

Ohio Task Force on Community-Police Relations

Cleveland State University Public Forum Summary

1/20/2015

Office of Criminal Justice Services



On December 12, 2014, Governor John Kasich signed Executive Order 2014-06K announcing the creation of the **Ohio Task Force on Community-Police Relations**. The charge of the Task Force is threefold: 1) To explore the cause of fractured relationships between communities and law enforcement, 2) To examine strategies to strengthen trust between the community and law enforcement in order to resolve the underlying causes of friction; and 3) To provide the Governor with a report with recommendations about best practices available to communities.

The Task Force is comprised of 24 members, identified below:

- Co-chairs: John Born, Director of the Ohio Department of Public Safety, and State Senator Nina Turner;
- Honorary co-chairs: Senator George Voinovich, Justice Evelyn Stratton, and Congressman Lou Stokes;
- Members of the Ohio House of Representatives : Representative Tim Derickson and Representative Alicia Reece;
- Members of the Ohio Senate: Senator Cliff Hite and Senator Sandra Williams;
- Department of Commerce Director Andre Porter;
- Ohio Attorney General's Office designee Tannisha Bell;
- Ohio Supreme Court Chief Justice designee Sara Andrews;
- Law enforcement representatives: Fayette County Sheriff Vernon Stanforth, who also represents the Buckeye State Sheriff's Association, Akron Police Department Officer Brian Armstead, and Oregon Police Department Chief Michael Navarre;
- Community and faith-based leader representatives: Tom Roberts of the NAACP, Reverend Damon Lynch of the Cincinnati Collaborative, Dr. Ronnie Dunn of Cleveland State University, and Bishop George Murry of the Diocese of Youngstown;
- Business leaders: Bernie F. Moreno, president of the Collection Auto Group, Anthony Munoz, former Cincinnati Bengal and Hall of Fame Inductee;
- Ohio Prosecutor's Association representative Ron O'Brien;
- Cincinnati City Council member Amy Murray; and
- Ohio Association of Community Action Agencies Executive Director Phil Cole.

In accordance with the Executive Order, a series of four public forums is to be held in four geographically diverse regions of the state to seek input and comment from all Ohioans, especially from Ohioans in those communities at the heart of the crisis, which includes African-American males and their families. Additionally, the Task Force is soliciting expert testimony on topics relevant to the community-police relations issue.

January 20, 2015: Cleveland State University Public Forum

The first public forum was held on January 20, 2015 at 4:30 PM at Cleveland State University's Waetjen Auditorium in downtown Cleveland. The forum was preceded by a brief Task Force meeting that was made open to the public. The forum commenced with welcoming remarks by the co-chairs, the facilitator, and a representative of the university. This was followed by the testimony of two subject

matter experts: Steven Dettelbach, U.S. Attorney for the Northern District of Ohio, and Professor David Kennedy, Director of the Center for Crime Prevention and Control at the John Jay College of Criminal Justice. At the conclusion of their testimony, a brief break was given, and public testimony began at 6:30 PM. All individuals were required to sign up prior to speaking. They were given three minutes to testify, and a digital clock was made visible to the speaker. Twenty-two individuals, some from as far away as Youngstown and Cincinnati, provided testimony during the forum. In addition, six people submitted written testimony or questions for the Task Force.

The forum concluded at 9:15 PM.

The following pages contain a summary of the expert testimony of U.S. Attorney Dettelbach and Professor Kennedy, a summary of themes identified throughout the public testimony, and a summary of recommendations provided during the public testimony.

Expert Testimony Summary

Steven Dettelbach, U.S Attorney for the Northern District of Ohio

- Policing is more dangerous and difficult than ever, but this does not mean that problems can be swept under the rug.
- The Department of Justice found that Cleveland Police Department (CPD) engaged in pattern of excessive force.
 - The four primary manifestations of unreasonable force identified include:
 - Unnecessary use of deadly force, such as shootings, head-strikes;
 - Unreasonable use of non-lethal force, such as chemical sprays, fists;
 - Excessive force was used against people who are mentally ill or in crisis, while those officers who have received mental health training (CIT) were not being sent on mental health crisis calls; and
 - Poor and dangerous tactics that place officers in situations where avoidable force becomes inevitable and places officers and civilians at unnecessary risk.
 - The three primary causes, or structural deficiencies contributing to the pattern of excessive force include:
 - Lack of accountability by not always addressing, investigating, and/or documenting use of force and allegations of misconduct;
 - Community policing strategies not being accurately embedded in CPD culture; and
 - Lack of resources for the department, including training and equipment, to allow officers to do their jobs safely and effectively.
- It is very difficult to prosecute law enforcement federally.
 - Proof is needed, not only of excessive force, but also officer acknowledgement of excessive force.
 - More prosecution options are available at the state level.

