

September 2020 MAG Participant Questions & Answers

Office of the City Manager (CMO)

Will there be information about why the Citizen Complaint Authority recommendations are not followed?

The City administration is more than happy to provide a response with respect to a specific recommendation. In order to ensure that prospective recommendations and after-action are more easily accessible, we are in the midst of developing a tracking process that will be available for review by the public.

Will the City Manager going forward gives us their final decision and if discipline is to occur will the community see it?

The City Manager's Disposition for each CCA case reviewed is currently included as a field in the [CCA Closed Cases Open Data Table](#) managed by OPDA on their website.

Will the City Manager share the goals of the MAG?

The City Manager's 2021 Goals for the MAG:

- Advise the city administration on current community concerns around policing and continue to engage in dialogue around these concerns and public safety.
- Monitor the City's progress with respect to implementation around the goals of the collaborative agreement and refresh as well as those related matters that are the subject of the continuous improvement/ShiftCincy program.
- Communicate to member's constituencies regarding (a) the efforts of the administration and community partners in sustaining the goals of the Collaborative Agreement and addressing the recommendations from the Refresh; (b) discussions related to community concerns around public safety that occur at MAG meetings; (c) circulate reports and documents that are shared with the MAG.

What assurances if any can you provide that the investigators required to implement the CCA process can be protected from future city council cuts?

The ultimate decision on all appropriations is the exclusive purview of the City Council.

Can we have Gabe Davis placed on every agenda for 5 to 10 minutes to hear about the celebrations and challenges of the Citizen Complaint Authority? As well as the response to the challenges from the interim City Manager? Is that possible moving forward?

The CCA Director is a member of the MAG and will be in attendance at meetings. As we work to structure the MAG agenda such that the topics for information and discussion are responsive to the concerns/interests of members, we will be responsive to collective interest and requests to hear from any member of the city administration, including the CCA Director or City Manager.

Can I make a recommendation, at the next MAG meeting, provide a sample of work utilizing this process that has been previously completed by the MAG. It will make it easier to understand and comprehend.

If MAG members would like further information regarding ShiftCincy, including hypotheticals/examples, the administration is happy to include this on a future agenda.

Number of people serving on MAG unfortunately, it repeats the weakness of the former MAG structure of three years ago. How do we change it to avoid past mistakes?

I would like more information on the perceived weakness of the former MAG structure and the way in which the number of current members is repetitive of this perceived weakness.

When is the next MAG meeting?

The MAG will resume in 2021 on the following dates from 9:30 -11am:

- March 12, 2021
- June 11, 2021
- September 10, 2021
- December 10, 2021

Cincinnati Police Department (CPD)

Chief, is there any evidence that increased police presence in communities experiencing gun violence is an effective strategy? How do we ensure that we do not experience another Vortex in these communities?

The Gun Crime Task Force was created to combat an unprecedented spike of gun violence during the summer of 2020. During a pandemic, all personnel volunteered to assist in the Department's efforts to reduce gun violence in Cincinnati. This is an intelligence led policing effort that employs two evidence based policing strategies to reduce violent crime, focused deterrence, and hot spot policing. Members focus their activity on specific violent crime locations, and prolific repeat violent offenders. The Task Force relies heavily on daily intelligence briefings, surveillance, and Department data to deploy strategically with minimal impact on those not engaged in criminal activity. Members measure success by violent crime reductions, crime guns removed from the street, and successful prosecutions of felony offenders.

There is a big difference in comparison to the Vortex Unit that was used many years ago. Vortex policing tactics were designed to reduce crime through high numbers of arrests, which caused possible displacement of crime, unlike the Gun Crime Task Force.

Members partner with the Bureau of Alcohol, Tobacco, and Firearms, Hamilton County Adult Probation, the United States Parole Authority, the Hamilton County Prosecutor's Office, and the United States Attorney's Office. During the initial ten weeks, members recovered approximately 160 firearms. The United States Attorney's Office has adopted approximately 25 federal firearms cases. Additionally, violent crime statistics have quickly stabilized to pre-pandemic numbers.

Citizen Complaint Authority (CCA)

How will the CCA prioritize responding to the backlog of cases that are awaiting a hearing?

