

## **Policing and Race Study Pages Update – October 2022**

The Policing and Race Committee's April 2022 Study Pages focused on local policy and policing reform measures addressing systemic racism, excessive-force, and equal protection. This update to April's Study Pages centers on the City of Cincinnati's unique opportunity and obligation to continue building and expanding its vision of how we as a community want our justice system to serve us through the Collaborative Agreement (CA) and the Citizens' Complaint Authority (CCA). Here we examine the process, the recent work and accomplishments, goals, and community engagement initiatives of each.

**A Call for Police Accountability: Cincinnati Reinvests in Its Collaborative Agreement.** On June 27<sup>th</sup>, 2022, Jayland Walker, a 25 year old black man was fatally shot 46 times by eight Akron, Ohio police officers. As the Ohio Bureau of Investigation continues its investigation, calls for police accountability continue throughout the state. However, movement on any new Ohio legislation to address the issue of law enforcement accountability is not likely to move any time soon. A bill has yet to be introduced. Leaders in the House and Senate do not plan to reconvene until after the November general election.<sup>1</sup>

Even though Gov. DeWine's suggested reforms have never materialized on the State level, **the LWVCA Policing and Race Committee continues to focus on Cincinnati's reinvestment in its historic Collaborative Agreement. These pages focus on what needs further explanation and showcase what has been accomplished beyond what the original study pages provided.**

Since the 2020 protests following the murder of George Floyd, and based on the goals and principles of the 2002 Collaborative Agreement, Cincinnati has witnessed community engagement reigniting in response to the impact of violence in our neighborhoods, issues of policing, public safety, community/police relations, community problem solving and police/citizen trainings. As a founding leader of the Cincinnati Black United Front and one of the Community Representatives in the process that created the CA, longtime advocate Iris Roley is encouraging and mentoring a new generation of community leaders to build on the foundation of the CA.<sup>2</sup>

**The Participation of Multiple Civic Organizations in Committee Meetings Designed to Define and Focus the Objectives of the Collaborative Agreement.** Now acting as the City's Collaborative Agreement Sustainability Consultant, Mrs. Roley has held a series of community meetings that have been both virtual and in person. The first of those meetings was held in person at City Hall Council Chambers on Monday, May 9<sup>th</sup>. Mrs. Roley along with co-hosts Councilman Scotty Johnson, Public Safety & Governance Committee Chair, and Vice Mayor Jan-Michele Lemon Kearney invited the public to attend, listen, comment, and ask questions.

During the meeting, Lt. Col. Teresa Theetge, Interim Chief of Cincinnati Police Department (CPD) provided an update on CPD's participation in 7 public/community informational sessions as part of the 20<sup>th</sup> anniversary of the CA. Areas of focus include youth engagement, recruitment, academy staff

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<sup>1</sup> <https://www.stateneews.org/government-politics/2022-07-07/mike-dewine-calls-for-police-reform-as-state-investigates-shooting-death-of-jayland-walker>

<sup>2</sup> <https://www.wvxu.org/local-news/2022-02-15/iris-roley-consultant-cincinnati-collaborative-agreement>

training which weaves in de-escalation tactics, SARA (Scanning, Analyzing, Responding, Assessing) problem solving<sup>3</sup>, PIVOT (Place Based Investigations of Violent Offender Territories)<sup>4</sup> and the new Gun Crime Intelligence Center,<sup>5</sup> and all are governed in some fashion by the CA.

Also in attendance was Emergency Communications Center Director, Bill Vedra, discussing the addition of a new public safety resource, the Alternative Response to Crisis (ARC). The ARC program includes three components: certifying all 911 staff in Mental health First Aid and Crisis Intervention by the end of 2022, partnering with the Talbert House Crisis Call Center and piloting an ARC team to be dispatched to low-risk calls related to mental health calls, in lieu of a police response.<sup>6</sup>

Other stakeholders present included the Urban League's Director of Policy & Data Analytics, Candra Reeves, advising on the 2021 Center for Social Justice's report, Policing in Hamilton County, Ohio. The report includes survey responses from a questionnaire that was distributed to local law enforcement agencies. Its purpose is to also inform local communities of policing practices in key areas and create a visible baseline that can be used to engage in real and lasting police reforms.<sup>7</sup> Councilman Greg Landsman advised that Community Councils can apply for a grant to help fund community-led projects for litter control and beautification, through the Safe and Clean Accelerate Grant.<sup>8</sup>

The link to the recorded meeting that captures the voices of all in attendance that may not have been mentioned in this update is in the footnote below.<sup>9</sup>

**The Vital Cog of the Collaborative Agreement: The Citizen Complaint Authority.** One of the most powerful components established by the Collaborative Agreement is the civilian oversight agency known as the Citizen Complaint Authority (CCA). Pursuant to Cincinnati Administrative Code Article XXVIII, the CCA is composed of an advisory Board of up to seven citizens appointed by the Mayor and approved by City Council, a full-time Executive Director (Gabe Davis) with support staff and a team of professional investigators. The CCA is independent of the Cincinnati Police Department and is committed to strengthening accountability and effective partnership between police and community.<sup>10</sup>

