

Cleveland Police Officer Focus Groups

Cleveland Police Monitoring Team

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Executive Summary

In December 2017, the Cleveland Police Monitoring Team (“MT” or the “Team”) conducted focus groups of Cleveland Division of Police (“CDP” or “Division”) sworn personnel. This work was conducted pursuant to the Consent Decree, which requires the MT to conduct a methodologically rigorous survey of the community regarding their experiences with and perceptions of CDP and of public safety; and to measure the “attitudes among police personnel, and the quality of police-citizen encounters.”

A total of 68 line officers and detectives, and 10 sergeants participated in eight (8) focus groups. They provided candid input across a range of topics.

Methodology

The MT worked with CDP to select officers and sergeants to participate in the focus groups. To ensure that the individuals and their views might be roughly representative of the whole of the Division, the Team selected officers at random across all of CDP’s Districts and platoons. A total of 78 officers – approximately 5 percent of sworn personnel – participated.

The focus groups were designed around a set of open-ended, structured questions developed by the MT. General topics covered during these groups included:

- Relationships and engagement with the community;
- Use of force;
- Discipline and accountability;
- Supervision and Leadership; and
- General experiences with the Consent Decree.

Relationships and Engagements with the Community

Officers described a wide range of experiences with community members. Those who described their interactions with the community as positive tended to focus on the strong relationships that they had built over time with residents in their zone. Negative interactions included acts like cussing, spitting, and “mean-mugging” by members of the community. Many officers also expressed frustration over what they perceived to be low levels of cooperation from the community, including victims.

Many officers felt that they do not have sufficient time to engage with residents in a meaningful way or to build authentic relationships with the community. Officers contended that opportunities

for engagement are especially diminished when the so-called “minimum car plan” is utilized or there is a major event or incident that spreads officer resources thin.

Officers discussed juveniles as the most challenging population with whom they work. While they were aware of and sensitive to the trauma that some have encountered by having a parent who has been arrested or incarcerated, officers also mentioned the challenge they believe they face from parents telling their children not to speak to the police or that the police will arrest them if they misbehave. Officers discussed a perceived lack of consequences many youth face in schools, at home, or in the legal system as an additional and ongoing frustration.

Some officers, recognizing a need to rebuild and renew the relationships, have taken initiative to engage proactively and develop long-term relationships with youth. However, many expressed frustration over how running from call to call has restricted their opportunities for engaging in proactive policing with youth, or the community more broadly. More so, some officers felt that proactive work was actually being discouraged.

Use of Force

The focus groups revealed a great deal of concern, anxiety, and misinformation related to use of force and, specifically, the corresponding discipline and accountability procedures surrounding the enforcement of the use of force policy. In particular, many officers said that they, and their colleagues are hesitant to go “hands-on” with subjects, even when that is necessary to ensure their, or the public’s, safety – because they are never sure about whether a supervisor or investigator will call their use of force as out of policy.

Officers expressed a great deal of confusion surrounding what constitutes force, why certain types of force warranted a BlueTeam report (i.e., a report on the use of force entered into the Division’s use of force computer database), and the consequences of accumulating BlueTeam reports on one’s future and professional development. Indeed, perceptions of the modified use of force policy suggest that some officers may be hesitating before using any force due to confusion about the definition and consequences of using force. This lack of clarity and resulting hesitation to act in the field has made some of the officers that we spoke with uneasy – and concerned about their safety and the quality of backup they may receive.

CDP policy now requires that officers use de-escalation tactics and techniques, when possible, rather than immediately relying on force. Many of the officers conceded that they believe de-escalation is nothing new, but they feared that they are now being expected to engage in de-escalation in situations where it could potentially compromise their safety, the subject’s safety, or public safety more generally. In an effort to follow the policy, some officers felt that supervisors allow or even require overly protracted efforts to de-escalate, which might place officers, the subject, and members of the public in jeopardy.

Some officers highlighted CDP's pursuit policy – revised prior to the Consent Decree and, to date, not part of the Consent Decree effort – as impeding their ability to engage in some proactive police work. Specifically, officers expressed frustration that the suspects who they try to pull over during a traffic stop may take off – and, without chase, may not ever receive a summons. Officers say that the “no pursuit policy” makes their jobs more difficult, limits their ability to respond to public safety issues, and limits their ability to be a deterrent to criminal activity.

The MT, in its experience, has consistently seen officers experience similar fears and concerns in the early stages of a policy change process, only to have those fears alleviated once they gained a clear understanding of, and experience with, the policies and related practices. In these focus groups, however, the level of confusion and uncertainty is concerning. From the officers' perspective, the combination of poor communication and training, coupled with overly zealous and poorly communicated disciplinary processes, is creating widespread dysfunction in the field, which clearly is unacceptable.

In this way, it appears that a disproportionate amount of the fear and anxiety stems from officers not feeling like they have sufficient clarity with respect to what is expected of them and what will occur if they fall short of those expectations. This suggests that it is less the content of the new policy – which aligns with the existing policy of numerous other law enforcement departments across the country – and more ongoing confusion about what supervisors and command staff expect in terms of enforcing the policy.

Discipline and Accountability

The way that accountability measures and discipline are implemented within CDP seems to be a source of great anxiety for almost all of the 78 officers who participated in the focus groups. Officers believe that CDP's administrators are perpetuating a culture of excessive and inconsistent discipline to make it appear that reform is taking place, as opposed to using discipline to teach and impose thoughtful accountability.

They believed this culture is linked to officers hesitating and questioning themselves in the field. This, they believe, can compromise safety and the willingness of officers to provide backup to their colleagues.

There was also a demonstrable lack of clarity among officers about what is expected of them in CDP policy and what the Division's response will be if policies are violated.

Officers were unclear on the role that Blue Team is playing in disciplinary and/or accountability practices. Additionally, many expressed frustrations with how complaints submitted through the Office of Professional Standards (OPS) are processed, particularly with regard to the many years that it could take to clear or address a complaint. Further, officers reported that there is a lack of clarity regarding interpretations and enforcement of general police orders (GPOs) when they are

issued. This makes it difficult for officers to know what the meaning behind the GPO is, and what they must do to be considered compliant with the new order.

Officers reported feeling a particular level of anxiety about, and feel especially vulnerable to supervisors being able to identify and punish them for, minor infractions documented in their own or others' body camera footage, or through duty sheets. For example, officers had the perception that higher level commanders, in a misguided effort to find something wrong in a use of force review, discipline officers for things like uniform violations, even though such violations are trivial in the context of a use of force analysis.

Supervision and Leadership

Ultimately, many of the officers feel supported by their sergeants and supervisors. However, they believe that most of the discipline is likely coming down from more senior leadership. Many expressed that, in order for real reform to take place, the way that the administration and leadership address discipline, accountability, and supervision issues needs to change. A consistent refrain from officers was that CDP leadership "did not have their back."

Experience with Consent Decree

While policies are shared via Divisional Notices, detailed instruction and expectations about working with new policies seem to be communicated primarily through informal means. Officers seem to rely on the "grapevine," rumor mill, or news media to interpret and to provide updates on the Consent Decree. Others reported that documentation is made available through means such as SharePoint and the Division's website but that it is left up to the officer to read it. Still others stated that some information related to the Consent Decree is communicated from the podium, but that, in general, "you learn about changes when you get in trouble for it."

