



DIVISION OF POLICE

DATE: May 18, 2020

TO: Chief of Police Calvin D. Williams

FROM: Inspector General Christopher Paul Viland, Esq., CIG®, #3700

SUBJECT: Review and Analysis of Current Division Community and Problem Oriented Policing Policy for Compliance with Standards Set by the Ohio Collaborative Community-Police Advisory Board

Sir,

This memorandum has been prepared to serve informationally as guidance when determining whether current City of Cleveland, Division of Police (the Division) policy regarding community engagement meets a standard that has been set and published by the Ohio Collaborative Community-Police Advisory Board (the Collaborative).

In 2016, the Collaborative established a standard regarding community engagementⁱ which has been published and is deemed a mandatory consideration for compliance with Collaborative review and assessment, should an Ohio law enforcement agency voluntarily enter into that process. The Division is currently not participating in that process.

Pursuant to a Settlement Agreement (the Agreement)ⁱⁱ reached with the United States Department of Justice (the DOJ), and beginning in 2015, the Division began the process of developing and implementing a comprehensive and integrated community and problem oriented policing modelⁱⁱⁱ. After receiving input from the Monitoring Team supervising compliance with the Agreement as well as other stakeholders including the Cleveland Community Police Commission^{iv}, the Division made public its detailed Community and Problem Oriented Policing Plan (the Plan)^v in 2019. That Plan included a provision to develop a General Police Order, or policy, regarding community engagement^{vi} after community surveys and additional stakeholder input^{vii}. Currently, a draft General Police Order on Community and Problem Oriented Policing has been vetted and submitted to the Federal Court for approval (the Draft)^{viii}. This review will utilize that Draft as the basis for determining compliance with the Collaborative standard. Also, the aforementioned Plan will be referenced in support or for additional information as necessary.

As a preliminary matter, it must be noted that compliance with Collaborative standards is not mandatory at this time. Additionally, current policy has been developed with stakeholder input and in cooperation with the DOJ as filed with the court, seeming to obviate any need to

meet any other or non-essential standards. Nonetheless, this review is being presented as part of a series of informational memoranda detailing compliance with various Ohio Collaborative standards.

In the alternative, this information may be utilized as needed by the Division in any instance where an explanation may be necessary in demonstrating where and why the Division's policy is or is not fully compliant with standards outside the scope of the considerations of the Division, its stakeholders, and the DOJ.

To restate, however, this memorandum is a review specifically of how current Division policy complies with standards promulgated by the Collaborative. It is **not** a review of best practices or recommendations for improvements to policy or procedure otherwise.

Ohio Collaborative Standard 8.2016.3, regarding community engagement requires that a local law enforcement agency include in policy written statements that support the guiding principles espoused in the standard. Additionally, the standard requires that written policy enumerate an identification of specific agency programs, identify methods for sharing and receiving information, and provide a signed acknowledgement of the policy from all agency personnel^{ix}. Compliance determinations broken down section by section follow below:

STANDARD 8.2016.3, Community Engagement, Guiding Principles

“Agencies shall utilize proven strategies or develop their own strategies that are focused on community engagement. Examples may include: youth programs, educating the community on police policy and procedures, educating officers about the community they serve, sharing, receiving and providing information to the public, jointly identifying areas of concern, and communicating, when appropriate, significant changes in agency operations or other areas. The intent of this standard is to establish agency accountability for the community involvement function in writing. The function should be developed and operated to effectively meet the needs of the agency, with consideration of the department size and budget, as well as the community it serves.”^x

The current Division Draft Community and Problem-Oriented Policing policy requires that members dedicate a significant percentage of duty time to engaging with community members^{xi}. The Draft anticipates use of both formal (proven) and informal strategies and programs^{xiii}: and, these programs include youth programs^{xiii}, educating the community^{xiv}, educating officers about the community^{xv}, sharing information with the public^{xvi}, jointly identifying areas of concern^{xvii}, and communication of significant changes in operations^{xviii}.

The Draft policy establishes Division accountability for community involvement in writing in clear purpose and policy statements^{xix} at the beginning of the General Police Order. The Division's Draft policy describes a function that has been developed comprehensively considering agency needs, operational aspects and community involvement^{xx}. As a result, the

Division's Draft does contain statements in support of the Collaborative standard in written policy and is therefore in compliance with this aspect of the Collaborative standard.

STANDARD 8.2016.3, Requirement Regarding Listing of Agency Programs

The Collaborative standard requires a policy component identifying a listing of agency specific programs.

The Division policy Draft provides listings of both formal and informal programs to be participated in by members, including, but not limited to: community engagement specific bike and foot patrols, participation in community events and meetings, safety fairs, personal safety training events, career days, the Citizen's Academy, and reading to children^{xxi}. This Draft policy is supplemented by information in the Plan that provides a listing of twenty-six separately identified and described currently active community engagement programs being operated in the Division (i.e. "Stranger Danger: teaches children how to avoid strangers and give adults tips to keep their children safe from abduction.")^{xxii}

The Division's Draft policy and supporting operation Plan include comprehensive listings of Division specific programs resulting in the Division being fully compliant with this aspect of the Collaborative standard.