**The Investigative Process of and Review by the Citizen Complaint Authority.** The CCA has investigative and administrative authority to review allegations of serious police misconduct such as discharging of firearms; deaths in custody; excessive use of force; improper pointing of firearms; improper stops; improper entries, searches, and seizures and discrimination/racial profiling. Upon receipt of a complaint, the Director reviews the complaint and assigns it to an investigator within 48 hours (as noted in the original study pages, a backlog of cases does exist due to prior years of being understaffed and

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<sup>3</sup> <https://www.wvxt.com/politics/2022-04-04/cincinnati-is-re-launching-the-safe-clean-fund-and-offering-problem-solving-training>

<sup>4</sup> <https://www.cincinnati-oh.gov/police/community-involvement/pivot/>

<sup>5</sup> <https://www.wlwt.com/article/cincinnati-crime-gun-intelligence-center/39101016>

<sup>6</sup> <https://www.cincinnati-oh.gov/ecc/news/arc-announcement/>

<sup>7</sup> <https://www.ulgso.org/policing-in-hamilton-county>.

<sup>8</sup> <https://www.wvxt.com/local-news/2022-05-09/safe-clean-fund-cincinnati-grants-beautification-safety-projects>

<sup>9</sup> <https://archive.org/details/community-meeting-on-the-collaborative-agreement-5-9-22>

<sup>10</sup> <https://www.cincinnati-oh.gov/ccia/about-cca/>

underfunded). The investigation should be completed within 90 days unless there are extenuating circumstances. Investigations follow specific guidelines (pages 15 and 16 of annual report) and are resolved with one of the following dispositions:

- **Unfounded:** Where the investigation determined no facts to support the incident complained of actually occurred.
- **Sustained:** Where the allegation is supported by sufficient evidence to determine that the incident occurred, and the actions of the officer were improper.
- **Not Sustained:** Where there are insufficient facts to decide whether the alleged misconduct occurred.
- **Exonerated:** Where the alleged conduct occurred, but did not violate CPD policies, procedures, or training.

According to the CCA's recently released 2021 Annual Report<sup>11</sup> (January 1 – December 31, 2021), demands for greater measures of accountability and equity in policing and in all systems have increased, the CCA saw significant increases in the number of investigations handled in all measures. 2021 saw a more than 70% increase in the number of investigations it completed and a 16% increase in the number of new complaints it opened for investigation over the previous year. The year also presented historic increases in funding from the City of Cincinnati and 2021 started with the requisite minimum number of five investigators helping to address the backlog of cases.

**Key Statistics Ascertained the Past Two Years by the Citizen's Complaint Authority based on complaints received and investigations completed include:**

- New complaints against CPD officers received by CCA increased by 1.6% from 249 in 2020 to 253 in 2021.
- The total number of new investigations opened by CCA increased by 16.0% from 75 in 2020 to 87 in 2021.
- The total number of allegations against CPD officers in new investigations opened by CCA increased by 23.2% from 311 in 2020 to 383 in 2021.
- Use of force/excessive force allegations represented 17.0% of allegations made by citizens in new investigations opened by CCA. Allegations of improper search/seizure/entry represented 15.4% of allegations made by citizens in new investigations opened by CCA.
- Lack of service represented 52.8% of the new allegations referred to CPD for review.
- Of the three "serious intervention" incidents that occurred in 2021, one resulted in death. There were no deaths resulting from the two discharge of firearm incidents that occurred. The subjects involved in all three of these serious intervention incidents were African American males.
- Females represented 58.0% of the 274 new complainants. Cincinnati's overall population is 51.6% female.

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<sup>11</sup> [Microsoft Word - 2021 Annual Report Final 7-8-22 \(cincinnati-oh.gov\)](#)

- African Americans represent 42.3% of the overall Cincinnati population. 59.5% of the 274 new complainants were African American.
- 68.4% of all CPD sworn officers are Caucasian. Of the 312 officers associated with the 253 complaints received by CCA, 66.4% of the complaints were filed against Caucasian officers.
- CCA completed 77 investigations in 2021 which resulted in the issuance of 424 findings. The allegations CCA investigated represented a 38.6% increase over 2020.
- Of the 424 findings made by CCA, 48.7% were “Exonerated” and 15.6% were “Sustained”. In 2020, 33.9% of findings were “Exonerated” and 25.8% of findings were “Sustained.”

**The Necessity for Community Engagement to Enable the Citizen’s Complaint Authority to Effect**

**Change.** Aside from the investigative findings, the annual report recognizes that community engagement is critical to the success of the CCA. To that end, CCA began the CCA Ambassador Program in 2021. This program seeks to build a cadre of volunteers, staff and organizational ambassadors to engage the community in the achievement of CCA’s mission. In 2021, CCA provided 78 community engagements and trainings, reaching an estimated population of over 1,100 people.