Areas for Department Improvement

Focus group participants were given the opportunity to highlight areas for improving the Department. Responses highlighted the urgent need for resources, including renovation of infrastructure, improving the fleet of vehicles and the implementation of new technology, to intangible improvements, including measures to bolster morale, improve recruitment, and improve retention abilities.

One of the areas of greatest concern to all focus group participants was the perception that staffing is so low that the safety of officers and the public has been compromised. Indeed, officers indicated that they were concerned that the level of service that they were able to provide was falling short. It appears that at least the officer perception that the Division is continually short-handed has served to further diminish morale and contribute to officer stress. Officers say that these circumstances – along with the perceived high rate of discipline, some of the lowest pay in the area, and training for new Academy recruits being held in Columbus at the state Academy rather than in Cleveland – have contributed to the difficulty recruiting and retaining new officers

Findings and Conclusions

The focus group process has affirmed that much work remains on transforming the Division into an organization that works both for officers and the community that they serve. As the report that follows demonstrates, the current culture of CDP has tended to be perceived by officers as one of “leadership through discipline” rather than one of managing through leadership principles – and one of responding to crises rather than affirmatively managing public safety. The efforts to improve working conditions, enhance morale, and improve the job satisfaction of CDP officers requires strong and sustained leadership to drive and communicate changes with efficiency, consistency, and clarity.

Police reform is difficult work. Instituting new policies and procedures can be challenging and frustrating. Changing any organization’s culture can present an enormity of challenges and resistance, as culture is something that is both informal and the products of years and sometimes generations of experiences and leaders. The MT recognizes these difficulties, and it believes that CDP’s current leadership is well-equipped to lead the charge on this front.

City and CDP leadership have the ability to ease many of the growing pains that can accompany changes to the Division’s policies and practices, by looking for formal and informal ways to both support their officers and listen to their concerns. To date, however, a perceived lack of effective communication regarding CDP efforts to change its policies and processes, entrenched morale issues, and an adversarial relationship between line officers and the administration have tended to hamper the Division’s internal transformation. Without more sustained and focused efforts to communicate and receive feedback on new policies and expectations, officers may remain unsure of how to behave in the field.

To be sure, the Division has made some notable strides in some areas clearly important to officers. For example, with in-car computers installed in a vast majority of cars used by patrol officers, officers are seeing and appreciating instantaneous access to technology and better information. Even as officers say they have concerns about the use of force policy, officers appeared to appreciate the Division’s extensive use of force training in 2017 and welcome more and ongoing training and professional development.

In taking the pulse of police officers in the middle of large-scale reform of a large police organization, it is common to hear concerns, fears, and growing pains as they adapt to constant change. Even when reforms involve the implementation of best practices, new policies, paperwork, and accountability measures can feel overly burdensome early on. Thus, to a certain extent, the negativity, anxiety, and concern expressed by CDP officers in these focus groups at this stage in the process is to be expected.

However, the depth of the low morale, the prevalent belief that the Administration is “out to get” officers, and the level of confusion about performance expectations across a host of fronts is a

source for significant concern. It suggests that CDP has a lot of work to do to train, communicate with, and support its officers as it continues to adopt policies, processes, and approaches consistent with best contemporary policing practices.

Introduction

Pursuant to its obligations under the Consent Decree, the Cleveland Police Monitoring Team (“MT” or the “Team”) has conducted police officer focus groups with the purpose of gaining a deeper understanding of the perspective of officers on the community they serve and the department that employs them. According to Paragraph 361 of the Consent Decree, the MT is, every two years, to conduct surveys of the community regarding their experiences with and perceptions of CDP and of public safety. Pursuant to Paragraph 363, the MT is required to measure the “attitudes among police personnel, and the quality of police-citizen encounters.”

Over a three-day period in December 2017, three MT members – Christine Cole (Director of Outcome Measures), Charles See (Director of Community Engagement), and Brian Center (Consultant) – led eight focus groups of Cleveland Division of Police (“CDP” or “Division”) sworn personnel. In total, 68 officers and detectives, as well as 10 sergeants, provided candid input across a range of topics.

The report that follows provides a synopsis of the comments, concerns, and feedback that the MT received. The Monitoring Team has repeatedly stressed that implementation of Consent Decree reforms will not only improve the quality of police services provided to the Cleveland community but will improve the Division of Police as an organization.

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Police reform is difficult work. Instituting new policies and procedures can be challenging and frustrating. Changing any organization’s culture can present an enormity of challenges and resistance, as culture is something that is both informal and the products of years and sometimes generations of experiences and leaders. The MT recognizes these difficulties, but it believes that CDP’s current leadership is well-equipped to lead the charge on this front.

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communicate and receive feedback on new policies and expectations, officers may remain unsure of how to behave in the field.

As this report makes clear, the focus groups discussed wide-ranging issues. Across the eight groups, however, some primary areas of concern for officers were consistently raised:

- A lack of clear communication about use of force policies and accountability measures have caused officers to grow concerned for safety as they and their colleagues hesitate to engage with suspects or to provide backup.
- Low levels of staffing and deployment strategies are causing frustration and leaving officers stretched too thin to be able to engage in meaningful proactive policing, community engagement, or provide adequate levels of service.
- Officers perceive leadership to be inconsistent and, at times, unduly punitive in its application of discipline.
- There are concerns about CDP's ability to recruit adequately because of inconvenience of training location, poor pay, and low morale.

Methodology

The MT developed a methodology to align with accepted social science practices.¹ First, the MT sought to ensure that a diverse cross-section of the Division participated in the focus groups. Currently, CDP employs approximately 1,467 sworn police officers, patrolling approximately 77 square miles, with very diverse residents. Because it was not possible to speak with all officers, the MT selected a sample of officers to provide input that represents the diverse experiences of officers. The MT worked with the CDP to select officers randomly and to ensure that the sample of officers appropriately represented a cross-section of the Division. By utilizing a random selection process, it was more likely that the final focus groups represent the body of CDP officers across factors such as years of service, race, which neighborhood the officer patrols, and the like.

The MT created eight focus groups comprised of random samples of individuals who met basic characteristics for the focus group (e.g. shift, rank, and for some groups, ethnicity). The eight focus groups included:

- 5 all patrol officer groups (with representation from Platoons A, B, and C);
- 1 all white patrol officer group;
- 1 all non-white patrol officer group; and
- 1 all sergeant group.

Division personnel were made aware of the focus groups through a letter sent from the Office of the Chief that also was signed by the leadership of the Cleveland's Patrolman's Association and the Superior Officers Association. MT members described the process to all parties in advance and secured their support for the initiative and the process. Once officers were randomly selected, Sergeant Mark Pesta of the Bureau of Integrity Control notified supervisors as to which officers to send to focus groups. In this way, then, it is important to recognize that officers were not provided to the Monitoring Team, specially selected by CDP, or given an opportunity to opt in or volunteer to the focus group effort. Instead, personnel were identified and expected to participate.

