

Cleveland Community Police Commission

Full Commission Meeting

Minutes

May 10, 2023

6:00 PM - 8:30 PM

Cleveland Public Library - West Park Campus, 3805 W 157th St, Cleveland, OH 44111

**Co-chair Rodriguez, presiding, gavels in at 6:08**

Attendance roll call:

Adams – present  
Benito – present  
Chura – present  
Donaldson – present  
Earley – present  
Garrett-Ferguson – arrived after roll call  
Kennedy – present  
Reaves – absent (excused)  
Ridgeway – present  
van Lier – present  
Rodriguez – present  
Wang – present  
Zayed – absent (excused)

Staff in attendance:

Interim Executive Director Jason Goodrick  
Community Engagement & Project Coordinator Shalenah Williams  
Communications Specialist Sara Anderson  
Senior Policy Analyst Ryan M. Walker

**Unanimous consent for approving the minutes for April 12 and 26.**

Presentation on the Monitoring Team's 12th Semiannual Report

Former Interim Monitor Ayesha Bell Hardaway, as per Paragraph 18 c. in the Consent Decree, presented the findings of the Monitoring Team's 12 Semiannual Report. The reporting period discussed was June 1, 2022 to December 31, 2022, a reporting period that was split between two Monitors, Hassan Aden and herself. The focus of the presentation was the progress made towards compliance by the City concerning the CPC, CPOP, and other accountability bodies (OPS, CPRB, Internal affairs).

Link to the 12th Semiannual Report:

<https://static1.squarespace.com/static/5651f9b5e4b08f0af890bd13/t/641c8eded3cf0c3a8bda5fd>

[9/1679593187004/Notice+%2B+12th+Semiannual+Report FINAL.pdf](9/1679593187004/Notice+%2B+12th+Semiannual+Report+FINAL.pdf)

CPC Quantification of 12th Semiannual Report: <https://clecpc.org/wp-content/uploads/Quantification-of-Monitors-12th-Semiannual-Report-April-2023.pdf>

Commissioner questions:

Question: concerns were raised about discipline, how do you, as the Monitor, see the role of this Commission looking at discipline policy?

Answer: the short answer is now that you are seated, there needs to be a conversation between the CPC and other parties about what direction you want to take to fulfill your obligations under the charter. The Monitoring team would not want to prescribe what the CPC should do.

Question: In the Consent Decree, it mentions the “City” frequently, does that mean all of the parties?

Answer: they revised the wording in the Consent Decree, “City” the party to the lawsuit along with the DOJ. Sometimes some specific entity within the “City” is mentioned if it is a deliverable.

Question: Sometimes people say we are independent, but we collaborate and coordinate with other entities within the city. Can you explain why we are independent and how we can work collaboratively with other entities?

Answer: the monitoring team was a party to the original agreement. That was the DOJ and City. From a monitoring perspective, ensuring stakeholders are working collaboratively is important to ensuring that the mandates of consent decree are carried out.

Question: We recently interviewed a candidate for the position formerly called the Police Inspector General, which is now called the Public Safety Inspector General, they are now under the Safety Director, they have more staff and more responsibilities, the monitoring team lauded this. What was their reasoning for this?

Answer: there is nowhere in the report where we are laudatory of this. That is a reference to the reporting structure. There were concerns in prior reports, that the inspector general had to report to the Chief, someone who they have to assess. So it is better if they answer to another person. In regards to a specific question. I cannot speak for or against Judge Solomon Oliver.

Interim Executive Director Goodrick: the change in the job description does not change the Consent Decree requirements.

Chief Ethics Officer Delante Spencer Thomas: to provide some context and clarity for changing the Inspector General position. It stemmed out of the reporting structure, in terms of the language in the Consent Decree we are in talks with the DOJ to make the language of the Consent Decree more consistent.

Question: the job of inspector general now has broader responsibilities, with a 12 thousand

dollar pay decrease. I am concerned that the major differences have to do with police discipline. The stuff that is missing from the current job description includes a reference to give recommendations on police discipline, and that their reports will only be made public when necessary as opposed to always made public.

Thomas: There will be more support for the IG, this is a job description that has been seen by the parties, so it aligns with the Consent Decree. There was no intention to evade any of the job requirements

Question: as OPS is now no longer going to be under Public Safety, will the IG review OPS?

Thomas: Maybe. If OPS does investigations that are relevant to the IG's work, they will look at what they do. OPS is now an independent entity and it will do its own assessments.

