

Policies

1. “Eight Can’t Wait”

There are eight specific policies that have been identified through extensive research by an organization called Campaign Zero that, when enacted and enforced, decrease the incidence of civilian deaths in police encounters by 72%! Which of these are currently in place and enforced in Cleveland Heights? If any are not, what steps are being taken to put them in place?

These eight policies are:

- A ban on chokeholds and strangleholds;
- Requirement that police engage in de-escalation;
- Requirement that police issue a warning before shooting;
- Requirement that police exhaust all alternatives before shooting;
- Requirement that all officers intervene and stop excessive force used by other officers and report these incidents immediately to a supervisor.
- A ban on shooting at moving vehicles.
- Establish a force continuum that restricts the most severe types of force to the most extreme situations and creates clear policy restrictions on the use of each police weapon and tactic.
- Require officers to report each time they use force or threaten to use force against civilians. Comprehensive reporting includes requiring officers to report whenever they point a firearm at someone, in addition to all other types of force.

RESPONSE:

Some of our policies, including our Use of Force Policy, are on our website for public viewing. Currently our policy includes a number of these recommendations, and while others may not be specifically included, they are not practiced by our officers. This includes chokeholds. Our Police Academy does not teach chokeholds or neck restraints and Officers are not trained to perform such maneuvers. Our officers also are trained and practice de-escalation during the calls for service that we respond to on a daily basis. The Use of Force policy is currently being reviewed and we are looking to see that most, if not all, of these recommendations can be incorporated into our policies.

2. Will the department be banning the use of chokeholds or certain types of chokeholds?

RESPONSE:

Our police academy does not teach chokeholds as part of basic training, nor does it promote the use of these practices. Therefore, many of our officers have never

received any training on chokeholds or neck restraints. As for those officers who attended other academies, since joining our department they have never received any additional training in chokeholds or neck restraints. In order to be certified to use such techniques, officers would need to have received ongoing training in order to be proficient in their use and we do not provide such training. Our current Use of Force Policy does not address chokeholds, so we will be revising this policy to prohibit the use of chokeholds.

3. How will de-escalation techniques be incorporated into CHPD's Use of Force policy?

RESPONSE:

Our Use of Force policy currently requires that officers use verbal persuasion to take someone into custody whenever possible. This requirement includes issuing clear verbal instructions and only using minimal force to affect an arrest. In addition, it requires officers to attempt to achieve control through the use of verbal commands and physical gestures before resorting to physical force.

We are currently reviewing how best to expand upon this and incorporate de-escalation requirements into our policy. This will include defining de-escalation techniques and other alternatives to higher levels of force before resorting to force and to possibly reduce the need for force.

The CHPD requires ongoing training on de-escalation techniques.

4. Someone asked about changing the use of force policy from a “reasonable standard” to a “mandatory standard. What are your thoughts about that?

RESPONSE:

Unfortunately, we are not sure what exactly this question is asking. The “reasonable standard” referred to in the Use of Force policy was carved out by such U. S. Supreme Court cases as Tennessee v. Garner and Graham v. Connor. The language “reasonably believes” or “reasonably necessary” comes from the case of Graham v. Connor in which the court recognized the need of police officers to make split-second, life-or-death decisions. These decisions, the court held, are to be judged from the perspective of a reasonable officer on the scene and not with the benefit of 20/20 hindsight. The objectively reasonable standard recognizes that officers must make the best decision they can with the information immediately available to them, and at times that decision may turn out to be wrong. To take away the reasonable standard and replace it with a mandatory standard would in essence, reject the courts ruling and hold police officers strictly liable should they reasonably but mistakenly perceive a threat.

5. What is the standard that crosses into 'excessive' or 'unnecessary' use of force? Who makes that determination?

REPOSE:

There is no standard per se, but rather all use of force incidents are investigated and reviewed on a case-by-case basis. Currently all use of force incidents are reviewed by the officer's immediate supervisor, the Captain of the Detective Bureau and the Chief of Police. During a review of a use of force, we look at the facts and circumstances faced by the officer during the incident, including any force used by the offender, to determine if the force used by the officer was reasonable. We also look at our policies to ensure that all actions taken by the officer were consistent with the policies. If it is determined that the force used by the officer was unreasonable or unnecessary given the facts and circumstances as they existed at the time of the incidents, then the officer may face discipline which may include termination.

6. Will you review use of force policy with the community and seek input to see if changes are needed?

RESPONSE:

Yes. One of the reasons that the City elected to put various policing policies on our website is so residents can become familiar with our current policies. We have fielded a number of phone calls, letters and emails pertaining to inquiries and suggestions with regards to our policies and we are very accepting of the input provided by our residents. We are also willing to meet with people in our community to discuss our current policies and talk about possible improvements to be made.

7. Currently Ohio law states that body-worn cameras are considered public records, ORC 149.351 prohibits the destruction or damage of records. Do you support the idea that failing to wear a body-worn camera, turning off the camera, and obstructing the camera would be "damaging or disposing" of a public record?

RESPONSE:

Our current Body Worn Camera policy specifically states that officers are required to turn on their body camera during all citizen interactions. There are a very limited set of circumstances outlined in the policy that provide guidance as to when an officer is permitted to turn off their camera. Officers found to have violated the policy face possible disciplinary action. Each incident will be looked at on a case-by-case basis.

