to be present during police interactions to serve as witness and advocate
- Need a full and transparent listing of all the equipment obtained for the RNC, for the community to review and comments; a listing of all equipment to be retained- bicycles, barricades, riot gear?

- There needs to be a plan for how to make sure the plan is followed going forward, even after the consent decree

4. **When considering this plan, are there certain resources, technologies, equipment, or tools that you think should be prioritized or implemented first?**

- Non-lethal weapons (taser, rubber bullets, etc.)
- Securing basic equipment and technology, such as computers in cars and the office to process reports
- An oversight, tracking, training, and accountability process for each set of tools purchased, deployed, and used must be developed prior to or simultaneous to use
- The securing of equipment that promotes de-escalation, and tracks strategies and methods to policing that can assess the implementation and use of de-escalation policies

Training and Resources

- Training frequency and updating for officers
- Quick reference guide for responding to incidents
- Assessment of use of tech for officers
- Possibly bring a mental health professional on calls involving mental health needs
- Increased training for dealing with de-escalations of situations
- Resource such as an independent 3rd party, a community advocate, to view camera footage and compare to the police report
- p. 6: Log books will be decommissioned by 4th quarter 2016, however training will not be completed until 1st quarter 2017, should that order be reversed to prevent untrained/ill-trained staff and potential mistakes? In many cases, the policies go into effect prior to the completion of training, are there any standard operating procedures in place to address user error due to delayed training? Will there be a secondary system in place while the training is occurring to prevent lost information?
- Refresher training will be offered on a continuous basis, who will assess officer's proficiency and what are the measures in place to address below proficiency that may impact reporting and capturing of data?
- Training for LERMS is offered and there is a space designated...what is the process for officers to request additional training and will that impact coverage? How many times can an officer request training on the system?

Equipment

- Transparency of equipment, information collecting, body cam video (all footage should be made available to the public)
- Prioritize body and dash cameras, and consider cameras inside the vehicles
- Computers in vehicles so information can be transmitted quickly, replace pen and paper, and so that data is not lost

- Systems that capture the type of scenario (mental health, homelessness, domestic violence); better clips or devices to keep the police camera attached
- Pg40 Re: Media Sonar: What is the criteria for this deceptively named spy equipment? Is there a warrant process? Are constitutional privacy rights in play? And what's in place to stop arbitrary and capricious Usage of this equipment at any time an officer wants?
  - Is it also for texts and phone calls?
  - Is it unable to process privacy set items or can it see it but not be used?
  - Is privacy of a Facebook group or individual profile the privacy setting mentioned or the devices settings?

Other

- More investigative units
- Police review of incidents

5. **What other major issues, concerns, suggestions, etc, would you like the CPC to share regarding the Plan?**

Other
- Why is there a shoot to kill policy as opposed to injure?
- How is the civil seizure and asset forfeiture policy implemented?
- Re-assessing response based on calls
- Is there a central technology agency in Cleveland?
- A philosophical evaluation of priorities on/for the job?
- Whenever the final Equipment and Resource plan is updated, changes should always come back in front of community to review and comment
- Pg7 field base reporter charter? Does charter mandate immediate input and are edits noted so as to see potential changes (lies) in report?
- Pg14 silent dispatch… is there a way for public to monitor via Internet. Records of dispatch info are often pertinent to understanding how citizen and police interactions unfold
- Pg49 Historical Project info: are performance and/or warning alerts mandatory to be acted upon? Who becomes aware and is this info public information?

Assessing Mental Health of Police Officers

- Police mental health evaluation throughout employment and periodic check in; accountability of how officers report incidents where the officer encountered trauma, reports to general population on police policies, type of equipment, diversity of officers (race, neighborhood),
- Mechanisms in place to gauge officer's mental health status related to exposure to trauma, evaluations for returning vets, officer assistance program, public in for evaluations

Training Related to Diversity and Interactions

- Also the media needs to put effort into a counter narrative program to decompress people's narrative about police, media is propagating people's notions about violence
- Need educational programming, programs for women, especially women of color
- Increased training and response to youth – how to determine age, cultural differences that may influence how the youth are perceived
- How will diversity, implicit bias, racial profiling, etc. be incorporated into training modules with regard to use of weapons and/or law enforcement equipment?
- Are other resources, e.g., personnel, a part of the Equipment and Resource Plan, and how will CDP ensure diversity and inclusion in the hiring of personnel?
- The CDP should conduct an assessment of the type of equipment, weapons, and/or strategies being used on a neighborhood and district level to assess deployment trends.