David Kennedy, Director of the Center for Crime Prevention and Control at the John Jay College of Criminal Justice

- We should not fall into the trap of delving into individual incidents. This is a systemic problem.
- Poor black neighborhoods have unconscionable levels of violence. They are the only areas with this type of violence.
 - 80%-90% of gunshots in really bad neighborhoods are not called in to the police.
- Though we've reduced the violence in these neighborhoods over the last two decades, there have been unintended consequences.
 - 25% of the incarcerated people in the world are in the U.S.
 - Minorities are overrepresented among the incarcerated.
 - Black males have a substantially higher chance of going to jail now than they did back in the 60's under Jim Crow laws. In D.C., the likelihood of a black man going to jail is nearing 100%. Refer to Michelle Alexander's book "The New Jim Crow".

- Going to jail can have life-ruining consequences, such as the inability to be gainfully employed, and the increased likelihood of children of incarcerated parents becoming incarcerated themselves.
- The attitude of being watched and monitored by the police makes people feel less like citizens, and when people do not feel like citizens, they stop acting like citizens by being less likely to vote, to report crimes, etc.
- Being treated hurtfully by law enforcement for decades detaches people from the community.
- The relationship between communities and police has become broken as a result of these unintended consequences.
- Things we need to keep in mind.
 - Even bad guys are good guys most of the time.
 - This is a crisis of legitimacy. People no longer feel like police are legitimate. And when legitimacy goes down, crime goes up.
 - Don't assume racism.
 - That is what we have been turning to for generations, and at one point that was the right place to look. It is not anymore.
 - Communities experience police actions as racism. Although race is a factor, the bigger problem that we are seeing now is an issue with community-police relations.
 - Police officers are trying to save people's lives.
 - They often know that they are taking illegal actions; they just do not know what else to do.
 - What the community desperately wants is a different kind of law enforcement.
 - We are judging each other by the worst things we do.
 - An amazingly small amount of people drive the worst crimes, but it is assumed that all members of the community are or may somehow be responsible for crime, so the police end up alienating everyone.
 - Focus on the neighborhood instead of the very small number of people that drive violent crime in the neighborhood (1%).
 - We need to honor our history and learn from and acknowledge it.
 - We are all biased; we cannot help it. But what looks like racism, tastes like racism, and has the same outcomes as racism is NOT always racism.
 - What most of these people really want is to hear the police admit they were wrong, and to apologize for the wrong.
 - We need to be aware of how the community views police when they are interacting with the community or are at a crime scene. Officers often engage in dark humor, and it can be perceived as insensitive or even racist by bystanders.
- Community Initiative to Reduce Violence (CIRV) principles
 - Reconciliation
 - Implicit Bias
 - Procedural Justice

Public Testimony Themes

This Task Force is important.

- The Task Force needs to take community-police relations seriously, as change is needed.
- It is troubling that this public forum is being held at the same time as another public meeting and not many are represented at this meeting.
- Ohio is ground zero for the issue of poor police-community relations, with more Department of Justice investigations and consent decrees than most other states.
- Will these issues be taken seriously if the majority of (white) legislators are unable to relate to the struggles of the minority populations?
- What are the political realities of the recommendations the Task Force makes, as their recommendations are not binding? [One legislator on the Task Force responded that nothing can be done if issues are not brought to their attention.]
- In reality, most of the work will be done at the local level. The focus needs to be on what the locals can do to promote change. The chief and safety director are much closer to the locals than the legislators are.
- The focus needs to be on the human issue, not the color issue.

Law enforcement officers must be engaged with the community.

- Officers need to be from the community in which they patrol/work. If they are not in the community, they need to make an effort to get to know the community. Somewhere we have lost the connection between the officer and the community.
- Kids are learning at an early age to hate the police. Communities need DARE-like programs in schools to teach kids that police are good and to build positive relationships between the police and youth.
- Everyone is talking about what law enforcement needs to do to change, but no one is mentioning what the community needs to do to instill change.

Citizens perceive a lack of procedural justice.

- Even within a multi-racial neighborhood of the same socio-economic status, black and white residents have different experiences with the police.

Racism is real.

- The real issue here is race. There is racial bias. Biases result in faulty assumptions
- This is all a conspiracy. Could the increase in law enforcement shootings and killings of civilians be related to the election of President Barack Obama?
- “This is straight-out racism”. Black individuals are treated as second- and third-class citizens.
- Stop killing unfairly.

Law enforcement need to be held accountable.

- The public needs to see more accountability amongst law enforcement and the courts.
- There was no mention from the panel about law enforcement discipline.
- There is collective anger amongst the black community, and thus, a need for reconciliation and movement toward respect and justice for the black community. Accountability (or lack of) needs to be addressed.
- There is a lack of transparency within police departments.
- Bill 409 out of Wisconsin creates a five-member panel and a special investigator to investigate all LE-involved deaths. Ohio should look at implementing something similar. [Note: This speaker, Edwin Little, offered to help the Task Force develop recommendations.]