Before determining if discipline is warranted, we must investigate the circumstances as to why the camera was turned off, for example was it intentional on the part of the officer, was it accidental, did it malfunction or did it fall off during the interaction.

Our current Body Worn Camera policy exceeds the minimum standards required by the Ohio Collaborative. Overall officers do a very good job of ensuring that their cameras are activated during citizen encounters and since implementing body worn cameras, there have only been very few instances in which officers have been found to have violated the policy.

8. In a joint statement (Briley, Mecklenburg) made in the wake of George Floyd's death you said, "We are committed to continue our current efforts and seek out the best approaches to ensure fairness and equity in our law enforcement policies, practices, and training" can you specify the efforts made?

RESPONSE:

We are exploring the various types of training available for law enforcement. There are a wide array of training options available and we want to find the best training available for our officers to provide them with the best tools and resources available. Cleveland Heights has its own Police Academy with a diverse group of instructors from our department and from other agencies. We are engaging with them to determine what types of training we can provide our officers to ensure the best policing practices.

We are also in discussions with outside agencies to see what resources they have available to help us with some of our calls for service. For example, we have been in contact with Downtown Cleveland Alliance to provide outreach services for panhandlers beginning in 2021.

There are some calls that may not require a police response, but many times the police are the only option readily available and we are the ones who are able to respond quickly to a situation. Our goal is to find what other options are available and to enlist the services of those agencies willing to respond to calls that do not necessarily require police involvement.

9. What efforts are being made in the wake of the George Floyd murder to ensure those same policies are not being implemented here?

RESPONSE:

We are not quite sure what policies this question is referring to, but we can infer that the question may center around the tactics, or lack thereof, that were employed by

the Minneapolis Police Department. In Cleveland Heights we are striving to review what policies are currently in place and see where there are gaps that need to be filled. The type of behavior witnessed on that day is not acceptable and would not be tolerated here in Cleveland Heights.

10. Do you plan to implement some measures recommended by the Gov and AG such as: banning chokeholds, Investigation of use of force incidents by an outside entity, passage of a psychological test?

RESPONSE:

Yes, we are currently in the process of reviewing our Use of Force policy and while our current policy does not expressly ban chokeholds, our officers are not trained in such maneuvers. As we begin to revise our policy, we will be implementing some recommended measures prohibiting the use of chokeholds.

Currently our Use of Force policy requires that all use of force incidents be reviewed by the officer's immediate supervisor, the Captain of the Detective Bureau and the Chief of Police. While it is not addressed in the policy, use of deadly force incidents that result in injury are being investigated by an outside agency.

During the hiring process, all applicants are required to successfully complete a psychological assessment and the results of this examination can impact our final hiring decision.

Transparency & Data Collection

1. Will you be open and transparent with this city's recertification of its police force?

RESPONSE:

Yes. We will continue to post our current policies on the City's website. Any policies that are revised or changed will also be posted/updated. We are considering the use of social media and City Newsletter as well to keep the public informed about the recertification process.

2. Would you be able to give us statistics on the amount of police brutality cases that Cleveland Heights Police Department is subject to? After that, what is the procedure to deal with those officers?

RESPONSE:

Prior to 2017, the Police Department does not have any documentation regarding the use of force by officers. However, despite no formal documentation, the Police Department still monitored use of force and took disciplinary action when it was deemed excessive. To my knowledge, there have been two cases of excessive use of force over the past ten years and both of those officers were terminated.

- 3. Can the city make arrest, ticketing, and stop data available each month broken down by race and neighborhood where the stop occurred? If this record of data does not exist, can the city prioritize collecting it so we can lend validity to many Black residents who state that they are stopped and ticketed more frequently?**

RESPONSE:

Beginning in 2019, the Police Department required officers to document their traffic stops, including the race and gender of every person stopped for a traffic violation. We are currently in the process of collecting that data and it will be made available on a yearly basis. The collection and analysis of this data is very work intensive and to make it available on a monthly basis is just not feasible.

- 4. Is that information/data aggregated and available to the public?**

RESPONSE:

While the data is currently not available to the public, we are diligently working to analyze the data and will make it available as soon as it is. As previously mentioned, the data will be released on an annual basis.

- 5. Is there a chance that we can make it quarterly. I am a data analyst and would love to build a dashboard on it.**

RESPONSE:

The review and analysis of this type of data is very labor intensive and it would be a strain on the Police Department to publish it that often. However, we will revisit this suggestion after we are able to get the initial data released.

- 6. Are use of force complaint data available to the public in the same way as the traffic stop data, if not, can you make this available as well?**

RESPONSE:

Use of force complaint data is not currently made available to the public. However, we are in the process of developing a policy that will require the collection of all data pertaining to complaints made against officers and the Police Department. Once the policy is implemented, we will release that information and make it publicly available.

7. What steps are being taken to ensure transparency in police-citizen encounters and body camera accountability as recommended by Safer Heights?