Focus groups were convened during officers' assigned shifts and those selected were not provided additional compensation or incentives for their participation. Additionally, in order to facilitate a frank discussion and elicit the most candid responses possible, participants were informed that

¹ See, e.g., Pranee Liamputtong, *Focus Group Methodology: Principles and Practice* (2011) (outlining parameters for methodologically-rigorous focus group research); J. Kitzinger, "Qualitative Research: Introducing Focus Groups," 311 *BMJ* 299 (1995) (same); Sonya Hanafi, et al, "Incorporating Crisis Intervention Team (CIT) Knowledge and Skills into the Daily Work of Police Officers: A Focus Group Study," 6 *Community Mental Health Journal* 427 (2008) (applying focus group methods to law enforcement context); Gisela Bichler and Larry Gaines, "An Examination of Police Officers' Insights into Problem Identification and Problem Solving," 51 *Crime & Delinquency* 53 (2005) (same).

anything stated during the group would be reported anonymously. As such, care has been taken throughout this report to ensure that the identities of respondents are not revealed. Responses from line officer and sergeant focus groups are presented together, with respondents generically identified as “officers”; the rank of the individual(s) who offered specific input are only provided in cases where it is clearly relevant. Quotes are therefore provided without attribution and may have been edited for clarity. The report also uses the grammatically incorrect possessive pronoun “their” in discussion of specific officer comments so as to not reveal the gender identity of the officer where it is not related to the underlying nature of the comment.

The focus groups ran between one and one-half to two hours in length and were structured on a set of open-ended questions that was developed by the Team. General topics covered during these groups included:

- Relationships and engagement with the community;
- Use of force;
- Discipline and accountability;
- Supervision and leadership; and
- General experience with the Consent Decree

Sample

In total, 68 individuals at the rank of officer participated in focus groups. These officers included 52 males (76.5%) and 16 females (23.5%). All five police Districts and three platoons were represented in these groups. Officers’ amount of time on the force ranged from less than one year to more than 30 years. Beyond the all-white and all non-white groups, the other five patrol groups were racially and ethnically diverse.

Additionally, 10 individuals at the rank of sergeant participated in the sergeants-only focus group. The sergeants included males and females. They had an average of 22 years on the force, ranging from six to more than thirty years on the job. The sergeant focus group included a racially and ethnically diverse group.

Relationships and Engagements with the Community

Interactions with the Community

Officers' descriptions of their interactions with community members ranged from generally positive to adversarial. Those who described their interactions with the community as positive tended to focus on the strong relationships that they had built over time with the community members in their zone.

For example, one officer stated that they had been stationed in the same community their entire career and had watched the residents grow up from kids to being adults with their own kids. Another officer highlighted that during their time in a zone car they got to know who “the kids, the good people, and the troublemakers” were, and that they developed a good rapport with the people in the zone because they were always present.

Some officers felt that the ability to spend their entire career in a single zone was unlikely in CDP's current organizational structure, lamenting that: “now your supervisor can switch the whole car plan and that's that.” This general perception was consistent with the finding in the Monitoring Team's 2016 survey of community members that “most Cleveland residents consider their relationship with the Cleveland Police to be ‘positive,’ but a majority of Cleveland residents do not believe that the police have developed relationships with people like them or are knowledgeable about their communities[.]”²

When officers were asked with whom they had strong or positive relationships, the most common responses were the elderly and business owners. Older citizens were described as typically having a strong working relationship with the police based on “mutual respect.” Officers say that they are the most likely to say that they appreciate that the police are there. Business owners were also described as being grateful and appreciative of the police's presence in their area.

Negative interactions with the community included acts such as “people say ‘fuck the police’ and spit,” and “mean-mugging” as they drive past. When asked about levels of cooperation from the public, and particularly from crime victims, officers had many examples of low cooperation. – Crime victims electing not to pursue a case creates officer frustration. For example, officers described instances where, after zone cars respond in the immediate aftermath of an incident and officers begin collecting evidence and writing reports, victims are not interested in cooperating once detectives arrive.

² Dkt. 71-1 at iii.

One officer estimated that just 20 percent of people are willing to talk, while another 20 percent are suffering from mental illness and just want to get to the hospital – with the remaining 60 percent not wanting anything to do with them. Two other officers had similar experiences:

- *Half the people that the street officers deal with don't want to talk to us. Not sure why. Maybe because they don't prosecute, but they don't follow up. You call the victim, ask about the incident and they just don't want to do anything. Why? I couldn't tell you.*
- *We can barely get ahold of victims, and they don't want to do anything about it. Only about 1 in 10 domestic violence victims want to follow up. It's frustrating because after a while, I can only care as much as you care. It's hard when victims don't want to cooperate.*

The sense among officers that cooperation from the public is challenging is consistent with findings from the Monitoring Team's 2017 community survey in which a number of participants indicated that they try to avoid interactions with CDP officers. Members of the community said that the avoidance was largely because they “generally perceive police to be unresponsive or dismissive of people's needs, actively profiling people, overly aggressive, corrupt, dishonest, uncaring, or self-interested[.]”³

Public displays of support for the police are described by officers as varying by district. In some areas, people are afraid to show their support for the police publicly, but officers say that it is clear that they want the “criminals off the street.”

Meaningful Engagement with the Community

One sentiment that was repeated in most, if not all, focus groups was that officers do not have enough time to interact and develop relationships with the community because officers spend so much time running from call to call. Officers appeared to the MT to be genuinely frustrated that the need to continuously respond to calls prevents them from engaging with residents in a more sustained and meaningful way. Officers sensed tension between CDP's overarching goals of building relations with the community, and the realities of the job, in which “they keep telling us to break off, sending out code ones.” Officers repeatedly referenced the frequency with which they are broken off from one call to address another and have to begin shifts with up to 40 assignments that personnel on prior shifts were unable to handle (“UTH”). Not only is this situation making it more difficult for some officers to provide meaningful engagement but also affects the service that they do provide:

³ Dkt. 143-1 at 40.

- *I was at a scene and getting information and got a break—I had to go to another scene and couldn't return for five hours. It's not good service.*

Officers reported that opportunities for engagement are further diminished when the CDP's "minimum car plan" is utilized – a staffing scheme in which the bare minimum of officers necessary are spread out across a geographic area over a given shift. Major events such as shootings stretch them even thinner.

- *We're constantly running at the minimum car plan, people are gonna be sick, on vacation. A shooting ties up four or five cars. When a bunch of kids were shot the other night they were all tied up. Not a lot of time to help people. Put a Band-Aid on it. Run someone to a shelter. We're not helping long term and not really engaging. These are just temporary solutions to long term problems.*

Others attributed their inability to engage with the community to their particular assignment. For example, officers who typically worked on the night shift stated that there are fewer opportunities for relationship building due to the lack of direct contact with people out walking the street. That said, they found that they build relationships by routinely checking in on 24-hour stores, and in their interactions with "regulars" such as seniors who need to go to the hospital. Others who cited limited work with the public due to their assignment included a sergeant whose interactions were primarily limited to community meetings and detectives whose high caseloads meant that the majority of their interactions with the public were when they were obtaining statements.