Resources are needed for law enforcement.

- Funding is needed for equipment to allow officers to do their jobs effectively.
- The ability of law enforcement to effectively interact with and willingly try to understand persons with disabilities or mental health issues was raised as a concern. These individuals want their voices to be heard and not ignored because of their inability to communicate with law enforcement. Law enforcement training in this area is needed.
- CIT resources are needed in Cleveland. Mental health services are available in the city, law enforcement just need to collaborate with them.
- Counseling for law enforcement is needed. It is unclear what kind of ongoing (and mandatory?) psychological/emotional support law enforcement receives, whether or not they experience something traumatic in the line of duty.

Public Testimony Suggestions and Recommendations

For the Task Force

- Better marketing is needed for the listening tour. It should have been advertised earlier to generate better attendance. The Task Force should consider returning to Cleveland for another meeting.
- Presenters should provide actual data when challenged on the information they present.
- Need for more community representation on the Task Force panel, was disappointed in the lack of representation.
- The Task Force should prepare a statement acknowledging that race is at the center of community-police relations. Communities will continue to distrust law enforcement unless this is acknowledged publicly. The work of the Task Force would have more meaning if this acknowledgement is made, and it would validate the concerns of the public.

For the Law Enforcement Agency

- Law enforcement officers should be tested for drugs after a shooting incident, and/or on a regular basis.
- Officers should be highly qualified and hired from within the community they are serving, and better efforts need to be made to recruit minority populations from within the communities.
- Law enforcement agencies should look to ROTC for recruitment ideas, such as recruiting in high school.
- Increase and improve equipment for officers including the use of body-worn cameras, which can help improve the high-quality public service expected of police officers and promote the perceived legitimacy and sense of procedural justice that communities have about their police departments.
- Officers build a culture of partnership with the community in which they serve. They should meet with community organizations on a regular basis to familiarize themselves with the communities they serve.
- Law enforcement agencies should eliminate “moonlighting” of their officers. It may not be fair to other businesses that law enforcement is providing security to some but not all.
- Law enforcement agencies should publicly post their policies and procedures on their website, as Cincinnati Police Department currently does.
- More training of law enforcement officers and dispatchers is needed, to include problem solving, first aid, crisis intervention and mental health. Mental health providers should work with and train law enforcement, and perhaps even be dispatched to mental health-related incidents. Consider the pilot work being done in Portland, Oregon in this area.
- More CIT officers are needed.
- Document all reports of law enforcement interaction with civilians who have disabilities and/or mental health issues.
- Law enforcement agencies should provide better training on non-violent conflict resolutions when interacting with civilians, and should provide positive reinforcement when de-escalating procedures are applied successfully.

- Both the community and law enforcement need to work together to gain a better understanding of one another as a group.
- To prevent any misunderstanding of law enforcement commands, create pre-recorded instructions that law enforcement can play during a traffic stop or other interaction with a civilian. This will give the civilian a chance to understand what is going to happen and what needs to be done before law enforcement approaches them.
- There should be zero tolerance for officer misconduct.
- Enforcement strategies that disproportionately affect minorities should be rejected, and arrests should be reserved for the most serious offenses.
- Law enforcement officers must be held accountable under criminal and administrative law.
- Intelligence based policing is important—if this is not about race, then use stats/data to prove it. Agencies must show they are not biased in order to receive grant funding.

For the Community

- Similar to victim safety plans, create neighborhood safety plans, as what is being done in Seattle. Get buy-in from the community.
- There is a need for law enforcement to reach out to and interact with children early on. Hate and fear is being taught and instilled within these younger generations, this needs to be reversed.
- Ensure that public policies and practices incorporate a developmentally-informed approach to protect children and young people and to advance child well-being.
- Both the community and law enforcement need to work together to gain a better understanding of one another as a group.

For the Governor's Office, State Agencies, and Lawmakers

- Enact legislation that would create a deputized force.
- Make it easier to hold prosecutors accountable for their actions in the courtroom--no more blanket immunity.
- Consider creating a bill similar to Wisconsin Bill 409, which appoints a panel to investigate all officer-involved shootings.
- End the Racial Profiling Act and bring it to the state level.
- Fund research on the disparate impact of policing.
- Use money from the Governor's/State's rainy day fund because it's raining now. Put it toward community policing endeavors.
- The Governor should consider creating a permanent Community Policing Board, or an independent citizen accountability commission/board, to monitor the recommendations and, more generally, to take a long-term look at this issue.
- The Governor should consider creating an independent citizen accountability commission
- Lawmakers should revisit expungement laws to help ex-offenders get back to work.