At the Executive Director's instruction, CCA is expected to take the following steps to reduce its backlog of cases:

- 1) CCA will hire three new investigators, for a total of five investigators (the minimum required under CCA's authorizing statute, Article 28 of the City's Administrative Code).
- 2) CCA's Chief Investigator will task new investigators with working principally on the new cases that CCA accepts each week, allowing CCA's more seasoned investigators to resolve older backlogged cases that are ripe for resolution more quickly.
- 3) CCA will adopt a streamlined approach to report-writing for less complex investigations, expanding on past practices favoring abridged yet thorough reports in cases where it is appropriate. CCA will redirect the time saved toward the completion of more cases.
- 4) CCA Investigators will be expected to prioritize the completion of their investigations according to the seriousness of the allegation or circumstance, and the age of the case. Generally, the oldest cases involving the most serious police interventions will receive priority.

Please describe what the CCA process was and is now?

Any person who feels he or she has been the victim of police misconduct or a person who witnessed police misconduct may file a complaint. A complaint can also be filed anonymously. Complaints can be filed online, by email, by phone, by mail, or in person.

The Executive Director determines whether specific complaints are suitable for CCA investigation. CCA investigates serious interventions by police officers, including discharge of firearms, deaths in custody, excessive force, improper pointing of firearms, improper searches and seizures, improper stops and discrimination/racial profiling. Complaints that are not suitable for CCA investigation (for example, those where the sole allegation is discourtesy or lack of service) are referred to CPD for investigation. All complaints within CCA's jurisdiction will be assigned to an investigator within 48 business hours. At the conclusion of its investigation, CCA will issue findings based on a preponderance of the evidence standard. CCA also has the option to make recommendations.

The CCA Board will review completed investigations, including findings and recommendations. The City Manager will conduct a final review and assessment. CCA notifies the complainant when a final disposition has been reached on a complaint.

Gabe, please address the mediation of CCA

CCA has an interest in incorporating a mediation process into its complaint resolution activities. Such an approach would likely incorporate restorative justice principles and involve the use of neutral mediators to facilitate the resolution of select complaints. CCA is studying mediation processes that have been utilized by numerous other police oversight bodies with apparent success, and the possibility of bringing such a process to CCA is of great interest to the Director and staff.

Can you describe the current reporting structure for the CCA Director? Who does he report to internally? Does the CCA director report directly to the City Manager?

The Executive Director reports directly to the City Manager. The reporting structure is set forth in Article 28 § 2B as follows: "The city manager shall appoint the CCA's executive director, who shall be an unclassified employee of the City. The city manager shall consult with the board and seek the board's recommendations, provided, however, that the final selection of the executive director shall be made by the city manager. The executive director shall serve as an unclassified employee and may be discharged by the city manager after consultation with the board. This provision shall not relieve the city manager

of the duty to respect the need of the executive director to act independently, consistent with the duties of the executive director. The executive director will be accountable for the efficient operations of the CCA, and for the achievement of the desired outcomes set forth above.”

Office of Performance & Data Analytics (OPDA)

How can I access additional data and metrics not available in the Collaborative Agreement Performance Deck published quarterly?

Requests for additional data and/or analysis not included in the quarterly performance deck can be made directly to OPDA staff via e-mail at: cincystat@cincinnati-oh.gov

This Continuous Improvement project is very much rooted in Organizational Development. How do you plan to communicate this in a culturally competent way to the communities from which you seek feedback? Why is this important to communities?

The City is focused on developing a strong core relationship with community stakeholders to co-design both the process for engagement.

Please speak to the Key Drivers - who generates the Key Drives - the City or the community or both?

The City is currently in the preliminary stages of developing the framework for continuous improvement that will be co-designed with core community stakeholders. The City will rely on core tenets of the Continuous Improvement and will convene both City staff and community that leverages identified processes to develop the Key Drivers and

Is there a plan to have members from every neighborhood be a part of continuous Improvements in Policing? How will they be identified?

The City is developing a strategy for community engagement and will do so in connection with community stakeholders.

How will you identify areas that will be subject to Continuous Improvement?

Areas for improvement will be identified through the engagement process and in concert with community stakeholders.

How is the sustain phase monitored, maintained, and communicated to the community?

The strategy for the sustain phase will be developed at a later date in connection with community and city stakeholders.

Will the Continuous Improvement processes be for the entire City?

Yes, ShiftCincy, the City's continuous improvement program is intended to be deployed and available to all departments and processes. There is a specific sub-program of ShiftCincy - Policing that is focused at dedicating resources specifically to projects related to policing.