Question: does that then mean that the new IG position also be independent?  
When are looking to provide these amendments to the court?

Thomas: the executive branch does not have the power to create an entity outside of itself. That would require a charter to amend it.

Question: should they be under someone other than the Safety Director. Wouldn't this make us non-compliant with the consent decree?

Thomas: that is why we are working towards amending it.

Question: is there a timeline for this?

Thomas: We did not set a date, but this is an urgent matter.

Question: What is the Commission's role? And why was the job description changed before interacting with the judge and DOJ.?

Thomas: we are following the language of 115, that they will provide recommendations. Concerning the language change, we thought it was the best move forward. I cannot speak to your second question. The position was retooled.

Question: on developing the requirements, why were we not involved? The guy interviewed does not have experience assessing public safety programs.

Thomas disagreed with the Commissioner's assessment.

Question: the Consent Decree was amended after Issue 24, but the IG part was still left in, was that an oversight? I am more concerned about the idea of OPS not being analyzed, because of their backlog of investigations. There is a difference between what an IG does and what the administrator or ops does.

Thomas: I cannot say if it was an oversight or it just wasn't brought up, we recognized this discrepancy and are addressing it. In regards to that specific function, oversight is important, but given how the Charter is structured, we cannot have the IG oversee how the OPS works, as the IG can only review things within the Safety Department, and OPS is no longer in the safety department.

## First Public Comment section

Kalya: as a body you are our representatives, how do you want us to communicate with you (the CPC)? How do we communicate concerns, and how do you want us to participate?

Co-chair Rodriguez: we will form workgroups in the coming months, and there will be a community survey.

Richard Jackson: It is odd that you (the City's hiring process) could not find one person out of 98 applicants, then you lower the pay and you find applicants who are qualified. I don't truly understand how one person can go from focusing on one department vs. 5 departments with lower pay. It looks like you want to change language: are you planning on changing 17 D (paragraph of the Consent Decree)?

Thomas: one of the things that we did differently is that we had a much more targeted posting of this job, instead of just posting it on Indeed.com, we sent this out to oversight bodies across the country and had advertisements in an IG's professional association publication. We found more applicants who were qualified. I cannot speak to the salary. The inspector general will be supported.

Co-chair Rodriguez: email comment from LaTonya Goldsby, the time and location of CPRB meetings are not conducive, they need to engage with the community and have Ask

Commissioner Garrett-Ferguson read a statement from Cleveland BLM President LaTonya Goldsby: "I'm unable to attend tonight's meeting, but I wanted to submit my comment in hopes that someone would read it or respond. Thank you.

*I encourage you to begin a discussion with the CPRB about the location of their monthly meetings. We have stated several times that this meeting is not held during a time that accommodates the community to engage in public comments. 9 am downtown Cleveland city hall is not conducive for the community. You all should encourage the CPRB to get out into the community and hold their meetings with the public at least twice monthly. The CPRB is still out of compliance with the mandates of Charter Section 115, and they still don't have an updated manual.*

*Secondly, I want to talk about the Police inspector general presentation. I'm not sure how far in advance you all received this information to prepare for the interview, but from a community perspective, this process was rushed; there was no real engagement with the community prior to you all making recommendations to hire or not hire, over half of the commission didn't engage with the candidate by asking questions so the commission looked like it was unprepared to conduct the interview. Because of the way the public comment session was set up, there was no real way to ensure that community input would be implemented into the recommendation process. No one on the commission questioned the changes in the language of the job description to ensure that the consent decree mandates were being applied. Or why the position was expanded to include Fire, EMS, AC&C, and Corrections when the consent decree only applies to CDP.*

*We submitted a letter to the city, the judge, and all CPC commissioners with our concerns about the police inspector general's position, which we hope you all read because we are awaiting a*

response.

*We, the community, depend on you all to be the voice of the community. If you are not prepared, how can you represent the best interest of the community and the residents of Cleveland?"*

Rosie Palfy: How is crisis intervention application to this? Dr. Anderson's job? It talks about OPS and the CPC, but it does not mention MHRAC. Mentioned in a report by MHRAC, where there were cases where officers were biased against Black female juveniles. Because MHRAC has now power to enforce it, the CPC should get involved.

Kalya: for reference, the NYPD police IG made \$190k last year.

Commissioner Wang: We were not seated when the job offer was sent out, now we are actively engaged and following it.