RESPONSE:

Currently, our Body Worn Camera policy requires each shift supervisor to audit the body cameras for two officers every month. As we continue to review our policies over the course of this year, we will review the possible disciplinary action an officer may face for failing to turn on their body worn camera or intentionally turning off or obstructing their camera that is consistent with our Progressive Discipline policy and our current Collective Bargaining Agreement.

8. Has Cleveland Heights engaged in any discussions about a community control board to improve accountability?

RESPONSE:

We are currently in the exploratory phase of looking at best practices for law enforcement. We do know that one of the best practices across the country is to have civilian oversight/participation in some accountability and transparency efforts for police departments. One of the main advantages is the ability to improve the legitimacy and trust between the police department and the community. Staff is in the early phase of discussion while trying to explore what makes sense for our community.

9. Would the city agree to a community oversight board that actually has authority in reviewing police misconduct, and will the city move transparently to build a structure that residents can have confidence in?

RESPONSE:

The Police Department is willing to discuss the formation of a community oversight board and as previously stated, are in the early phase of discussions to explore what options are available and what makes sense for our community.

10. Are you open to the creation of an independent oversight board that would be given authority over police misconduct?

RESPONSE:

The Police Department is willing to discuss the formation of a community oversight board and as previously stated, are in the early phase of discussions to explore what options are available and what makes sense for our community.

Hiring/Staffing

1. How exactly are the cadets at the police academy trained? Are they being given training on de-escalation, handling those with mental health issues and diversity training, and how extensive are the psychological evaluations and background checks?

RESPONSE:

The cadets in the police academy receive 16 hours of training in Community Diversity & Procedural Justice, 24 hours in Crisis Intervention and 6 hours in Responding to Victims' Needs & Rights. All of this training takes place in the classroom and consists of lectures and some practical exercises such as role playing.

The Police Department conducts an extensive background check on all applicants before being hired. Some of the measures utilized during the background check include interviewing references and former employers, reviewing personnel files kept on file with all previous employers, a review of all social media accounts, a check of their driving record and criminal history, a review of their police academy records, a psychological assessment, a drug test and/or medical exam and a voice stress analyzer test to ensure that the information provided was truthful.

The psychological assessment that is administered to all applicants includes an assessment of the applicant's severity of implicit bias and the propensity for using excessive force. In addition, all assessors have successfully completed their own implicit bias training.

2. Have you hired any police officers who moved due to misconduct?

RESPONSE:

The Police Department conducts a very thorough background investigation, including reviewing personnel files of applicants who have previous police work experience. At this time, we are unaware of having hired any police officers who moved due to misconduct.

3. How many of our officers actually live in Cleveland Heights?

RESPONSE:

Twenty-six Cleveland Heights Police Officers live in Cleveland Heights.

4. What measures do you utilize to check disciplinary actions of officers who may come from other police departments?

RESPONSE:

The Police Department conducts a very detailed and exhaustive background check before hiring an officer. Some of the measures utilized during the background check include interviewing references and former employers, reviewing personnel files kept on file with all previous employers, a review of all social media accounts, a check of their driving record and criminal history, a review of their police academy records, a psychological assessment, a drug test and/or medical exam and a voice stress analyzer test to ensure that the information provided was truthful.

5. Is the racial makeup of our police department in proportion to our population? If not, does CHPD see this as a priority and why or why not?

RESPONSE:

Currently the racial makeup of the Police Department is not proportional to the population of the community we serve. The Police Department sees this as a priority and is looking for ways to improve our recruitment, hiring and retention to try and close that gap.

6. What is the gender make-up of the CH Police Dept?

RESPONSE:

White Females – 7%

Black Females – 4.5%

7. How many BPOs and PO's does CH currently have?

RESPONSE:

The Police Department, when fully staffed, has 105 officers – 72 Police Officers and 33 Basic Patrol Officers (an additional four positions have been frozen due to budgetary reasons and therefore held vacant for the past five years).

As of July 14, 2020, the Police Department is staffed with 69 Police Officers and 27 Basic Patrol Officers.

8. Does the city look for new officers to have had a diverse cultural interaction in their background in order to be a more well rounded officer?

RESPONSE:

The Police Department is always looking to hire the best qualified candidates to be police officers in the community and that includes officers who are more well-rounded. Our hiring committee typically asks questions of applicants regarding such interactions during their interviews and detectives investigate further while conducting their background investigations.

9. How are the background checks for prior misconduct affected by the fact that misconduct is mandated by union contract to either be removed from an officer's personnel file, or are "disqualified" due to when misconduct is reported/investigated?

RESPONSE:

This can present somewhat of a challenge when conducting a background check on a police applicant. If disciplinary action has been removed from an applicant's personnel file as required by a union contract, the employer will not likely share that information with us. The Police Department does try to ensure that we learn about prior disciplinary action through questions asked about prior discipline during the interview process and on the background questionnaire they are required to complete and that they must sign as truthful and accurate. They are also questioned

about their honesty in the information they provided during the voice stress analyzer and an applicant may exhibit deception which indicates they are not being truthful. Should that deception be confirmed by the administrator, the applicant would be disqualified and removed from further consideration.

10. Since we have our own police cadet training, can we make sure psychological tests can be administered BEFORE training begins so we don't waste resources on unqualified applicants?

