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Community Police Commission Public Meeting

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

Date: Sept. 27, 2023

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Summary

- Community members voiced concerns about care response policies being drafted through the ADAMHS Board and the city without community input.
- Commissioners had a heated discussion regarding how to address an apparent conflict of interest between the city and the commission centered around the mayor's rejection of their nominee for executive director.
- Youth were strongly encouraged to participate in outreach events and help shape policies through involvement with the commission's working groups.

Follow-Up Questions

- What is the Community Police Commission's (CPC) process going forward to hire outside counsel and address the conflict-of-interest issues?
- What input does the CPC have on the proposals being circulated between the ADAMHS Board and the city for care response training and policy recommendations?

Notes

Meeting start time: 6:18 p.m.

19 in attendance + 12 commissioners

[Community Police Commission](#) (CPC) members:

John Adams

Shandra Benito

James M. Chura

Charles Donaldson

Kyle Earley (absent)

Alana Garrett-Ferguson

Cait Kennedy
Gregory Reaves
Co-chair Jan Ridgeway
Piet van Lier
Co-chair Audrianna Rodriguez
Teri Wang
Sharena Zayed

Ridgeway acknowledged the young people of the Boys and Girls Club in attendance. She opened the meeting with a roll call vote to approve the minutes from meetings on Aug. 23, July 26 and 25, and June 14. She explained the rules for decorum and public comments. She said some comments may be used in future commission discussions.

Jason Goodrick, CPC interim executive director, gave a presentation on the framework of the CPC committees. He offered kudos to the young people in attendance, stating that the commissioners need to hear from them.

He said the initial work on the commission framework has been completed.

Synopsis of the [work plan 2023-2024 presentation slide show](#):

Overview: CPC established in 2015 under the consent decree between City of Cleveland and the US. Department of Justice (DOJ) to ensure community engagement in police reform. In 2021, Cleveland voters determined that the CPC should be permanent and gave it additional responsibilities.

Key issue areas: Community engagement; community and problem-oriented policing; bias-free policing; use of force; crisis intervention; search and seizure; accountability, transparency and oversight; officer assistance, support, and supervision.

[Charter Section 115-5](#): On Nov. 2, 2021, citizens approved Issue 24 to codify into Cleveland's charter the permanence of the CPC. The commission was given the power to not just make recommendations but also to oversee police conduct investigations, discipline and training. It has final authority over Cleveland Division of Police (CDP) policies, procedures, hiring practices, and training and officer discipline, with power to subpoena documents.

Commissioners: Thirteen members (10 mayoral nominations and three council nominations)

Work (2023): So far this year, commissioners completed various training and established committees, rules and bylaws. Current committees: Police Policy, Police Accountability, Police Training, Internal Training, CPC Rules, Budget and Grants, Outreach.

Framework (work plan): The plan should solicit community feedback, set objectives, align with concerns, prioritize the work.

Accountability Committee projects: Brady/Giglio Work Group, Gender Based Violence/Sexual Misconduct Work Group, Discipline Work Group, Workforce/Labor Management Work Group, Case Prep.

Goodrick gave an example of the Brady/Giglio Work Group's purpose. Officers that have lied or been arrested in the past may not be witnesses in a case after making an arrest. The work group's task is to make a list of officers that may have these types of integrity violations and put it out to the public. The commission's actions addressing police integrity in this manner are the only ones in the country, he said.

Policy Committee: Surveillance Tech Work Group, Recruitment and Retention, Discipline Policy Work Group, Behavioral Health and Crisis Intervention Work Group, Bias Free Policing, Vehicle Pursuits.

Goodrick gave examples of police officers using tools such as ShotSpotter, AI, and ChatGPT and how that needs to be monitored.

Training Committee: Use of Force Community Event, Bias Free Policing (Training), Training Review Committee (TRC) Participation, 2025 CDP Training Plan.

The public will be allowed to review how the police are being trained. The public will also be allowed to go through some of the training and provide feedback.

Outreach Committee: CPC Community Survey, CDP Community Engagement Assessment, CPC Outreach Plan.