Building Relationships with Youth

Officers in the focus groups discussed juveniles as the most challenging population with whom they work. In addition to the trauma that some juveniles face by having a parent who has been arrested or incarcerated, officers also mentioned the challenge of parents telling their children not to speak to the police or that "if they [the youth] keep acting up we're going to arrest them."

Many officers raised the issue of the perceived lack of consequences many youth face in schools, at home, or in the legal system. Officers expressed frustration with the juvenile justice system. In particular, officers observed that they can repeatedly arrest the same teenagers for serious offenses, but, unless they are one of a select set of crimes, they are likely to soon see the same individual back in the same environment and engaged in similar behavior.

- *Teenagers are difficult. We can arrest them but if it's not a domestic violence or gun offense we book them and take them back home, and they go out and do same thing the next day. It's frustrating. We arrest the same juveniles monthly for the same crimes. They can steal a car but that's not enough to be kept overnight—but the victim is still traumatized.*

Teenagers described a similar distrust or frustration about officers during the community focus groups. As summarized in the MT's Third Semiannual Report, "[t]hese young adults indicated that they have adjusted their strategies for moving around their neighborhood and community, including checking social media for police check point locations, avoiding traveling through certain areas, and memorizing the times of officer shift changes."⁴ A significant number of teenagers perceived the officers to be overly aggressive and too quick to, in their view, unnecessarily harass them.

Some officers have taken initiative to engage proactively and build relationships with youth. They mentioned going to schools and talking to kids each week – even if during their free time – and “running out of stickers” during visits.

- *Me and my partner use our lunch time and go into schools and have lunch with kids. A lot of times we have to use our own time to build trust with kids. There's not enough patrol time because we are so short-handed.*

Proactive Policing Strategies

Officers expressed frustration over how running from call to call has restricted opportunities for engaging in proactive policing. An officer astutely summarized, “zone cars get calls, handle them, go to the next call... there is no problem solving from zone cars.”

One focus group participant offered the possible solution of returning to the community station program – in which the Division had established “mini-stations” or small neighborhood-based stations staffed with a limited number of officers to enhance presence and build relationships – stating that it could help put officers back out in the neighborhoods and make more time to engage in problem solving available.

Existing solutions, such as the Community Service Unit (CSU) were generally described with cynicism – as being the “shiny new thing” ultimately involved in doing a lot of “meet and greet” rather than problem-solving. Officers discussed CSU responsibilities as serving as a visual deterrent at schools and keeping an eye out for fights during dismissal, engaging in traffic enforcement, and attending meet and greet events such as ice cream socials, festivals, and coffee with cops

- *When you're in a zone car you're much more attached to the community. CSU used to be proactive, looking for problems. It was very productive. Took a lot of guns and drugs off the street. Now cops are tied down to schools.*

⁴ Dkt. 135 at 16.

- *Some reported that officers' general awareness of social services and other resources to refer citizens to had improved, but it was also noted that: (1) all agencies are also overwhelmed by demand or limited resources, and (2) there is no expectation for police to provide social services – it is “on the back burner” due to limited manpower.*

Nevertheless, there was also a recognition of the value that informal interactions with youths at community events could play, particularly for some of the youth likely to distrust the police:

- *On CSU you're dealing with people at a festival—it gives an opportunity to interact with the kids. You'd be surprised what the kids are seeing at home. Sometimes the kids won't interact with you because you've taken their parent to jail—it shapes their perception.*

While CSU officers do seem to have more exposure to members of the community, there is a frustration that CSU units can be reassigned to areas downtown to assist with major events, rather than being able to provide service to the people in their own zone who may have to wait hours, or longer, for a police response. As with other areas, officers expressed a frustration with the lack of adequate time for officers to do proactive work. Some officers even felt that proactive work was actually being discouraged.

- *When I first started it was great because you could be proactive, you could stop cars or drug dealers with probable cause. Now you are not encouraged to be proactive. The department thinks that you're looking for trouble. If you're more proactive, you're more likely to get complaints or get in trouble. Officers right out of the academy are just looking to answer radio calls, don't want extra stuff to do, don't want to get in trouble, and don't want complaints.*

Use of Force

Use of Force Policy

Conversations that took place during the eight focus groups made clear that there is a great deal of concern, anxiety, and misinformation related to CDP's new use of force policy – particularly with respect to corresponding discipline and accountability procedures.

In particular, many officers have found that they and their colleagues have become more hesitant to “go hands-on.” Officers posited that this response reduces the level of policing neighborhoods receive because “even when cops are afraid they’re going to do something wrong, the bad guys aren’t.”

There was much confusion surrounding what was considered to be force, why certain types of force (e.g. pointing a gun, forcing an arm behind back, closing handcuffs too tight) warranted a use of force report in the Division's “BlueTeam” computer database system, and the consequences of accumulating BlueTeam reports on one's future. While BlueTeam and other accountability measures will be discussed in greater detail later, the lack of clarity on the topic runs the risk of directly influencing officer decision-making processes with regard to use of force, and typically favors inaction.

For instance, one of the less-experienced officers in the focus groups described his mental calculus in use of force situations, where he considers, “if I pull this gun right now am I going to get in trouble,” noting that if he is put up on charges he may not be able to advance in his career for two to three years.

Others described a shared concern that officers' hesitation to use force will, and already has, made the job more dangerous for officers on the street. They contended that some patrol officers are afraid to touch people on the street, which is often a necessary part of the job, and that the inclination to take a few steps back instead of engaging a suspect can potentially be dangerous. A specific, recent incident cited by many officers involved a situation in which a patrol officer's partner did not assist with a struggle in the field because he did not want to go hands-on and risk a BlueTeam investigation or risk being “brought up on charges”; that officer's partner is reportedly out of duty because they went hands on alone and were injured in the process. While we are not certain of the facts, the perception that this is happening is important. Other officers say that they believe that the revised use of force policy is going to have an impact on local crime rates, by reducing their efficacy as a deterrent, or further straining resources that they believe are already stretched too thin.

Additionally, officers are self-conscious about appearing weak or otherwise restricted in their authority during interactions with the public. Together, their hesitation and hesitation of their

colleagues, and the perception that officers are not supposed to be using force, seems to be making some of the officers that we spoke with uneasy.

The fear of going hands on appears particularly associated with a perception that the number of disciplinary actions taken against officers, and the number of unpaid suspension days being issued, has risen dramatically in recent years. Many officers are particularly wary of receiving discipline, as it may correspond with a two-year freeze on promotions and can prevent officers from being hired by other departments.

It should be noted that the MT, in its experience, consistently has seen officers experience similar fears and concerns in the early stages of a policy change process, only to have those fears alleviated once they gained a clear understanding of, and experience with, the policies and related practices. In these focus groups, however, the level of confusion and uncertainty is concerning. From the officers' perspective, the combination of poor command-level communication and overly zealous and poorly communicated disciplinary processes is creating widespread dysfunction in the field.

De-escalation

An important element of the new use of force policies is an emphasis on de-escalating encounters where safe and feasible to do so. Many of the officers indicated that, although de-escalation was nothing new, they feared that they were now being directed to de-escalate in situations where it could potentially compromise their safety, the subject's safety, or public safety more generally.