STANDARD 8.2016.3, Requirement Regarding Methods of Sharing and Receiving Information

The Collaborative standard requires that written policy identify methods of sharing and receiving information within the agency's service area.

The Division policy Draft does address some specific methods of sharing and receiving information. A primary formal two-way information channel identified in the Draft is the community partnership engendered in the District Policing Committees (DPC's)^{xxiii}. The DPC's serve as conduits for engaging the community and conducting problem solving; they additionally serve to accept input on Division policies and procedures^{xxiv}. The DPC's are used to build community/police relationships and partnerships^{xxv}.

One of the most significant methods for sharing information with the Cleveland community provided in Draft policy is the Division's commitment to Community and Problem Oriented Policing (CPOP) activities at an expected rate of 20% of the average patrol officer's time^{xxvi}. The Division expects that an officer engages the community, builds trust and relationships, and jointly solves community problems during this time^{xxvii}. Noteworthy in this process are the data collection requirements in place to validate, analyze, and improve all community engagement practices of the Division^{xxviii}.

The Division's detailed processes for connecting with the community, either as individual officers, or as part of Neighborhood Districts, as presented in Draft policy indicate that Division policy is compliant with this aspect of the Collaborative standard.

STANDARD 8.2016.3, Requirement of Signed Acknowledgement of Policy

Finally, the Collaborative standard requires that the agency maintain an initial “read and sign” acknowledgement on community engagement policy for all members.

As the Draft policy has yet to be fully implemented and incorporated into Division operations, there is currently no ability to assess compliance with this portion of the Collaborative standard. That being said, Draft policy itself is silent as to any acknowledgement requirements. While the Division does currently utilize a learning management system (LMS) for implementing substantive policy that does require an electronic and pass worded acknowledgement, no assumption can be made as to future events.

SUMMARY

The Division Draft policy currently being developed, approved, and implemented regarding Community and Problem Oriented Policing is generally compliant with standard 8.2016.3, Community Engagement, as published by the Ohio Collaborative Community-Police Advisory Board, as far as currently able to be assessed.

The Office of the Inspector General has no further comment or recommendations regarding this review.

[The Cleveland Police Monitoring Team has provided an independent review of Division community and problem oriented policing policy compliance with the Settlement Agreement referenced above by motion in Federal district court.]

Respectfully submitted,



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Inspector General, #3700
Cleveland Division of Police
Work Product Number 20011-R

cc: *via email only:* Deputy Chief J. O’Neill
Hon. Gregory White

¹ Ohio Collaborative Community-Police Advisory Board, Standard 8.2016.3 Community Engagement, <https://www.ocjs.ohio.gov/ohiocollaborative/law-enforcement.html>, as downloaded 5-4-20.

ⁱⁱ *United States of America v. City of Cleveland*, United States District Court, Northern District of Ohio, Eastern Division, 1:15 CV 01046, Settlement Agreement, June 12, 2015.

ⁱⁱⁱ *Id.* at ¶27.

^{iv} *See, e.g.*, Cleveland Community Police Commission website, <https://clecpc.org/our-work/cpop/>, as downloaded 5-4-20.

^v City of Cleveland, Division of Police, 2019 Community and Problem Oriented Policing Plan, (unpublished document on file as part of U.S. v. Cleveland, *supra* at document 234-1, page ID# 4524).

^{vi} *Id.* at Section 3(b).

^{vii} *See, e.g.*, Cleveland Community Police Commission website page, *supra* note iv.

^{viii} *See*, U.S. v. Cleveland, 1:15 CV 01046, Motion to Approve Community and Problem-Oriented Policing Policy, Exhibit A, August 2, 2019.

^{ix} Ohio Collaborative, *supra*, note i.

^x *Id.*

^{xi} City of Cleveland, Draft GPO, *supra* note viii, at Section I(B).

^{xii} *Id.* at Sections I(D&E).

^{xiii} *See, e.g., Id.* at Section I(E)(4).

^{xiv} *See, e.g., Id.* at Sections I(D)(5) and I(E)(3).

^{xv} *See, e.g., Id.* at Sections II(B&C).

^{xvi} *See, e.g., Id.* at Sections I(E)(7) and I(D)(3).

^{xvii} *See, Id.* at Section I(A), Section I(D)(7), Section I(E)(2), and Section I(F).

^{xviii} *See, e.g., Id.* at Section II(E)(2).

^{xix} *Id.* at Purpose and Policy.

^{xx} *Id.*; also *See, e.g.*, Community Police Commission website, *supra* note iv.

^{xxi} City of Cleveland, Draft GPO, *supra* note viii, at Sections I(D & E).

^{xxii} U.S. v. Cleveland, Community and Problem Oriented Policing Plan, *supra* note v at Appendix I.

^{xxiii} City of Cleveland, Draft GPO, *supra* note viii, at Section II(E).

^{xxiv} *Id.*

^{xxv} *Id.*

^{xxvi} *Id.* at Section I.

^{xxvii} *Id.*

^{xxviii} *Id.* at Section III.