RESPONSE:

All Basic Patrol Officers are required to have successfully completed basic training prior to be hired. Many of our Police Officers have already completed the training so it is rare that we need to spend resources to put them through the training. We also hire officers from not only our academy but other area academies as well. By expanding our recruitment to other academies, we are able to have a large and more diverse pool of qualified candidates to choose from. The Ohio Attorney General's Office has the responsibility for setting the requirements that cadets must meet prior to being accepted for basic training at a police academy. Recently there has been discussion about requiring all cadets successfully pass a psychological exam prior to acceptance.

11. Do officers undergo psychological testing periodically after they are hired?

RESPONSE:

Currently there is no requirement that an officer to undergo a psychological assessment once he/she is hired. The only time that an officer may be required to submit to psychological testing is if he/she exhibits behaviors that may call into question his/her psychological fitness. If that occurs, the officer would be required to successfully pass a fitness for duty evaluation prior to returning to work.

Training

- 1. Hello, this question is about crisis calls involving persons of color who have mental illness. Would you please discuss how the Cleveland Heights police department intends to improve and enhance how to train officers, and set expectations for the entire police department, to listen, engage in reciprocal and respectful communication, and preserve equity and dignity for that person and their family, and most of all the safety and well-being of those individuals, during those interactions.**

RESPONSE:

We are currently consulting with an agency regarding available training for all officers in dealing with those suffering from mental illness. Currently there is so much training becoming available and we want to ensure that our officers have the best training available. We also exploring the most effective way to present the training so officers will get the most out of it.

In addition to training, as we are reviewing and revising our policies and procedures, some of them will be improved so that they include clear expectations and standards for all officers to understand and adhere to.

2. In light of recent events would the Cleveland Heights PD consider increasing their training hours in physical de-escalation such as Gracie Jiu Jitsu Survival Tactics?

RESPONSE:

While the Police Department is somewhat familiar with this type of training, more research into the tactics taught would need to be done before determining if this type of training is suited for officer training..

3. You've mentioned the Police Academy several times during this Town Hall; how many months does it take to graduate and how much training time is spent on guns versus negotiation, mediation, and other de-escalation tactics?

RESPONSE:

Basic training for police officers in Ohio consists of 737 hours of classroom and hands-on training. Depending on the size of the academy class, it takes approximately five to six months to complete the training. The curriculum for basic training can be found on the Ohio Attorney General's website by clicking on the link for Peace Officer Basic Training Forms <https://www.ohioattorneygeneral.gov/Law-Enforcement/Ohio-Peace-Officer-Training-Academy/OPOTC-Resources>.

While the number of hours spent training on Firearms is higher than that of Crisis Intervention, additional training and reinforcement of the importance of de-escalation

is included in Subject Control, Stops & Approaches and Civil Liability & Use of Force.

- 4. Can you speak to the relationship between the African-American and White officers currently on the police force. Is there specific training, workshops, or events to build positive interactions and support among the officers.**

RESPONSE:

In general, all officers have a good working relationship with one another. While there is no specific program or training that can be identified, our shift supervisors do an excellent job of ensuring positive and professional relationships between officers on all shifts and in all units, in addition to ensuring that they contribute to a positive working atmosphere.

- 5. It has been stated that the city is reviewing and improving its policing policies and training. What steps are being taken to establish civilian-led review of the police academy curriculum as recommended by Safer Heights?**

RESPONSE:

The curriculum for basic training is mandated by the Ohio Peace Officers Training Commission (OPOTC) through the Ohio Attorney General's Office. The staff at the Police Academy does not have any influence on the curriculum and all lesson plans are provided by the State of Ohio. Officers who instruct courses at the Police Academy also receive training in these lesson plans and how to instruct the courses through the Ohio Peace Office Training Academy. These lesson plans are the same for all Police Academies across the state of Ohio. Additional information about the training and curriculum can be found on their website at <https://www.ohioattorneygeneral.gov/Law-Enforcement/Ohio-Peace-Officer-Training-Academy>.

Conduct

- 1. Chief Mecklenburg mentioned in a council meeting earlier this month that, after reviewing the Coventry Marc's footage, she determined 2/3 officers needed more training on use of force, but also that due to COVID trainings**

were cancelled. Are those officers still on our streets despite not receiving additional training? When are trainings set to resume?

RESPONSE:

The two officers who initially stopped the man at Marc's received counseling from their supervisor following the completion of the use of force investigation and were permitted to resume their patrol duties. Training at the police academy has resumed and both officers successfully completed 40 hours of training during the week of July 6 – 10, 2020.

2. The Chief mentioned in the same council meeting referenced above that an officer was reprimanded for not having his body cam turned on in the Marc's interaction with a resident. What does that reprimand mean? How many reprimands does it take to remove someone as an officer?

RESPONSE:

The reprimand means that he was given a warning about his violation of our Body Worn Camera policy. The reprimand will be placed in his personnel file and if additional violations occur, more severe discipline may be issued. There is no specific number of violations that must occur before an officer will be removed from his/her duties.

3. Are the officers that were involved in the Marc's incident (tackling a young Black man) still employed? Have they had any type of reprimanding or punishment?

