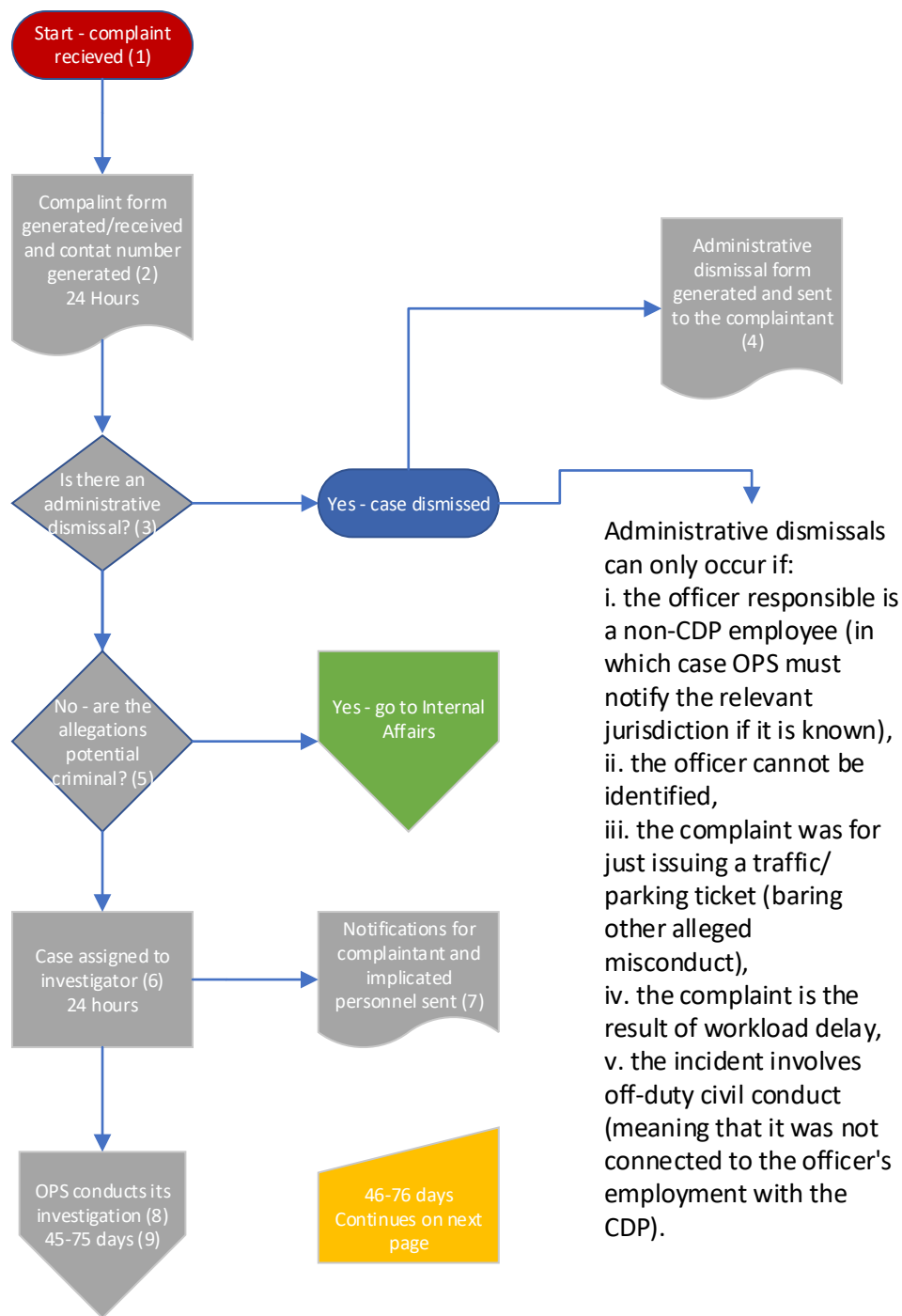




(1) **OPS Manual ¶ 301** establishes the procedures for for OPS complaints. Complaints from the subject of a police incident, a witness, or a third party (such as a family member of the subject). Complaints and complaint forms can be received via phone call, electronically, or by a physical complaint form (which must be available in all CDP stations and zone cars as well as online). Complaints received must be filed with OPS within 24 hours.

