

**THIRD AMENDMENT
TO POLICE-AUTHORIZING AGREEMENT NO. 66826
BETWEEN
THE CITY OF CLEVELAND AND CASE WESTERN RESERVE UNIVERSITY**

THIS THIRD AMENDMENT TO AGREEMENT NO. 66826 ("Third Amendment") is entered into this 30th day of November, 2022, ("Effective Date"), by and between the City of Cleveland ("City"), and Case Western Reserve University ("CASE"), pursuant to the requisite authority and through their authorized representatives.

WHEREAS, the parties entered into Agreement No. 66826, ("the Agreement"), on March 1, 2007, pursuant to O.R.C. 1713.50 and City Ordinance No. 1878-06 to permit CASE police officers to engage in certain duties as police officers for CASE in certain areas within City boundaries.

WHEREAS, the parties entered into a First Amendment to the Agreement on November 7, 2012; and, a Second Amendment to the Agreement on November 19, 2018.

WHEREAS, for the public purpose of promoting the public good in the City of Cleveland and to further the goals of constitutional and effective policing, the parties agree to enter into a Third Amendment to Agreement No. 66826 as set forth below.

THEREFORE, the parties agree as follows:

ARTICLE I. SCOPE OF THIRD AMENDMENT

This Third Amendment does not modify or change in any manner any term or condition not expressly addressed by this Third Amendment. All terms and conditions of Agreement No. 66826 and previous amendments thereto shall remain in full force and effect unless changed or modified by this Third Amendment.

ARTICLE II. TERM

The term of Agreement No. 66826 is extended to expire on December 1, 2026, unless terminated or canceled prior thereto under the provisions of the Second Amendment to the Agreement.

ARTICLE III. EXPANSION OF CASE POLICE GEOGRAPHICAL AREA OF JURISDICTION

A. The geographical territory that is the subject of the Agreement, and within which CASEPD is authorized to provide concurrent police services is expanded to include Cleveland's Little Italy neighborhood and the Wade Park/Ashbury Avenue area pursuant to Ordinance No. 210-2022, passed by Cleveland City Council on May 9, 2022, and attached hereto and expressly incorporated herein as Exhibit "A".

1. The map and legal description providing the boundaries of the jurisdictional expansion into the Little Italy neighborhood and the Wade Park/Ashbury Ave. area are set forth in Exhibit B attached hereto and expressly incorporated herein.

ARTICLE IV. ADDITIONAL PROTOCOLS AND POLICY IMPLEMENTATION

A. No later than thirty (30) days of the Effective Date of the within Third Amendment, CASEPD shall implement the following:

1. CASEPD shall adopt and implement a wearable camera system ("WCS") requiring WCS use by all CASEPD peace officers and shall adopt written policies and procedures CASEPD officers shall follow. CASEPD WCS policies and procedures shall be substantially similar to Cleveland Police Officer General Police Orders ("CDP GPOs") pertaining to WCS usage and management.


(a) CASEPD shall provide the City with such information about its WCS System usage by CASEPD officers as the City's Safety Director or Chief of Police may reasonably request.

2. Beginning on the Effective Date of this Third Amendment, and on a bi-annual basis thereafter, CASEPD shall promptly provide to the City's Safety Director and Chief of Police written statistical information in a report for the six (6) months period immediately preceding, regarding citizen complaints pertaining to CASEPD officers and and/or regarding CASEPD practices or services.

(a) CASEPD shall provide such additional information as the City's Safety Director or Chief of Police may reasonably request.

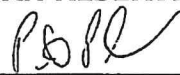
IN WITNESS WHEREOF, the parties have caused this Third Amendment to be executed by their authorized representatives.


CITY OF CLEVELAND

By: 
Karrie D. Howard, Chief Director
Department of Public Safety

By: 
Dornat Drummond, Chief
Division of Police

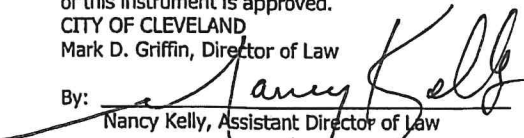
CASE WESTERN RESERVE UNIVERSITY

By: 
Peter M. Poulos
General Counsel and Secretary

By: 
Louis Stark, Vice President
Division of Student Affairs

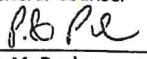
The legal form and correctness
of this instrument is approved.

CITY OF CLEVELAND
Mark D. Griffin, Director of Law

By: 
Nancy Kelly, Assistant Director of Law

Date: 1/25/23

CASE General Counsel

By: 
Peter M. Poulos

Date: 1/3/23

Ordinance No. 210-2022

By Council Members: Conwell, Polensek and Griffin (by departmental request)

Authorizing the Director of Public Safety to enter into an amendment to Agreement No. 66826 with Case Western Reserve University to expand the territorial jurisdiction of Case Western Reserve University Police Officers within the City of Cleveland and outside the property of the University.

WHEREAS, under Ohio Revised Code 1713.50 (C) and Cleveland Ordinance No. 1878-06, passed December 11, 2006, this Council authorized the Director of Public Safety to enter into Agreement No. 66826, entered into on March 1, 2007, with Case Western Reserve University (“Case”), to authorize Case Police Officers to exercise their police powers in certain City of Cleveland geographical areas outside the property owned, leased, or operated by Case, and to establish protocols between Case’s Police Department and the Cleveland Division of Police (the “Agreement”); and

WHEREAS, on November 7, 2012, the Agreement was amended to extend the term of Agreement 66826, and update protocols and identification of Case properties in the City of Cleveland; and

WHEREAS, on November 19, 2018, the Agreement was amended a second time to extend the term of Agreement 66826, update protocols and identification of Case properties in the City of Cleveland, and, to further the goals of constitutional and effective policing, address training of Case Officers and Dispatchers, certain Case Police Department policies, and complaint handling; and

WHEREAS, the City and Case would like to further amend the Agreement to expand the geographical jurisdiction of Case Police Officers in certain areas surrounding Case in order to increase public safety presence in the vicinity; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Public Safety is authorized to enter into an amendment to the Agreement to expand the jurisdiction of Case Police Officers into Little Italy in the Third District and a portion of the Fifth District that is adjacent to the north part of Case’s Campus, specifically, from East 105th Street to East 120th Street between Wade Park Avenue and Ashbury Avenue. The map placed in **File No. 210-2022-A** outlines the current boundaries of Case’s Police Officer jurisdiction and areas of approved expansion under this ordinance and is expressly incorporated herein. All other terms and conditions of the Agreement shall remain the same.

Section 2. That the Agreement shall be prepared by the Director of Law.

Section 3. That the Director of Public Safety shall provide a quarterly report to all members of Council providing the number of arrests within the territorial district and any other relevant information that Council may request.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed May 9, 2022.

Effective May 16, 2022.

