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## Police Policy Committee

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Agency: [Cleveland Community Police Commission \(CPC\)](#)

Date: Aug. 16, 2023

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## Summary

- Technology such as [ShotSpotter](#) and automatic license plate readers are being used without much guidance or a policy framework specifically addressing how these technologies should be used. Commission members expressed concern about protecting people's rights to not be unreasonably searched or to have their property (including information and data) seized. Community Police Commission Interim Executive Director Jason Goodrick said the police created a general police order (GPO) for ShotSpotter after the commission asked for one.
- Commission officials discussed a push toward mental and behavioral health first responders and away from police as first responders, largely because police are not trained in dealing with many situations and can exacerbate certain problems.

## Follow-Up Questions

- I know there is no good terminology to refer to "drug users," but I feel as though committee members are sidestepping an elephant in the room by not saying what they mean. I can't imagine there are enough *sober* schizophrenics in crisis and *sober* depressed people in crisis that we would need a whole separate department and hotline number to call. So, why can't we admit that drug users exist, that they are a not-insignificant portion of the population, and that their lives matter too? Are people afraid to admit to this for fear of being locked up?
- If the police will not open up about how, where and when these technologies are being used, how will this group be able to make accurate policy recommendations to the police?

## Notes

The Police Policy Committee, part of the Cleveland Community Police Commission, meets the third Wednesday of the month to discuss [Cleveland Police Policy and Procedures](#). This meeting started with reports from two of its work groups. The first topic:

**Emerging Police Surveillance Technology** presented by Committee Members Alana Garrett-Ferguson and Teri Wang.

General police orders ([GPOs](#)) are written guides to a police department's policies, procedures, and protocols for everything they do. This committee will provide community input on GPOs related to: Accountability, Community and Problem-Oriented Policing (CPOP), Bias-Free Policing, Search & Seizure, and Use of Force. And while Goodrick said technology is not specifically mentioned in the Consent Decree covering the Cleveland Division of Police—it falls under Search & Seizure—policy is needed.

Wang questioned the ShotSpotter technology's effectiveness, especially considering its price tag of more than \$2.7 million to cover just 13 square miles. She would like to see cost/benefit analysis of how this impacts people's rights and whether it is a good use of federal stimulus money.

Garrett-Ferguson pointed out that the Cleveland City Council Safety Committee has been [discussing the ShotSpotter technology](#) for many years now, and administration officials say it is actually helping reduce gun violence.

Goodrick talked about how GPOs are created. He said that the Community Police Commission doesn't write them, but what it does is "compel the Division to create the GPOs" by proactively pushing for them and then collaborating with police to make sure they are in compliance with the Consent Decree. The ShotSpotter GPO was written in response to a request by the commission, for example. ShotSpotter can be used as a pretext for anybody in the area to be targeted as a suspect, violating privacy rights and search-and-seizure policies, he said. He recommended that this committee review the ShotSpotter GPO as a group. They agreed to do that.

Automated license plate readers (ALPRs) are another area of concern. The technology is being used regularly now, but it is not known what policies the police are following, if any. Automatic license plate readers can increase pursuits, Goodrick said. They can quickly tell an officer if the owner of a vehicle has any traffic violations or outstanding warrants. And this increases risk to bystanders as well, he said. Goodrick said it is possible to limit the information that officers see from the ALPRs, but the commission doesn't know what the parameters are or what police policies are. He said the police have a deployment plan for 90+ ALPRs but no GPO about how to use them. And anytime you are looking at using a tool to gain information, to seize data, it violates a person's right to protection from being investigated without committing a crime, he said.

“We don’t know what technology they use or have because we asked for disclosure and they didn’t disclose,” Goodrick said.

**Behavioral Health and Crisis Intervention:** Presented by Shandra Benito and Kyle Earley. This was the second work group report on the agenda. Benito outlined the work group’s projects. First, they will evaluate the effectiveness of the crisis intervention policy by examining incident reports and following up with the people who made the calls originally.

Second, they are looking into the potential use of a non-police crisis and mental health response program. Earley said they are looking into bringing in a behavioral health specialist who deals with people who have trauma from police interactions, for example. They are reaching out to other people with lived experience, people who are doing advocacy work, and other organizations or people who are involved with the intersection of mental health and behavioral health, people who identify differently from the norm.

Benito said she is excited to have a broad range of perspectives. They hope to have their first meeting in September.

### **Review and discussion of draft Policy Committee framework**

Wang continued to push for more data and more research to analyze results from other cities that have similar policies and technologies. Wang said she doesn’t want to just be doing maintenance for this technology. Garrett-Ferguson said those conversations have already happened and again suggested that Wang take a look at what the Safety Committee has been doing in terms of reviewing ShotSpotter’s efficacy *[Editor’s note: City Council Member Michael Polensek, who chairs the Safety Committee, said at an Aug. 16 council meeting that he had not been able to reach Police Commander Brandon Kutz about ShotSpotter. The city piloted the technology in the Fourth District, Kutz’s former police district. [Documenter Barbara Phipps has more](#)].*

Goodrick agreed that this is not really the place or committee to be judging whether some technology should or should not be adopted. The fact is that the police have it and are using it, and the urgency is in writing a GPO so that they do not abuse their access to data that violates people’s right to privacy.

The scope of the commission is to look at how police use technology, the level of transparency and involvement with the community, and how the police are being held accountable. Goodrick said that the focus is on policy and the initial report will be about

setting up procedures to make sure there is transparency, community involvement, and accountability.

The goal, he said, is to have good policies in place to make sure the technology is used in a way that the community expects it to be and that the police are held accountable for using it that way.

Earley agreed and emphasized that they needed to stay on track with making sure everything is absolutely in line with the Consent Decree and its requirements, especially regarding use of force and search and seizure.

The next policy area they discussed was the mental and behavioral health police policies. Goodrick said there has been a shift these past few years away from police as first responders toward some kind of mental or behavioral health response. There are dozens of different ones across the country to choose from, or Cleveland could create its own, he said. Benito emphasized information gathering first and then focusing on specific intersections such as mental health youth crises.

Garrett-Ferguson advocated for attention to be paid to age bias, especially considering how young people are treated by the police. The police chief has used derogatory language in regard to youth, and this is a topic of significant concern in the community right now, Goodrick said.

Garrett-Ferguson wanted to add youth somewhere in the policies, to include it as a higher priority because it is a timely issue and they need to look at it, study it, and make recommendations with some urgency.

Benito agreed and listed youth policy as one of the topics of study for the Behavioral Health and Crisis Intervention work group.

Goodrick said there originally was no youth policy in the Consent Decree, but it was pushed for and adopted. However, there was no study done to see if the youth policy was working or how well it was working. He recommended they also look into the Bias-Free Policing information in the Consent Decree and the prior recommendations of the commission.

[This is the current Interactions with Youth GPO, adopted in 2021.](#)

**New business:** The committee reviewed and discussed a [letter sent to Mayor Bibb](#) about engaging with the city and CDP on policy issues, especially related to Raising Investment in Safety for Everyone (RISE). The letter was sent Aug. 8, and as of this meeting the city had not responded, Benito said.

**Public comment**

[Loh](#) spoke. There is another city talking about ShotSpotter, and Loh questioned whether unproven tech should be bought with taxpayer dollars. Loh discussed mental health among children and adults, how it impacts behavior, and how people should. Loh said children are being [tried as adults](#) and incarcerated for it, and that it is wrong.

**Formal adjournment**

7:23 p.m.

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