GPO 1.07.04 states that all CDP personnel are required to forward any complaint forms they receive to OPS.

OPS Manual ¶ 205 states that OPS will forward all complaints/concerns to the relevant entity if the complaint is out of the OPS's scope. This section of the OPS Manual is out of date as it does not address that the CPC may file a case for CRPB review, per **Charter § 115-5**.

(2) **OPS Manual ¶ 201-203** states that complaint forms do not have to be signed.

(3) **OPS Manual ¶ 703**

(4) **OPS Manual ¶ 701**

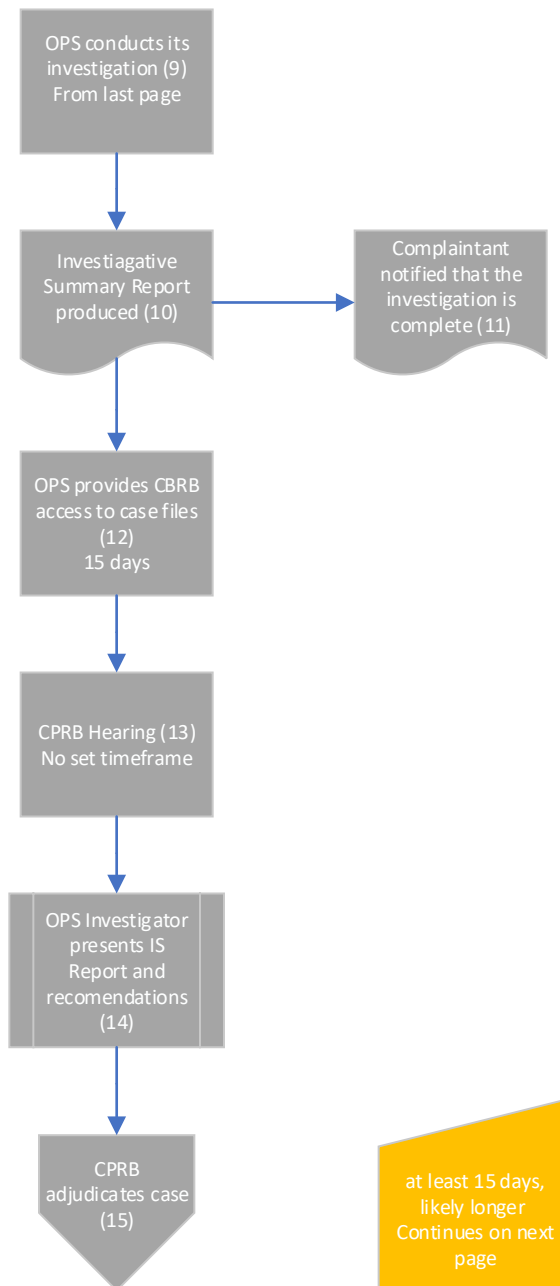
(5) **OPS Manual ¶ 304** states that the OPS Administrator must make this decision within 24 hours of receiving the complaint. **OPS Manual ¶ 303** states that this is where the alleged offence is classified by the OPS Administrator. According to the Manual, if there is an investigation is sent over to IA, then OPS should hold off its investigation until IA's is concluded. However, in practice, OPS and IA conduct thier investigations simultaneously.

(6) **OPS Manual ¶ 307** states that an investigator will be assigned within 24 hours.

(7) **OPS Manual ¶ 308-309** The complainant is to be notified that their case is being forwarded to the investigator, and the implicated CDP personnel's supervisor is to also be informed. The supervisor must respond to OPS that the information has been entered into IA Pro within 10 days.

(8) **OPS Manual ¶ 403-412** outlines this process

(9) **OPS Manual ¶ 501** specifies that simple investigations should take no longer than 45 days to complete and that complex investigations should take no longer than 75 days to complete. This has been a problem in the past as outlined in the Monitoring Team's **12th Semiannual Report** (p 37).