- *De-escalation is something we've always been doing, but now they want us to take less action, sit back, and listen to what people are saying. I fear some officers will be hurt because they don't want to get in trouble.*
- *I tell younger guys just do your job. Deescalate but not at the risk of your safety. At the end of the day I have to make sure I get home safe and my partner gets home safe. They're teaching new guys different things than we learned. I tell them just be safe, do what you have to do. I couldn't hesitate and allow my partner or someone else get injured because I'm worried about consequences.*
- *The new class had it beaten into us to deescalate. Don't know when it's enough now that pointing your weapon is considered a use of force. It may take me pulling and pointing my weapon to get them to drop their weapon. You can only dance around so much before you begin to risk your life. With the manpower we have, it's difficult to have a supervisor on scene. You can hear cars try to get to your location, but it only takes seconds for something to happen.*

Many officers discussed risks involved in attempting to de-escalate subjects who were mentally ill. Some officers described situations that may have been carried on longer than necessary because

of difficulties rationalizing with someone in crisis. For example, officers discussed a situation in which a CIT officer followed a mentally ill man into traffic, and despite opportunities to grab the individual, the officer was reportedly instructed to continue de-escalation efforts on the chance that the individual fought back. Officers in the focus group discussed how this extensive effort was ultimately successful because the individual was ultimately taken safely into custody – but how it could have easily ended much differently for the subject or officer.

Some officers were frustrated with the review process as it relates to de-escalation, as it is not possible to have a standardized amount of time that should be spent attempting to de-escalate someone before force is utilized. Officers stated that after-action reviews that focused on the length of time spent deescalating were unlikely to appreciate the nuances that influence officer decision making in each of the specific incidents.

- *There is no perfect policy for mental illness. Every run is different, and every situation is fluid. Someone might be able to deescalate longer than others depending on the situation. Applying the force continuum is almost impossible unless you were there.*
- *You can go in with a schizophrenic who is off his meds, been drinking and smoking dope all day, and they want you to deescalate him. You wind up in a tussle and they say nice job, but you should have deescalated longer.*

The Monitoring Team observes here that the Division’s use of force policy contains no requirement on the length of time that an officer must de-escalate. Indeed, there is no magic number of amount of time. Instead, like the appropriateness of force generally, the appropriateness of de-escalation efforts depends on the specific circumstances that the officer encounters during the incident. Indeed, CDP’s general use of force policy lists as many as thirteen factors that may influence an officer’s determination as to whether de-escalation efforts are appropriate.⁵ To the extent that officers are getting the impression that there is a time minimum on de-escalation in all circumstances, that would not be consistent with the Division’s policy – and emphasizes the extent to which supervisor enforcement of the policy has a substantial length yet to travel.

Pursuit Policy

Some officers highlighted CDP’s pursuit policy⁶ – revised in May 2015 before work on the Consent Decree began in earnest – as impeding their ability to engage in some proactive police

⁵ See Cleveland Division of Police General Police Order 2.01.03, Use of Force General, Section IV(E), available at http://www.city.cleveland.oh.us/sites/default/files/forms_publications/01.10.2018General.pdf (last visited April 24, 2018).

⁶ See Cleveland Division of Police General Police Order 3.2.02, Vehicle Pursuits, available at <http://www.ohioattorneygeneral.gov/Files/Briefing-Room/News-Releases/Policy-and-Legislation/Vehicular-Pursuit/City-of-Cleveland-Pursuit-Policy.aspx> (last visited April 24, 2018).

work. Specifically, officers expressed frustration that the suspects they try to pull over during a traffic stop may take off without chase and may not ever receive a summons.

Officers reported that the perceived “no pursuit” policy makes their jobs more difficult, not only because of the way it limits their ability to respond to crimes – that they cannot pursue grand thefts of motor vehicles (GTMV) – but also in their deterrent ability. According to some officers, criminals have purportedly become aware of the fact that the police are prohibited from chasing them and have become emboldened as a consequence (one officer noted “dirt bike riders know that we can’t chase them, so they’ll give you the finger and spit at you”).

- *It’s more important that the criminal element respect you – they’re not watching news, they text and tweet that, “Hey I just took off, and they didn’t chase me.”*

Additionally, as is discussed further below, there seems to be some confusion or inconsistency related to what the policy says, as well as how it is interpreted and enforced by leadership. This leads to further confusion in the field when officers attempt to execute their job in a way that is compliant with policy.

- *Policy doesn’t say you can never follow a car specifically. Don’t want the media to put it out there. Administration hears one thing then goes all the way as far as they can.*
- *The “no chase” policy is very, very strict. There are very few instances where the supervisor says it’s ok.*

The Monitoring Team observes here that there appears to be a disconnect between what is in fact in the pursuit policy and how officers may be understanding that the policy applies. Although the Court and Monitoring Team have neither reviewed nor approved the Pursuit Policy in the context of the Consent Decree to date, the existing policy limits vehicular pursuits to instances where the subject is fleeing (1) for an actual alleged violent felony or operating a vehicle while intoxicated, (2) “the immediate danger of the pursuit is less than the immediate or potential danger to the public if the suspect remains at large,” and (3) the officer is operating an authorized emergency vehicle. By its terms, it appears not that the policy entails an absolute restriction in pursuits but, rather, that it limits vehicle pursuits to instances where the individual poses an immediate threat to public safety.

Nevertheless, culture and informal understandings matter. If discipline in pursuit-related cases does not closely apply to policy, misperceptions might fester. Even if the policy is being uniformly and consistently applied, it is clear to the Monitoring Team that the Division has some distance to travel to having officers believe that the policy on pursuit is intended to balance public safety and officer safety across multiple dimensions.

Discipline and Accountability

It appeared to the Monitoring Team that most concerns about the new use of force policy related not necessarily to the content of the new policy but to fears and anxieties about how the use of force policy is being enforced in the discipline and accountability process.

The way that accountability measures and discipline are implemented within CDP seemed to be a source of great anxiety for most all officers who participated in the focus groups. As noted above, officers believe that an overly zealous, unclear and inconsistent approach to discipline is causing officers in the field to hesitate and question themselves to such a degree that there is concern that their safety, and their ability to assist adequately or provide backup, has been compromised.

This purportedly includes sergeants instructing officers “don’t get me any invests today” during roll call briefings. To the Monitoring Team, this says a lot – both about a culture in which officers are focused less on fulfilling the Division’s public safety mission than with not screwing up and a culture in which it appears that at least some supervisors believe that they are doing their jobs so long as the personnel under the command stay “off the radar.”

During the eight focus groups, no topic was discussed with greater fervor, or conveyed as much angst or frustration as discipline policies. Generally, officers were frustrated by what they perceived to be an excessive use of charges and days off for offenses they deemed to be minor or consistent with policy as they interpreted it.

Overall, there was a lack of clarity about what policies were being enforced and what the proportionate response was, and if discipline was being doled out in a consistent or systematic way across supervisors. It seems that many of these issues could be resolved through improved communication and education – particularly as it relates to the BlueTeam electronic database, and increased clarity about the nature of new General Police Orders (GPOs) and the consequences for violating these orders.