RESPONSE:

Yes, the officers are still employed with the Police Department. Both have been good officers and have not had any prior disciplinary issues. One officer received a reprimand for not activating his body worn camera during the citizen interaction as required by policy, and the other officers have successfully completed 40 hours of training in Laws of Arrest, Civil Liability and Search and Seizure.

4. Why are complaints against officers handled directly by the Chief? Why aren't the outcomes of these reviews made public to residents?

RESPONSE:

Our protocol requires that all complaints against officers and/or the Police Department be forwarded to the Chief of Police who then assigns the complaint to a Police Supervisor for investigation. Once the investigation is completed, the supervisor writes up his/her report and sends it to the Chief who determines any disciplinary action.

We are currently working on developing and implementing a policy governing the investigation of police misconduct. The policy will include a requirement disclosing the number of complaints filed during a one year period and their outcomes. It is expected that the policy will be completed and reviewed within the next couple of months.

5. Does the city administration, separate from the police department, have any authority to remove officers who have demonstrated a pattern of abusing their authority?

RESPONSE:

The City Manager is the Public Safety Director and has sole authority for hiring and termination of police officers. While the Chief of Police and Human Resources Director can make recommendations for termination, the decision will ultimately be made by the City Manager.

6. In a conversation with two officers at the much hyped "violent" Coventry protest a few weeks ago an officer claimed that he had never witnessed his fellow officers acting in a racist manner, even as a young Black woman told him directly that he himself had treated her disrespectfully. How are CHPD officers taught to identify racist treatment, and are they incentivized to report this behavior? What channel do they report this behavior through and what assurances are there that there will not be professional retaliation for reporting inappropriate actions of fellow officers?

RESPONSE:

Officers receive training during basic training with regards to identifying racist treatment. We are currently exploring additional training to provide officers. Officers who witness or who are aware of bias-based policing are required to report the incident to their immediate supervisor, as required in our Bias Free Policing Policy. All such complaints are to be forwarded to the Chief of Police for investigation.

Our Bias Free Policing Policy has been revised and is currently under review. The policy was amended to include protection from retaliation for any officer who reports any occurrence of bias-based policing.

7. Could you address the misclassification of sexual assault cases why it happened in the first place and has there been any disciplinary actions on the police officers who negligently or intentionally interfered with a victim seeking justice?

RESPONSE:

As the current Chief of Police, I am only able to speak for the classification of sexual assault cases since 2016. In 2011 a policy was implemented that details how sexual assault cases are to be investigated and how evidence, such as sexual assault kits, are to be collected, stored and tested. This policy was updated in 2018 with recommendations suggested by members of the Rape Crisis Center. Our current Sexual Assault policy can be found on the City's website.

8. If an officer is caught using force wrongly what is the discipline given?

RESPONSE:

The discipline given to an officer for violating any of the Police Department's policies is determined by several factors including the nature and seriousness of the offense, the officer's past disciplinary record, the officer's past work record, and its impact on the reputation of the department, the potential for the employee's rehabilitation and mitigating circumstances surrounding the offense.

It is the policy of the CHPD to follow a progressive system of discipline for infractions of administrative directives and job performance standards. In general, the intent of progressive discipline is to prevent undesirable conduct or behavior and to promote a work environment where employees will comply with directives and job performance standards. Progressive discipline includes discharge for first time offenders if the officer's actions cause serious damage to the employment relationship.

9. What outside agency is investigating the recent use of deadly force?

RESPONSE:

The recent use of deadly force is being investigated by the Bureau of Criminal Investigation which falls under the oversight of the Ohio Attorney General's Office.

10. What is the mechanism for obtaining body cam footage of police officers and for filing a complaint against a police officer. Do citizens have easy access to these?

RESPONSE:

Copies of body camera video are available under public records law, with limited exceptions. Requests for copies of body camera video can be made through the Law Department.

Complaints against an Officer, in addition to compliments, can be filed either in person at the Police Department, via email to the Chief of Police or in writing. We have also now made complaint and compliment forms available on the City's website. The form can be completed and emailed directly to the Chief of Police for review and investigation.

11. What happens with body cam footage? Is it audited regularly as part of monitoring officer conduct?

RESPONSE:

Every shift supervisor is required to audit the body cameras of two officers on their shift to ensure that they are properly activating their cameras and review the video as required by our policy.

12. What steps are being taken to ensure transparency in police-citizen encounters and body camera accountability as recommended by Safer Heights?

RESPONSE:

Currently, our Body Worn Camera policy requires each shift supervisor to audit the body cameras for two officers every month. As we continue to review our policies over the course of this year, we will review the possible disciplinary action an officer may face for failing to turn on their body worn camera or intentionally turning off or obstructing their camera that is consistent with our Progressive Discipline policy and our current Collective Bargaining Agreement.

Cost of PD / Size/ Defunding

- 1. My name is Adam and I've been a homeowner in Cleveland Heights for about a decade and a resident for 10 of the last 12 years. In reading news reports about my community, I'm struck by what I read. In 2018 the city reported a 28% decline in violent crime, and statistics on the city website imply the numbers fell again in 2019. Additionally, the city's overall**

population has been declining for decades. Yet we remain, per capita, one of the most policed cities in Ohio. While our budget is stronger than it has been in some time, we still have many areas of need in our city both amongst our community and in the administration of its services, and yet we spend something like two-thirds of our budget on salaries, with police obviously taking the largest slice of that pie.