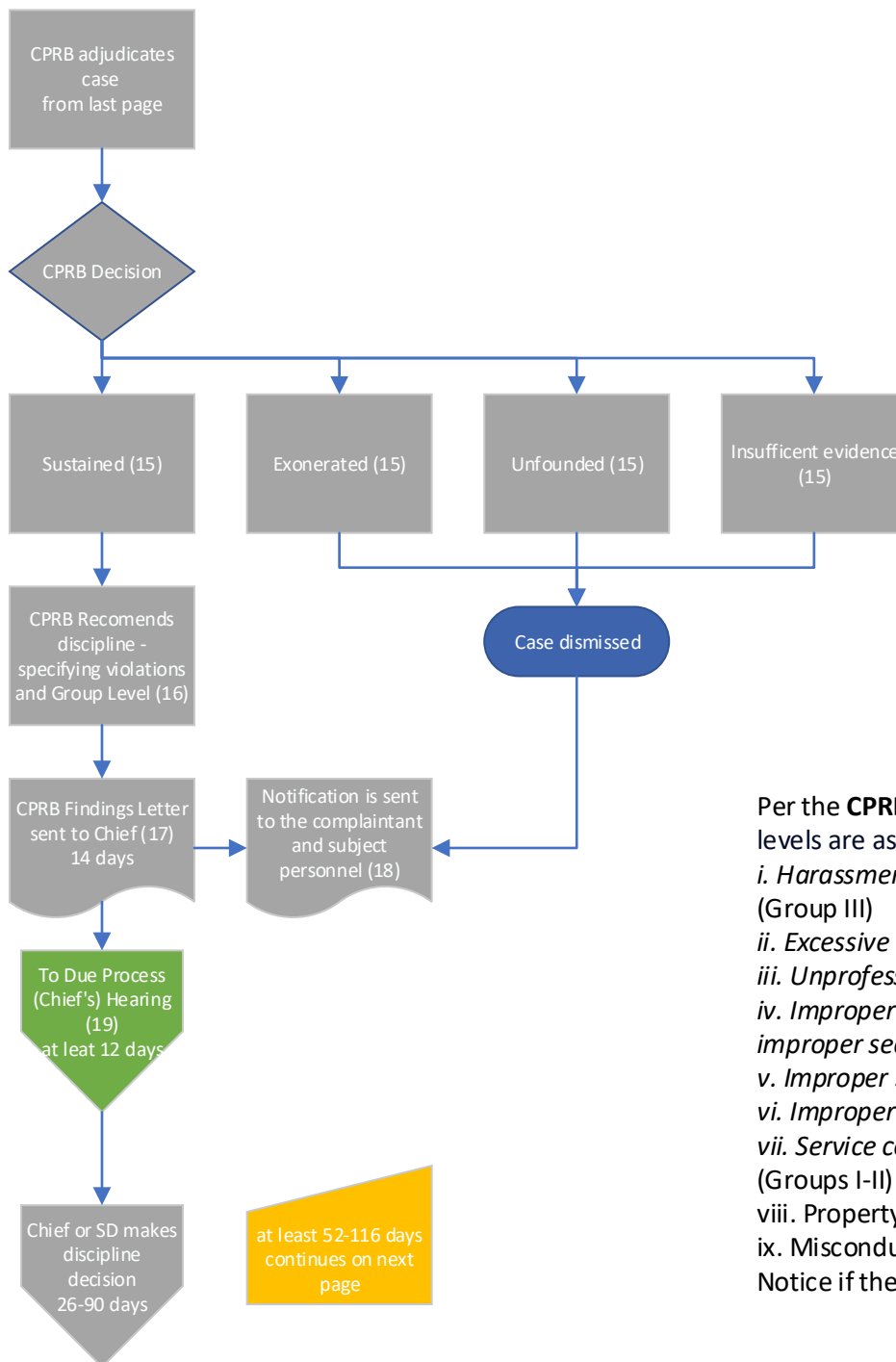
(10) per **OPS Manual ¶ 412**, **OPS Manual ¶ 604** specifies what the Report's findings are to include.