Use of Force Accountability Processes

The focus groups made clear that officers do not understand or feel sufficiently comfortable with the accountability measures associated with the revised use of force policy. In particular, officers expressed a great deal of consternation about the BlueTeam software that was launched and is being used to document use of force. Particular areas of concern were:

1. The need to document each individual use of force, down to pointing a firearm at an individual or forcing a suspect’s arm behind his or her back. Focus group participants were concerned that it might cause officers to forego force even when necessary or appropriate.
 - *If they say “ow” when you put cuffs on or arms behind back, that’s a BlueTeam. You’re going to have fewer people being put in cuffs.*

2. The time required to complete the documentation, and the subsequent rounds of review and edits.
 - *Pulling a gun is automatic use of force now – have to fill out BlueTeam – that’s a lot of paperwork and we’re off the road.*
 - *You can literally pull your gun out and point it at someone a dozen times in one night. Before you would handle your business and move on. Now where your run would have been handled and done, you have to fill out a BlueTeam for each one, rather than move on to another call.*
3. The potential for the media to report only on one’s total number uses of force without taking the appropriateness or necessity of that force into consideration. In particular, by increasing the scope of types of force being documented, it would look like most officers’ force was increasing.
 - *Media doesn’t care about the type of district you work in when looking at the number of use of force write-ups you have. When the media asks for my record it doesn’t matter how it’s recorded (i.e. if it’s recorded as an appropriate or justified use of force) the media doesn’t care.*
 - *When we have to do a BlueTeam for doing everything how is that going to make us look? Media going to spin it and say our force is going up.*
4. Total uses of force in one’s record (regardless of appropriateness) would be used against them if they had one questionable encounter, or if they applied for employment elsewhere.
 - *If you have seven uses of force and they’re all justified, and then the next month you have a shooting, the media will just report that you’ve got seven uses of force and ask why you still have a job.*
 - *People are viewing the BlueTeam as a discipline – they’re looking at how many BlueTeams an officer has to determine who is a better choice.*
5. That if officers had a certain number of BlueTeams that they would be suspended or put under review, regardless if they were all justified uses of force.
 - *Bosses say if you get ten BlueTeams you’re off the street. Kids are afraid to come in contact with people because they mention it in roll call.*

- *I've heard that DOJ could fire you if you have ten or more BlueTeams because DOJ monitors it. Ten is the magic number that everyone is hearing. Misinformation is coming through the chain of command.*

The Monitoring Team notes briefly here that the good-faith views and perceptions that officers have about BlueTeam – the electronic database that captures information about officer performance in use of force incidents – might change in the presence of additional communication and outreach to officers about what the system is and does. In particular, the Division and its supervisors need to clarify that force reporting sets the stage for a standard departmental inquiry into what happened – not a misconduct investigation and not something that is subject to discipline. It needs to emphasize that BlueTeam information is not currently being used in the context of an early intervention system in which a certain number of uses of force triggers the department to do something. Eventually, an early intervention system will be set up within the Division – but it will be entirely non-punitive, occur outside of the discipline process, and be geared toward career development and counseling rather than adverse employment actions. To this end, it may be useful for the Division to consistently outreach with officers about where the Division is going, not just under the Consent Decree but per the broader mission and strategic initiatives that the City and Chief and Police have set, including community and problem-oriented policing.

Officer of Professional Standards Complaints

One area of frustration related to officer accountability was with how complaints submitted through the Office of Professional Standards (“OPS”) are processed. In particular, many were frustrated with the lag in OPS case processing that caused the time between the complaint being filed and being handled to be somewhere between two and four years. As with Cleveland community members, there is a great deal of frustration with the competency and timeliness of OPS of investigations.

- *A ton of complaints were just passed out from two to four years ago. We have to type on them. We're supposed to remember this from 2.5 years ago? How do they expect us to answer this?*
- *I had to answer on a complaint from three years ago. You have to type it up and if you make a mistake they put you up on charges. If I get a complaint on Monday I want to hear about it by Friday. It's stressful coming to work. I want a right to a speedy trial so to say. They [OPS] have six months to investigate, but you have 2.5 days to turn it around.*

Once resident complaints are processed and the officers have the opportunity to respond, some officers reported that they may never find out what the conclusion of the complaint was. As a result, an officer may be left not knowing whether the complaint was dismissed or whether, after a delay, there may in fact be charges coming. Officers say that this causes a great deal of anxiety

and unease, particularly given the negative consequences that disciplinary actions could have on promotions or transfers. One officer stated, “it’s not the days off, it’s the two years living in fear after that.”

Officers were also frustrated by the lack of penalties for citizens who filed complaints that were determined to be unjustified.

- *If the complaint is unsubstantiated from the beginning, why do I have to go into it? I got called in front of the Chief for something that was never justified – I was frustrated to the point where I wanted to quit.*
- *If it’s proven that the complainant lied, Inspections has said the city will not put the citizen on charges for making a false report because they don’t want to deter people from filing complaints.*

Disciplinary Measures

Officers described a general lack of consistency across supervisors and across situations with regard to what constitutes a policy violation that is subject to disciplinary measures. According to one officer, discipline is handed out with such regularity that the sense within the department is that “you show up for work, you’re going up on charges.” Further, there is a sense that the issuing of discipline is somewhat arbitrary, not necessarily proportionate to the violation, and inconsistently applied. The sentiment expressed by many focus group participants was summarized by one officer who stated that there is “no rhyme or reason why someone gets a certain number of days.”

Officers reported that there is a particular lack of clarity regarding interpretations and enforcement of general police orders (“GPOs”) when they are issued. This makes it difficult for officers to know what is specifically expected of them as they go about their duties. Many expressed cynicism with regard to the rationale behind the vagueness behind the GPOs, suggesting that leadership uses the lack of clarity in CDP policies as a mechanism to assert their control and discipline officers.

- *Command staff can make a GPO up that’s so fuzzy and long that it’s impossible not to go up on charges. They tell us to stay inside of the box, but we don’t know what the box is.*

Aside from motives behind why the GPOs are so vague, many indicated that part of the issue could be resolved by improved communication between supervisors and leadership. Rather than taking time to discuss how GPOs should be interpreted and enforced, many sensed that each supervisor currently is left to his or her own devices to figure out what a GPO means and how best to apply or implement it.

- *Ask ten supervisors to tell you how to interpret a GPO and you get ten different answers. If someone different is in charge on a different day you have to adjust to how they interpret the policy.*
- *I don't think the commander gets leadership together to tell them how they think the GPO should be enforced. The GPO comes down in an email, and there is no communication amongst the supervisors where they're all on the same page. If you ask a question you'd get ten different answers.*

One of the sergeants pointed out that they see more experienced supervisors interpret GPOs differently than newer supervisors. The sergeant suggested that “downtown” could provide better and more sustained guidance to those in the field and reduce the level of disparity in interpretations across and within ranks.

Beyond how new policies are communicated and enforced, it seems that much of the cynicism and anxiety about the disciplinary process is related to what many perceive to be the disproportionate punishment for minor infractions.