A survey will be sent to citizens before the end of the year to assess their experience interacting with the CDP. Seeking input from across the community but primarily Black and brown youth. Solicited help from the youth in the room to get their friends to participate in the survey.

Three-month outlook/deliverables: Goodrick outlined examples from a six-bullet list of tasks that will be completed in the next three months, such as Use of Force Community Forums and Review ShotSpotter Policy.

How to get involved: Community members have these opportunities: Join commission meetings. Sign up for an email newsletter. Join an active committee work group, follow CPC on social media.

There is no age limit, but youth must obtain parental consent. They usually work through schools and make it part of the school experience.

Public comments:

[Gordon Friedman](#) and Lewis Katz shared that they had been in the commissioners' seats previously. Katz suggested that they get an independent lawyer. He said the commission could ask the city's law director to provide funds for an independent lawyer.

Friedman commented about the CPC's need for independence from the city. They need an advocate. Friedman and Katz did the work as volunteers in the past.

Friedman said this CPC is being paid now and has power, but it seems as though the city is taking away their independence.

Jennifer Blakeney: Lives in the Collinwood neighborhood and is a member of [Showing Up for Racial Justice](#) Northeast Ohio chapter. She requested that a real care response program be established in the city of Cleveland. She said the [Alcohol, Drug Addiction, and Mental Health Services](#) (ADAMHS) Board is sending a request for proposals (RFP) to only [FrontLine Service](#).

To share why she thought there needed to be more care response, Blakeney recalled a personal experience of seeing a person in crisis. She said she did not want to call police because the person was a Black man. She called FrontLine, which could not help and called the city's dispatch center instead. She was thankful that EMS responded and not the police.

Blakeney outlined recommendations for a care response program, personnel, and training.

Community activist Rosie Palfy echoed the former commissioners' comments about the need for an independent lawyer.

Palfy also agreed about the care response issue and said that this came up during a policy committee meeting with van Lier.

"Unfortunately, the train has left the station. The Alcohol, Drug, Mental Health Board of Cuyahoga County is working with the city of Cleveland to create a care response with zero community input." She mentioned this issue was covered by [Signal Cleveland](#).

She said there are many different care response models. "You cannot pick up any model and drop it in Cleveland." She attended the ADAMHS Board meeting where Tim Sommerfelt from the [EMS union](#) spoke about the need to have a paramedic as part of the team and not just a social worker and peer support person. Medical conditions often come into play, he said.

Community activist Loh: The community's power is at stake. In the past commissioners started the work, then stepped back. No coherent progress was made.

Loh also cited conflict of interest between the mayor's office and the commission. The commissioners need to do the work together. If they are holding onto individual ideologies, "please leave."

Caleb Harmon: It's very important for officers and commissioners to get to know the people of the community to reduce possibilities that violence would happen and for students to be able to ask questions, etc.

[Earl Ingram](#), director of the Boys and Girls Clubs at St. Luke's Manor: Thanked everyone for attending. There were 7th-10th graders in attendance at the event. His hope was for the youth to put names and faces together, give them an opportunity to learn about the processes, get them engaged, and restore a sense of hope in the system.

He said they want the CPC "not to be politics as usual." Said he doesn't want youth to think "their future is going to be grim, and to constantly cringe at the thought of law enforcement or policies." He stated that he had "grown up under a dark shadow of that. My desire is for that to look different for them."

Any engagement the commissioners have has to be “real and authentic,” he said. “Please don’t show up for photo opps. Don’t show up in environments where the adults are boxing the kids out of the space.”

He mentioned a youth policing policy that he and youth had worked on. If commissioners are getting interference from local officials, he is in favor of working on processes to remove the red tape so that they are not hamstringing the CPC.

Travis Arby (sp?): Stated youth are not attending these types of events often enough. Asked that they get youth more engaged, send out flyers or emails.

Unknown speaker: Through the chair, to the youth. They are starting a youth steering committee that will last two to three months, headed by Adams. She invited them to be a part of it. Currently setting the groundwork for it.