(11) per **OPS Manual ¶ 606** this notification must be by mail and must include the date of the case's CPRB Hearing.

(12) **CBRB Manual F.1.a.i** states that the case files must be made at least 15 days before the scheduled CPRB Hearing.

(13) **CPRB Manual F.2** states that the CPRB will notify the complainant and subject personnel at least 5 days before the hearing of the hearing's date, time and location. Every effort should be made to send these notices, including mail, contacting the personnel's supervisor, and email. There is no set time frame for when the CPRB must schedule a case, and the CPRB typically only has one meeting a month.

(14) **CPRB Manual I.4.a** states that these hearings must be public.



(15) per **CPRB Manual I.6.b.i:**

1. Sustained: Preponderance of the evidence supports a finding that the alleged conduct occurred and the officer's actions were inconsistent with law or CDP policy, procedure, or training. A complaint may be "sustained in part" if the investigation revealed sufficient evidence to support a finding of a policy violation on one or more, but not all of the complainant's allegations. A complaint may also be "sustained for a violation not based on original complaint" if the investigation reveals evidence of misconduct that was not included in the complainant's original allegation but arose out of the incident that is the subject of the complaint.
2. Exonerated: Preponderance of the evidence supports a finding that the alleged conduct occurred but the officer's actions were consistent with law or CDP policy, procedure or training.
3. Unfounded: Preponderance of the evidence supports a finding that the alleged conduct did not occur.
4. Insufficient Evidence: Preponderance of the evidence fails to establish whether or not the conduct occurred.

(16) **CDP GPO 1.07.06** outlines the disciplinary matrix.

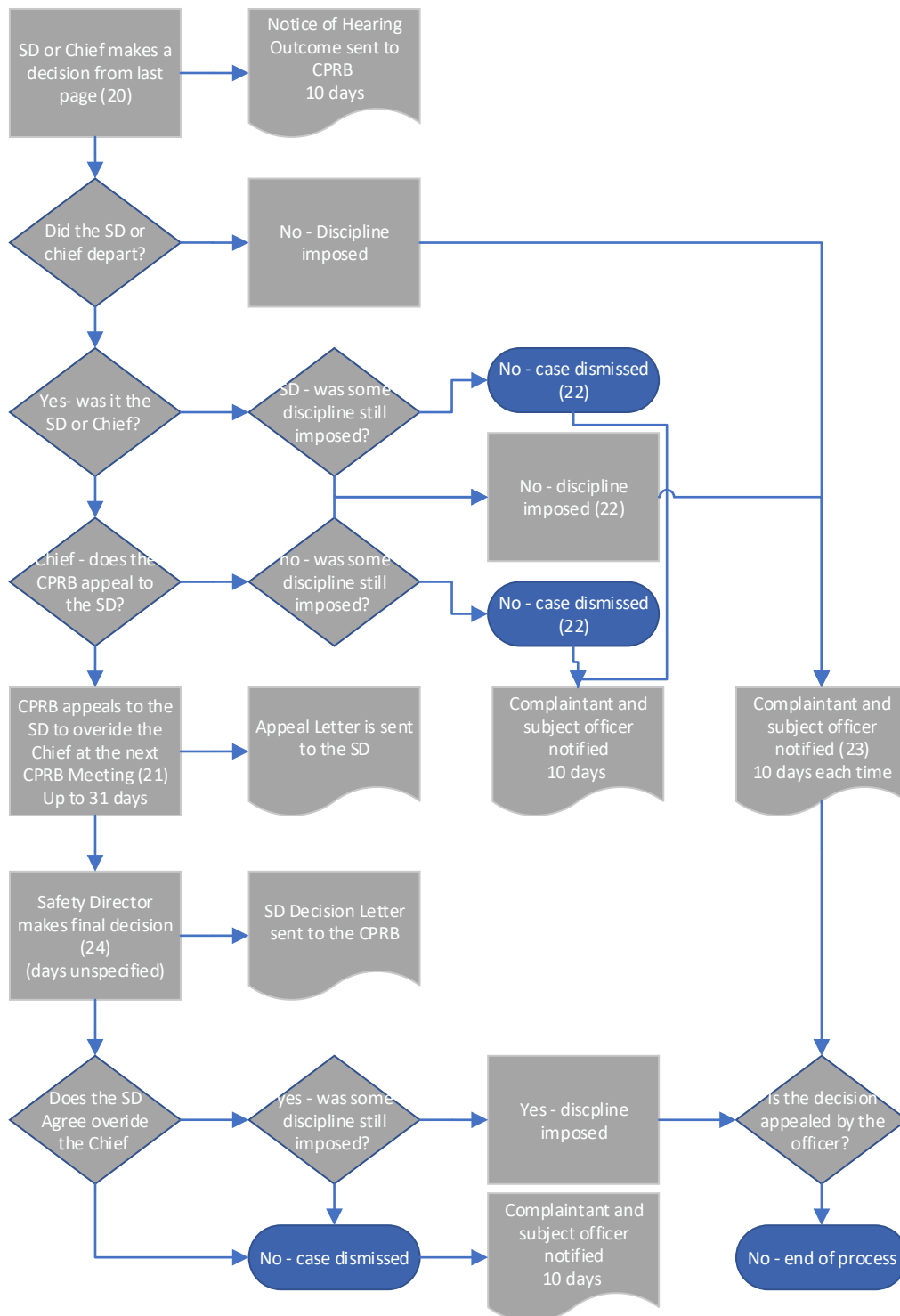
(17) **CPRB Manual K.2.a** states that this must be done within 14 days.