- *Our department is reactive in terms of the command staff. They want everything to be proportional or reasonable to the situation, but if we break a rule their response isn't proportional or reasonable to what happened.*
- *I have issues with disciplinary process being inconsistent in what is handed out. I have no problem with the disciplinary matrix. It's the way that it's dispersed and handed out to people. You need to have set stuff. Right now, it is too discretionary, too personal. Personal has no place in discipline process.*

Additionally, many officers have perceived a drastic increase in the volume of discipline being handed down to officers, noting that “discipline reports” have been issued with greater frequency, coming out every few weeks where they were previously issued every few months. These reports take the form of Division-wide notices that are circulated and highlighted at roll calls before shifts. They inventory the nature of discipline handed down to Division personnel in the preceding time period. A number of officers find these reports reflect the negativity within the department, by highlighting that more discipline is being issued despite the decrease in the amount of force deployed. It must be noted here that no member of the Monitoring Team can recall seeing this utilized in any other police department that is has run, worked in, worked with, or seen.

Multiple officers provided examples of themselves or colleagues being disciplined for broader or more general infractions such as “diminishing the esteem of the department.” Examples included instances in which officers successfully deescalated subjects, in some cases with mental illness and wary of law enforcement. In these examples, officers explained that after the officer

successfully transported the individual to the hospital or otherwise resolved the situation that the officer was put up on days after the corresponding body camera footage was reviewed. A similar occurrence was described in which an officer received an award and then was disciplined for the same incident. These incidents seem to further contribute to the overwhelming sense shared by officers that the department is out to get them, and that if it is at all possible to bring them up on charges that will be done, regardless of circumstance.

- *You can be cleared for excessive force, policy violation; they'll use some minor uniform violation to say that we're still holding our officers accountable regardless. It may have nothing to do with the interaction/complaint but they'll still find something.*

Body Cameras and Duty Sheets

Some of the perceptions held about the Division being out to get people seem to be largely informed by experiences with body cameras and duty sheets, which are the daily logs of activity that officers must still complete by hand and submit at the conclusion of their shift.

- *Supervisors used to bring us into the office and say good job, or during roll call. Now it's so much about how everything is going and what did you do wrong. They look at the camera footage for someone who did something wrong. Looking at who didn't have their camera on, who was too far to the left, who isn't wearing a tie, turtleneck, or wrong length sleeves.*

Many officers described body cameras as generally a good, or even great, thing. However, they were frustrated about how the camera could be used to identify low-level performance or policy issues, like cursing or being in violation of uniform protocols:

- *If you cuss on camera you get in trouble. You cuss because it's what they know, get on their level. No disrespect to them, it's how their parents talk to them.*
- *We have to curse sometimes, but now we have to use soft words. We have to be a little hard to shake them out of what they're doing. Were afraid of being put up on charges for cursing.*

The sergeant focus group described a similar feeling:

- *Officers are afraid to do their job because everything is on camera. It's not to help with the court case, it's to help pick out anything they did wrong. We [sergeants] have to look for any policy violation. They want us to document any policy violation, even if it's unrelated and I can't get on board with that. Even cursing – sometimes you have to communicate what you understand. And they put you up on*

charges for that. Sometimes it's what you need to get the person to comply with you.

Officers also expressed concern over the use of duty sheets as a mechanism being used more for discipline than its intended purpose. The duty sheet was described as a form that is used to account for officers' time and location throughout their shift. Officers described circumstances in which their camera and duty sheet did not line up precisely and receiving discipline as a result. One officer described the sense that, for supervisors, the duty sheet as an "ace in their back pocket": if supervisors are upset with an officer for something they did on their shift, they are almost always going to be able to use the duty sheet to justify a suspension.

- *One of our training modules said the police are supposed to "have autonomy, freedom and be in a stress-free environment." Did the powers that be watch this? They are putting us in no situation to have any of these three things. Every day we come to work and find a new thing to cause more stress. Supervisors are now supposed to go through our duty report line by line to see if the camera lines up. If they don't line up, they potentially put us up on more charges. We have to make sure the camera comes up when I said it did and goes off when we said it did. They're putting in our brains an additional stress level that shouldn't be there.*

The sergeant focus group reported a related anxiety that, if an impropriety is discovered concerning one of their subordinates and the sergeant failed to put them up on charges, the sergeant will be disciplined.

- *We've been told several times that if we [sergeants] don't catch something and put up on charges, then you're going to be put up on charges. If we don't catch something, we're going to get days off.*

Supervision and Leadership

During the focus groups, officers discussed the roles and responsibilities of leadership in CDP and offered input on how the relationship and communication between supervisors, leaders, and line officers could be improved. At the basic structural level, for example, a number of officers noted that the individualized organization and culture of each of the five districts is necessary and appropriate, given the distinct demographics, issues, and nature of the different communities being policed.

Supervision

While some of the officers' concerns about supervision within the CDP have been mentioned in prior sections – e.g. communication and interpretation of GPOs, review of cameras and duty sheets, and disproportionate application of discipline – it was also noted that supervisors themselves receive little guidance, training, or formal career development opportunities when they are promoted.

- *You take a test, go to three days of training, and you're put on the street as a supervisor. There's no management training to be a sergeant. The department is setting them up to fail from the beginning. They're supervisors with no supervision training. Officers can be brought up on insubordination charges, not because they're insubordinate but because of ineffective supervision.*

The guidance that sergeants are provided for how to work with the line officers also varies based on the experience, and distance from patrol, that leadership has. For example, supervisors who have not spent much time on the street may have a greater disconnect with the patrol officers. Additionally, those who are higher up and have not been on patrol in many years may put a greater emphasis on the importance of not being friends with subordinate officers, and instead being able to “just supervise them and be able to put them up on charges.”

The assistance provided by supervisors on scene was described as varying – “sometimes bosses on scene are helpful, sometimes not; it all depends on the boss.” Conversely, the sergeant's focus group reflected some concern that officers are calling them to scenes more than ever before, for less consequential incidents. For example, one sergeant stated:

- *We're getting called out by patrol officers for things I wouldn't normally get called to, and we're getting called out more than ever. It used to be that if there wasn't a dead body we wouldn't get called out. They want to shift some liability over to us.*

Based on the discussion about officers' fears about discipline and suspension, it seems that this could be remedied – at least in part – by improved and consistent communication and education about departmental policies, particularly as they relate to use of force, as well as the objectives and particulars of other GPOs as they are issued. Some of the officers stated that they figure out how

new policies or rules are being enforced based on disciplinary actions and what people are getting in trouble for. Generally, new information and new policies seem to be communicated primarily through informal means, with officer relying on the “grapevine”, rumor mill, or news media for information related to policies and changes such as the Consent Decree. Others reported that documentation is made available through means such as SharePoint and the website, but that it is primarily up to officers to read it.

Sergeants expressed a similar frustration, noting that not all changes to policies will appear in the GPO – but officers will be held accountable for the changes to the policy anyway. It seems that this has been done out of the belief that it is easier to change a sentence or paragraph within an existing policy than have to change an entire policy. However, it is clear that, if this description is accurate, the Division is risking the imposition of discipline for violations about which officers may not have had fair notice. With this lack of communication about policies and performance expectations, many officers feel that they have an adversarial relationship with supervisors, or that the department is “out to get them.”