Our city must seriously consider a drastic reduction in police. On average, municipalities with populations between 25,000 and 100,000 have forces averaging 16-17 officers per 10,000 citizens. As of 2016 Cleveland Heights stood at 21, and I have found no news reports or press releases to indicate that number has been reduced drastically in the last 4 years.

An immediate (that is, prior to the negotiation of a new CBA with CHPD next March) one-third reduction in the police force should be seriously considered by Cleveland Heights. For a shrinking, tight-budgeted community with a falling crime rate, our current rate of policing is irresponsible and unnecessary.

RESPONSE:

The Cleveland Heights Police Department is comprised of two different categories of police officers: Police Officers (PO) and Basic Patrol Officers (BPO). We are currently approved for 72 PO's, which would fall into the number of officers suggested above. As for our BPO's, while we are currently approved for 33, it is worth noting that we are not usually fully staffed at that number and the responsibilities of the two positions differ. Our BPO's main responsibilities include traffic enforcement, jail duties, foot patrol, bike patrol and community response. The BPO's, while fully certified police officers, do not respond to calls for service as part of their primary responsibilities. At the inception of the BPO position, it was a way of helping us to recruit more minority police officers, train them, and assist them in getting promoted to PO. As it expanded, it was found that having additional BPOs was beneficial to the community as they could take over certain duties that often times were tasked to the PO's.

2. Would the city support defunding this police department to move city resources into social services that address the roots of crime?

RESPONSE:

Currently the City is in discussion with other agencies to explore other resources available that could assist the police in addressing issues that perhaps can be better handled by social services.

The City is also looking to form a Task Force to further explore police reform.

3. Recently we've seen talks of defunding the police around the country, has Cleveland Heights engaged in any of these discussions?

RESPONSE:

The City is looking to form a Task Force to further explore police reform and funding.

4. Please explain how adding resources to the police budget will increase safety when many residents and organizations such as Safer Heights and BLM are calling for divestment.

RESPONSE:

Efforts made by CHPD to have patrols throughout the City has resulted in three straight years of reduced crime. Our community outreach has also helped in our efforts. As we look at various policing policy changes we will explore forming a Task Force to further explore police reform.

5. Would you please publish a line item police budget and disclose any and all equipment received from the county, state, or federal government, or any other entity?

RESPONSE:

The General Fund Budget for the Police Department for 2020 is \$10,488,679.00. A separate document will be made available with the line item police budget.

The following equipment has been received from the county, state, or federal government:

Bomb Squad robot and other miscellaneous equipment

105 Portable Radios

28 Rifles/Long Guns received from Department of Defense in 2008 and 2011. These guns have been in storage and never utilized since received. Arrangements were made during the inventory process to have these items returned since they are not being used. The process of returning them however, will take time due to the COVID-19 pandemic and will remain in storage until they can be safely returned.

- 6. Additional funding for police departments has been discussed, while many residents and organizations such as Safer Heights and BLM are calling for divestment from policing. Please address whether the city is considering the divest/invest model and why.**

RESPONSE:

The safety of our residents and businesses is the top priority of CHPD and appropriate staffing is key. Striking the right mix is something we are looking as forming a Task Force to further explore police reform.

- 7. If Cleveland Heights is as progressive as it purports to be, why shouldn't we be an example to the rest of the country as to how removing funding for the police and shifting it towards any number of other public interests is doable and beneficial?**

RESOURCE:

The City is looking to form a Task Force to further explore police reform.

- 8. Are steps being taken to divest from the police budget and invest in a safer community as recommended by Safer Heights?**

RESOURCE:

The City is always looking for ways to make our community safer and we are looking at forming a Task Force to further explore police reform.

Reform

- 1. What steps are being taken to demilitarize the police department as recommended by Safer Heights?**

RESPONSE:

The City is looking to form a Task Force to further explore police reform.

- 2. Would the city support removing police presence from CHUH schools, as many researchers have seen that this has a direct impact on the school to prison pipeline in this country?**

RESPONSE:

While the Police Department sees the benefit of having a single School Resource Officer assigned to the High School, we recognize the concerns of the community as well. Whether or not a Police Officer is to be in the schools is a determination best made by CH-UH School District Officials.

3. What steps are being taken to ensure the abolition of police in our schools as recommended by Safer Heights?

RESPONSE:

The City is currently in discussions with officials at the UH-UH School District regarding this recommendation and are awaiting their final decision.

4. Does the Superintendent or the School Board have ultimate authority, per City Code, to end the CHPD relationship with the CHUH school district?

RESPONSE:

The School Board and Superintendent are the decision makers on whether they request police in any of the schools. The City of Cleveland Heights does not have the authority to mandate a police officer be stationed inside the school. The only relationship that would exist would involve the investigation of criminal activity reported to the police by school officials or other members of the community.