### **Interim Executive Director Report**

Just to clarify, we did invite public comment ahead of time as much as possible, we were not excluding any feedback. The letter from BLM was forwarded to us, and we always share feedback.

Thank you for extending my time in this position. Take a moment to congratulate yourselves, you did a lot of training, the points you raised and questions you asked are similar to people who have been working on these issues for years.

In regards for hiring, we tried for a full time attorney with benefits, but the budget did not have room for it. So we are creating a job description around what we can afford. We are also trying to find a front of the office manager.

Markus Perez is the new OPS administrator, we will extend an invite to him when he is comfortable with his job.

Regarding the City's responses to our document requests: there is a process for making request for all Brady Giglio officers, made on 4/17 by email. To date, the only response is today is that they cannot fulfill that request because the Safety Director is on military leave. In regards to the IG applications, those were sent in within one day after the request. The City is purchasing license plate readers and drones, there was a request for an update on GPO and DNs concerning these. We received the GPO for ShotSpotter, and the City said there were no GPOs for drones or automated license plate readers.

*Link to the CPC's 2022 report on police technology, including ShotSpotter, drones, and license plate readers: <https://clecpc.org/wp-content/uploads/CPC-Initial-Report-and-Recommendations-on-Clevelands-Emerging-Police-Surveillance-Technology-May-2022.pdf>*

Commissioner Early: to the Interim Executive Director, can you let us know what the budget is for the attorney?

Goodrick: We asked for \$240k, there are a lot of attorney jobs with the City that are going unfilled. \$150-250K for an attorney is too much, but given how many staff openings we have, we

have a surplus and will be able to pay a part time attorney \$50k.

### **Committee reports**

**Training** (Garrett-Ferguson): the next full all day training is moving to Saturday June 3rd.

Early: if you need more training in a certain area, let us know

**Budget & grants** (Adams): we have an application for grants ready, there may be a few items to be updated, we are shooting for May 15, maybe a bit after. It is modeled after the Neighbor Up application we are in the process of translating. For the first year we thought it would be best to start small, with smaller grants. The application process will be open Until July 1. We will then vote on them by August 31. Our goal is that, by October 1, all of the contracts will be settled and signed.

Commissioner van Lier: We have changed it to May 22 now. We need more time to develop the process.

**Rules committee** (Wang) **Amendment to rules section 1.4.4, concurring votes by the Commission leadership, the amendment is specify that Co-chairs cannot vote or make motions in committee meetings.**

**Wang motions to adopt the amended rule, van Lier seconds.**

**Adams - aye**  
**Benito - aye**  
**Chura - aye**  
**Donaldson - aye**  
**Earley - aye**  
**Garrett-Ferguson - aye**  
**Kennedy - aye**  
**Reaves - absent**  
**Ridgeway - aye**  
**Rodriguez - aye**  
**van Lier - aye**  
**Wang - aye**  
**Zayed - absent**

**With a vote of 11-0, the motion carries.**

**Adopt CPC Operating Manual 2.x regarding public speaking and commentary.**

**Wang makes a motion to adopt the rule as written, van Lier seconds.**

**Adams - aye**  
**Benito - aye**  
**Chura - aye**  
**Donaldson - aye**  
**Earley - aye**

**Garrett-Ferguson - nay**  
**Kennedy - aye**  
**Reaves - absent**  
**Ridgeway - aye**  
**Rodriguez - aye**  
**van Lier - aye**  
**Wang - abstain**  
**Zayed - absent**

**With a vote of 9-1-1 the motion carries.**

**Hiring committee** (Donaldson): we interviewed the candidate for Public Safety IG last week. The report will be made available to the public next week. Monday 22nd at 6:00 PM.

### **Old business**

New committee assignments:

Policy: Benito, van Lier, Early, Garrett-Ferguson, Wang  
Accountability: Chura, Zayed, Benito, Wang, Adams  
Outreach: Reaves, Kennedy, Zayed, Garrett-Ferguson, Earley  
Training: Donaldson, Reaves, Chura, Adams  
Budget & Grants: Adams Garrett-Ferguson, Kennedy, van Lier, Zayed  
Rules: Wang, Benito, Donaldson, van Lier, Zayed  
Hiring: Donaldson, Benito, van Lier, Earley

Commissioner Benito: it will be up to each committee to choose its leadership.

Co-chair Rodriguez adjourned the meeting.