- *Supervisors look at video and don't look at if we did a good job, they ding someone for not having a tie on. Pats on the back are not existent here. You have different types – the culture has shifted – different type of police running the department. They don't want police running the department, they have administrators running the office. It starts at the top and is systemic from the top down. Somebody has told somebody that it's better to lead with rules and discipline. More rules than we've ever had before, more discipline, more crime.*

CDP Leadership

Some officers highlighted efforts they saw leadership making as it relates to improving police-community relations:

- *Our district threw a big Halloween party for all the kids in the neighborhood. Commander, higher ups, all them were there. I think they try, it's just busy. Change should come from the top down, not bottom up.*

However, others felt that efforts to improve relationships with the community were going to be challenging given how the officers were treated within the Division, and the generally poor state of morale:

- *If leadership was more supportive of us, then we could go out and have better interactions. What we're trying to give others, they're not giving us.*
- *We're trying to look like we're doing more community-based policing, and that's fine and dandy, but when you're constantly grinding your own people into the*

ground all the time, and when they're being mandated to work doubles all the time—those are cumulative stresses. Then throw them out there tell them to do a good job and make friends with the community; and by the way here's the discipline that just came out.

General Experience with the Consent Decree

When asked about information flow related to the Consent Decree, similar to the discussion above, officers reported that communication within the Department is poor. Some of the officers stated that they figure out how new policies or rules are being enforced based on disciplinary actions and what people are getting in trouble for. Generally, new information and new policies seem to be communicated primarily through informal means, with officer relying on the “grapevine”, rumor mill, or news media for information related to policies and changes. Others reported that documentation is made available through means such as SharePoint and the website, but that it is primarily up to officers to read it. Other officers stated that some information related to the Consent Decree is communicated from the podium, but that in general “you learn about changes when you get in trouble for it.”

Areas for Department Improvement

The MT concluded focus groups with officers by giving them the opportunity to suggest ideas for how the Division should grow and improved. Officer responses highlighted the urgent need for both resource enhancements, including updates to physical infrastructure and technology, and more intangible improvements, such enhanced morale and higher officer retention rates.

Personnel

One of the areas of greatest concern to all focus group participants was the perception that staffing was so low that officer and public safety may be compromised. Many officers were concerned that the level of service they are able to provide is falling short. Officers were consistently frustrated by issues related to short-handedness – including delays in the arrival of backup to the scenes of emerging incidents, officers being held over to a second or additional shift without notice, arriving at the scene of an incident hours after it was called in because too many more-urgent calls needed attention first, and having to leave one crime scene to head to another without being able to provide residents with a timeline on when they or other officers might return.

- *It's always "do less with more"—there can be situations between shifts where you literally do not have backup. It's like screw officer safety, it's about answer the call and on to the next one. It's been going on, but it's severely short now.*
- *How good are people in their 15th hour of work on the job? How good are they going to be on that next call? There aren't enough of us. It's all bad medicine to me. How much patience is that officer going to have with a senior citizen who calls for anything?*
- *We have to apologize as soon as on scene for something, even when it's not our fault that we are responding to assignments hours later.*

The general sense of shorthandedness has served to further diminish morale and contribute to officer stress. Officers cited, again, the perceived high rate of discipline, the low officer pay rate (especially as compared to neighboring jurisdictions), and the new recruit training now being held in Columbus at the state academy as being barriers to recruiting and hiring new officers to take some of the pressure off of existing personnel. Some focus group participants admitted to pushing their own kids interested in entering law enforcement to take position with other departments in the region for these reasons.

- *People with kids or a wife aren't going to take the bus to Columbus for six months and make \$10 per hour. This makes an impact on who we can recruit and the quality. There's no way mothers could come on the job.*

- *If you're looking in Ohio, why wouldn't you go two hours down the street and make \$30,000 more?*
- *Everything in this city is reactionary. They talk about the lack of manpower. They know the retirement rate and attrition rate. Now they're lowering the standard. Other departments are taking trained recruits away because they don't have to pay for academy. A guy with 3 years on is poached by the suburbs and making \$83,000, which is lieutenant pay in Cleveland.*

Equipment and Resources

With regard to resources, officers described stations and vehicles in states of serious disrepair. Some described the stations as being maintained or receiving critical repairs only through their own personal donations or grants. Officers observed that vehicles have historically been unsafe and severely neglected. Officers noted that they do not take some Division cars on the highway, while some cars already on their third engine or nearing 150,000 miles. Other officers reported driving in cars that have mirrors affixed with duct tape.

Many officers were extremely frustrated by the Division's lack of modern technology – believing that their jobs could be made better, more effective, and more efficient by the transition of pen-and-paper processes to electronic systems. Some officers said that it could take hours to upload video footage because the computers in their station are so old and out of date. The amount of time required to do this could require them to be held over into the next shift.

Findings and Conclusions

The goal of the police focus groups was to help measure the attitudes among police personnel, and the quality of police-citizen encounters. As discussed above, the attitudes of officers were largely negative with regard to their ability to carry out their mission, as well as how they are treated by CDP administrators. They exhibited signs of low morale and a lack of confidence in the organization.

The officers' concerns were not isolated to specific policies or individuals. Rather, they created an impression that systemic problems throughout CDP create an ongoing and widespread dysfunction. For example, officers remain somewhat uncertain about what use of force policies demand and how to follow them in the field, and their fear about what they perceive to be indiscriminate and illogical discipline turns that uncertainty into confusion – to the extent that they are constantly on edge.

As for police-citizen encounters, the statements in the focus groups indicate that officers feel like they have little time to establish meaningful, long-term community relationships or to act as partners with the community. Officers made it clear that, because relationships with many communities are difficult under any circumstances, their lack of resources and a coordinated strategy for community policing make change seem far-fetched.

Many concerns expressed by officers are consistent with challenges inherent in changing policies and practices. It is quite common in any effort, for example, when front line officers are first required to document their work more thoroughly in a system like Blue Team, that new requirements seem cumbersome and that officers may be suspicious about what might be done with the information.

Similarly, many concerns are to be expected given that CDP is still very much in the middle of the reform process. For example, CDP has yet to begin to finalize and implement a community-oriented policing plan. This may be the unified strategy that provides officers with a framework, and resources, to engage with the community in a different and positive way.

In many ways, the statements of the officers should be recorded as a kind of “baseline measure” of their perceptions. The hope is that, when officers participate in these same focus groups in the future, there will be positive change and progress.

On the other hand, the widespread low morale, lack of trust within the Department, and the fear and confusion related to performance expectations and discipline are of significant concern and go somewhat beyond that with which the MT has seen or is familiar. The opinions expressed by officers demonstrate that the CDP has a lot of work to do to train, communicate with, and support its officers through this change process.

The Consent Decree-required, Court-approved Mission Statement of the Division of Police frames officers' jobs as guardians of the Cleveland community, to carry out their mission "in partnership with the community through professionalism, respect, integrity, dedication and excellence." While these focus groups indicated a strong sense of dedication from officers, there is a high level of misalignment – inconsistent or conflicting views – as to how to fulfill that mission. Such misalignment is an enormous barrier to success in this reform effort and must become a high priority for CDP.