5. I have heard a lot of police and former police acknowledging the corruption of the system: there are incentives to arrest people (even if there is no just cause), and there are certainly incentives to not tell on others in your force. How can you realistically change these attitudes? Is it even possible with the history of what the police department is?

RESPONSE:

In order for an officer to make an arrest, probable cause must exist. The charges are then forwarded to the prosecutor and the court where the Judge will ensure that probable cause does exist to justify the arrest and sustain the charges.

I am unaware of any incentive to arrest a person when there is no just cause to do so. I would encourage anyone who has information about such practices taking place to report them to City Officials so they can be investigated immediately. The Chief of Police can be contacted at 216-291-4974 or chief@clvhts.com.

An officer who unjustly arrests someone without establishing probable cause could face liability for false arrest or other potential repercussions.

Officers receive training on Laws of Arrest, Search and Seizure and Civil Liability not only during basic training, but periodically throughout their careers during in-service training. This type of training is conducted periodically and will continue to ensure that all officers are aware of the requirement of what probable cause is and what constitutes probable cause to justify an arrest.

6. Second, in your own experience and opinion, why do you think that there is disproportionate violence against people of color? And innocent people of color?

RESPONSE:

There is no room in policing or any other circumstances where people should be treated differently because of their race. That is not tolerated in Cleveland Heights and our policies require that any officer who witnesses this report it immediately.

7. For several years serious crime has decreased, as the CH Police Department has made CH a safer place to live, and the department enjoys very broad support in the community. How will you ensure that whatever new processes you put in place do not result in higher rates of crime, such as we see spiking in other cities?

RESPONSE:

Police reform is not something that will be accomplished overnight. As we are seeing in other cities, acting quickly and hastily without thinking through and researching available options, is doing more harm than good. The Police Department and the community need to work together, along with City Leaders, to come up with agreeable solutions that will have lasting effects for years to come. If Cleveland Heights were to immediately cut the number of police officers on the streets, there is a good chance that we would experience an increase in crime, similar to what other cities are experiencing since eliminating certain resources within their police departments. For police reform to be successful we must all work together to determine the best practices for our community.

8. If you truly want to fix the issue of unnecessary violence, is reform really going to do anything? How can we reallocate resources to help the community best, and not just help the police salaries?

RESPONSE:

There are many benefits to reform, but it is going to take time to ensure that it is done responsibly. This includes exploring a variety of available options to see what resources are available and which ones will be most effective and best suited for our community. We have already begun to make some changes and we will continue to find ways to improve our practices. It is going to take all of us working together if we want to succeed and affect positive change in policing.

9. Chief Mecklenburg will you take the Path to Justice Pledge? By taking this pledge, you are committing to policies that end police brutality and killings by restricting the use of force, creating non-lethal response teams and demilitarizing police forces.

RESPONSE:

I am reviewing the Pledge, but I want to assure our community that we have many policies in place ([link to policies page](#)) that address police conduct and policies.

10. First, there are many public health fields that specialize in areas (and spend many, many hours in training for certain situations) that you do not have. How do you believe that you can partner with these organizations and individuals so that you, and your history of violence, are not the only people called to deescalate certain situations?

RESPONSE:

We are currently exploring a couple of different options that will allow us to work more closely with other health professionals when responding to calls involving mental illness crises. One approach involves a regionalized response which would allow us to share resources with other communities. Another approach is to have dedicated health professionals working strictly with Cleveland Heights in responding to non-criminal, public assistance calls for service. We are confident that we can work out a partnership with these agencies that will help to improve our response to such calls.

11. I notice there have been a few calls on people who suffer from mental health issues where it really isn't best for an officer to respond. Has there been any research into having mental health officials on staff to deal with these types of incidents?

RESPONSE:

Yes, we are currently looking into that now. Historically, police officers are one of the only resources available 24 hours a day who can respond quickly to emergency situations. That is precisely why so many responsibilities have fallen on us to handle. While mental health professionals are working at hospitals and other facilities around the clock, they are not in a position to respond as quickly, if at all, to calls involving persons suffering a mental health crisis. Rather it is the police who are called to respond, locate and transport those persons to the location the health professionals who are better equipped to assist them.

We are currently researching and in discussions with various agencies to see what services and resources they have available to assist us with handling some of these calls. While we are in the early stages of these discussions, thus far they have proven to be productive and our hope is that we will be able to have something in place in the months to come.

Follow Up

- 1. Following this forum and after hearing the needs of our nation, how will you take this feedback and implement real change? Please be specific.**

RESPONSE:

There are several changes that we are beginning to make immediately, while others will take time to ensure that the change is successful and has long-lasting positive results. I want to assure everyone that we are listening and taking in the communities ideas and concerns.

- 2. We now realize this is the moment to make relevant change As an aside, are we still holding the periodic "meet your police" events? I would like to be more informed.**

RESPONSE:

The in-person Meet Your Police meetings have been postponed until further notice due to the COVID-19 pandemic so as to protect the health and safety of everyone. We have resumed the meetings via Webex, so the meetings will be held on the first Thursday of every month. We originally attempted these virtual meetings at the beginning of the pandemic, but did not have much interest from the community. Should interest arise in specific topics, we are always willing to schedule extra meetings to address any questions and/or concerns.