CPC committees individual reports:

Ridgeway and Rodriguez provided the co-chair’s report. They described upcoming meetings and activities, including a [consent decree](#) status meeting on Oct. 25 at 3 p.m. in the Stokes Courthouse, a police wellness survey, and the commission’s efforts to hire a shared attorney with the city.

Goodrick said that CPC staff are full-time while commissioners are not. He said the previous commission, in 2020, created a groundbreaking policy for how the CDP interacts with youth. Copies of the policy were available for the attendees, he said, and feedback is welcome.

He said the budget will be finalized by Nov. 1 and they’ll start the 2024 budget. They haven’t spent all the money allocated for the current year.

CPC hired an administrative assistant and is wrapping up interviews for an attorney that will dedicate 20 hours a month to the CPC.

A letter was sent to the mayor regarding the [RISE initiative](#) and concerns about additional law enforcement operating within the city, including the Ohio State Highway Patrol, Cuyahoga County Sheriffs and other federal agencies. The letter came from van Lier in conjunction with the Policy Committee.

Goodrick said they have had meetings with CDP and received almost everything they asked for from the city. No hurdles obtaining information.

Adams, Budget and Grants Committee: All submitted grants were reviewed by two commissioners. He had questions about grant scoring and contacted the legal department for guidance. Eight commissioners will be reviewing grants. The majority of commissioners have spoken with the law department and found that they had been “over-recusing themselves” for conflicts of interest. Over the next few weeks, they are planning to interview potential grantees. Oct. 11 is the date that they plan to meet and vote on grants.

Wang, Rules Committee: Currently they are rewriting and refining the rules.

van Lier, Policy Committee: Attended the [Sept. 27 City Council Public Safety Committee](#) meeting.

Adams, Police Training Committee: Planning a community event discussing use of force. Police will be performing their use-of-force procedure before the community for feedback. Tentatively planning for November timeframe, on a Saturday with about 75 people in attendance. Could become a regular event. Will work on bias-free policing in the first part of 2024.

Wang, Police Accountability Committee: They are finalizing their framework. First working on making “a list of officers whose behavior makes them impeachable or removable.” Encouraged people to participate or observe the work group to learn the legal research aspects of this work. Accountability is to help the officers to do their work properly—discipline should be the last step. They are making flowcharts to help explain how to report incidents and referred to the Office of Professional Standards (OPS).

Outreach Committee: Awaiting feedback on outreach survey. Completing outreach plan draft by end of October. Accepting community members to help with outreach.

Old business and heated debate regarding motion introduced by Wang.

Wang: Mayor rejected the motion to hire Goodrick as executive director. That shows that when two parties cannot agree on an issue, they cannot be represented by the same attorney. Entered a motion into the record regarding conflict of interest and use of outside counsel.

1) Determine that a conflict of interest exists between the commission's mission and representation from the city's Department of Law on the question of the mayor's authority to reject the commission's nominee for the executive director position.

2) Engage outside counsel at the Department of Law's expense on the issue.

3) Delegate the duty to seek out potential lawyers and make recommendations to the full commission to an ad hoc committee consisting of Earley, van Lier, and Wang with additional assistance from Donaldson.

Ridgeway cautioned that members of the commission cannot self-establish a committee to interview or select an attorney, nor can members of the committee self-appoint themselves to a committee, especially if considered an ad hoc committee. An ad hoc committee can only be established by a chair.

Ridgeway said a document was distributed to the commissioners and made available to the public, headed "[Teresa Beasley](#)." It showed Beasley, an attorney, ruled on the legitimacy of the mayor to reject the CPC's selection for a permanent executive director.

Wang said Beasley's opinion does not serve as an opinion for the commission because it was solicited by [Citizens for a Safer Cleveland](#) and sent to the commission by Law Director Mark Griffin. Wang said the footnote in the document addresses "the adverse conflict of interest" the commission is in. The commissioners were not there to litigate or give the legal opinion of the mayor's letter. The primary purpose of her motion was to re-establish the conflict of interest.

Wang stated that Beasley is a bond attorney and that a lawyer Wang spoke with said it's possible that Beasley was not the only author of the opinion written in the document.