(18) **CPRB Manual K.1**

(19) See the section on Due Process Hearings. Note that if a discipline case could result in a penalty greater than a 10 day suspension, it must go to the Safety Director. **According to the 2021 OPS Annual Report** the average length of time between the Chief or SD receiving a Findings Letter and holding a Due Process Hearing was 50 days, with a minimum of 26 days and a max of 90. There is no set length of time according to policy.

Per the **CPRB Manual § E.1.b**, the violations in the scope of the CPRB include (Group levels are assigned by **GPO 1.1.11**):

- i. *Harassment complaints, to include those alleging bias, discrimination, and profiling;* (Group III)
- ii. *Excessive Force complaints;* (Groups I & III)
- iii. *Unprofessional Behavior/Conduct complaints;* (Groups I-III)
- iv. *Improper Procedure complaints, including improper arrest, improper citations, and improper search;* (Group II)
- v. *Improper Stop;* (Group I* not specified in GPO, but that is the most common result)
- vi. *Improper Tow;* (Group I)
- vii. *Service complaints, including insufficient CDP employee service, and no CDP service;* (Groups I-II)
- viii. *Property complaints, including missing property and damage to property; and*
- ix. *Misconduct related to the receipt of a Uniform Traffic Ticket or Parking Infraction Notice if the Parking Infraction Notice was issued by personnel in the Division of Police.*



(20) **CPRB Manual L.1.a**

(21) **CPRB Manual L.2.a**

(22) Letters of Reinstruction and verbal counseling are not usually considered discipline, but sometimes are. Frequently, officers receive these regardless of whether or not the case was technically dismissed.

(23) **CPRB Manual L.3** The complainant and subject officer are notified whenever there is a decision in this process, so they may be notified multiple times.

(24) **CPRB Manual L.2.j**

(25) **CPPA 2022-2025 Bargaining Agreement Agreement Article 21** outlines this process for patrol officers.

(26) **FOP 2022-2025 Collective Bargaining Agreement Article 20** outlines this process for supervising officers.

It is important to point out that this entire process is not consistent with Cleveland City Charter Section §115. According to the Charter the decision of the CPRB is only subject to review by the CPC.

at least 10-41 days,
likely longer

133 days, if the CPRB's decision is not departed from, is the minimum length of time. from the issuing of the complaint to when the complainant hears the results of their case.