- 3. Will the city and police department meet with the leaders of Safer Heights, the community organization that is coalescing the voices of citizens?**

RESPONSE:

The Police Department is more than willing to meet with any community members, including Safer Heights, to listen to their concerns or obtain feedback.

- 4. How will the city increase transparency in this review and reform process? Specifically, where will data and meetings be publicly available?**

RESPONSE:

The Police Department will keep the public informed about police reform on the City's website. We will also be holding virtual Meet Your Police meetings on the first Thursday of every month that anyone is welcome to attend and we are also willing to schedule additional meetings if requested.

Meeting Format

- 1. Why did the city decide to plan a forum without any representatives from the community which has been advocating around this issue for the past few weeks?**

RESPONSE:

We wanted to address the questions that we have been receiving thus far and believed that this was the most effective way to answer those questions and share information with the community. We will look to have additional meetings to include community involvement, and City Council has vowed to establish a task force with city officials and community members to discuss these important issues.

- 2. Why are public comments not permitted on livestreams the city has on Youtube?**

RESPONSE:

We acknowledge that this type of forum is not perfect, but with the pandemic we are having to rely on virtual meetings. Just like our City Council meetings, we have asked for questions to be submitted in advance. This helps ensure that we get to as many questions from as many people as possible. We are pleased to have captured all questions and comments submitted in advance and during the forum and we have done our best to respond accordingly.

3. Why must residents register for this forum - why isn't it a Youtube livestream like other public meetings?

RESPONSE:

We have always asked attendees at our community meetings to complete a sign-in sheet as they entered the meeting.

4. Has city leadership considered that a 'meet your police' event is not the most appropriate forum in which to hear concerns that residents have regarding policing in our community?

RESPONSE:

We selected Meet Your Police because it is a outreach program that was started several years ago and has been successful in addressing citizen concerns in the community. I am always available, and try my best to be very responsive, to individuals reaching out on their won with questions or concerns. Feel free to email me at myp@clvhts.com.

Miscellaneous

1. Why do multiple police cars often respond to simple traffic tickets, and is the police department aware of how intimidating that is for Black residents inundated with videos of police violence and their own personal experiences?

RESPONSE:

The number of police officers responding to a call for service, or to assist another officer on a traffic stop, is determined on a case-by-case basis. As a general rule, one officer will make a traffic stop and a second officer will often times respond to assist. Some examples of high risk traffic stops that may require the presence of more than one or two officers includes motor vehicles showing to be actively stolen,

a driver or other person in the vehicle showing to have an active arrest warrant, a person suspected of committing a crime, a person being uncooperative or becoming hostile/violent during the traffic stop, a person suspected of being in illegal possession of a firearm, an intoxicated driver or person in the vehicle, and the suspected presence of drugs in the vehicle to name a few.

2. Is the city developing any alternative structures through which mental health checks and other welfare checks can be handled, instead of keeping them in the purview of police?

RESPONSE:

We are currently in discussion with a couple of different agencies regarding the services they offer to see if we can make them available in our community. This includes having mental health professionals respond to calls involving people experiencing mental health crises.

3. What is the role of the JFS [Jewish Federation Security] in Cleveland Heights? I have seen patrol cars going up Berkeley rd. One of the security team questioned my nephew's license plate as it sat in front of my mother's house on Berkeley rd.

RESPONSE:

The Jewish Federation employs security personnel who are responsible for providing security and checking on the security of Synagogues, Schools and other Jewish facilities. During Jewish holidays, security patrols are increased in and around heavy Jewish populated neighborhoods. Their main role in these instances is to assist the police in providing a visible presence and report any suspicious activity they may witness. The Police Department maintains contact with the Jewish Federation Security Directors and works closely to ensure that all possible safety precautions are being taken in these areas.

4. What tools/resources do we have to encourage citizens to avoid calling police for non-threatening matters to potentially prevent escalation?

RESPONSE:

The reality is that because Police Departments are one of the few agencies that have the capability of responding immediately 24 hours a day, 7 days a week, the responsibility for handling non-criminal calls such as welfare checks has been

delegated to police officers. While there is assistance available by phone, many agencies do not have the staff nor resources to respond immediately or at all when the need for immediate assistance arises. However, we are exploring what resources are available and we are in discussions with a couple of different agencies to see how they can better assist the police with non-threatening calls for help.

5. As an 8 year resident of this community, how does any of that address how uncomfortable young Black people I talk to about CHPD? My best friends and their families are no less worried about CHPD 'incident' as you called the murder of George Floyd, than any other department.

RESPONSE:

We understand the concerns some members of our community have and we realize that change must occur for us to alleviate those fears and to build further trust. It is the goal of the Police Department to work with our community members to achieve police reform and we encourage all to have an active voice in the reform process. Throughout the years we have sponsored a variety of events for residents to participate in and get to know the police officers that serve the community. We believe that by strengthening the relationship between the police and community will only help to make everyone feel safer. We are always seeking feedback from the community and we encourage anyone who has concerns or questions to contact us directly. We are willing to hold community meetings to discuss these concerns and provide community members the opportunity to be heard. We must work together if we have any chance of sustaining any long-term successful reform.