Beasley also served as a member of the mayor's transition team and it is unclear if her firm, McDonald Hopkins, has a conflict of interest as they do work for the city. Wang said that, as law director, Griffin becomes the acting mayor if the mayor is out of town. In that respect, it is not clear "how Mr. Griffin can serve as a reasonable attorney for two parties that are in conflict."

Benito requested clarification on the ad hoc committee vetting candidates. She said Wang had already told them that an attorney would be recommended to them. Asked if they can re-write the motion to include voting on the approval of the candidate, [Mark Wallach](#).

Wang addressed Benito and Rodriguez's questions, stating that there is a clear conflict between the commission and the law director and that they should add to her motion to vote for approval of the candidate, Wallach. Wallach is a former chief litigator for Cleveland who defended the city in a case with the [Cleveland Police Patrolmen's Association](#).

Ridgeway told Wang directly that there is a conflict because Wang had already established an ad hoc committee and the rules state that she cannot do that, nor can commissioners self-appoint themselves to committees. Ridgeway said Wang self-appointed herself and two others, they already interviewed candidates, and they tentatively chose an attorney that agrees with Beasley on the right of the mayor to reject the nomination.

Ridgeway also stated that "the language of the statute is not clear" regarding the mayor's right to reject their nomination. "It does not say that the mayor **MUST** appoint the nominee. It does not say that the mayor **SHALL** appoint the nominee. Which means the mayor has the right—according to the attorney that you interviewed as well as attorney Beasley—that the mayor has the right to reject that nomination."

Garrett-Ferguson expressed concerns on how voting on the motion would possibly conflict with state law. The State of Ohio has already provided guidance on nomination processes. She added that Beasley was previously law director of Warrensville Heights. She also questioned who would pay for the law firm. She asked if it would come out of the commission's budget, or if it would be paid for by the city.

van Lier said that in light of the contention on the issue, they should follow the official Robert's Rules of Order. They should not address each other directly and only speak twice and speak through the chair. That would help diffuse things.

Chura said that Beasley was once a city law director and also worked under former Mayor Frank Jackson. She has an affiliation with the city, and he said the commission should have "someone who is independent regardless of what the cost may be."

Ridgeway clarified that once a conflict has been determined, the law department must pay for the outside legal counsel.

Kennedy said the commission cannot determine if a conflict exists because they are not attorneys. There are multiple conversations about hiring an attorney going on (re: Wallach and another for a shared attorney with the city that will work for the CPC for 20

hours a month). Interviews are being done by different members of the commission. Not clear that the already-established ad hoc committee is within the rules.

Wang offered a point of clarification to Kennedy on how the three people were selected for the ad hoc committee. She said the rules do not state that an ad hoc committee can only be established by the co-chair. They are following the process provided by Griffin's email.

Benito moved to amend the motion to change item 3 regarding the ad hoc committee. She suggested deleting item 3 and replacing it with a vote to approve the utilization of Wallach as legal counsel.

Ridgeway moved forward a vote on an amendment to **delete** item 3 (the ad hoc committee).

Goodrick restated that there was a second part of Benito's amendment on item 3 regarding the ad hoc committee to include the vote on hiring Wallach.

The vote on Benito's motion resulted in a tie, which meant it **failed**.

Wang's original motion was voted on and **passed** 7-5.

Wang asked to be recognized for a new motion.

Goodrick told Ridgeway that they would need a motion to extend the meeting since they were at time, but added that he did not know how much longer they could keep the meeting space.

Ridgeway adjourned the meeting despite animated requests from Wang to present a new motion.

Resources:

CPC meeting agenda, Sept. 27, 2023

<https://clecpc.org/wp-content/uploads/Full-Commission-Meeting-Agenda-Sept-27-2023.pdf>

Youth and Policing Video and Resources

<https://case.edu/schubertcenter/youth-and-policing>

Additional information on the RISE initiative

<https://mayor.clevelandohio.gov/mayor-bibb-announces-rise-initiative-latest-investments-include-marketing-plan-police-recruitment>

<https://www.clevelandohio.gov/news/administration-asks-councilmembers-commit-rise-plan-requests-support-council-and-residents-0>

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