

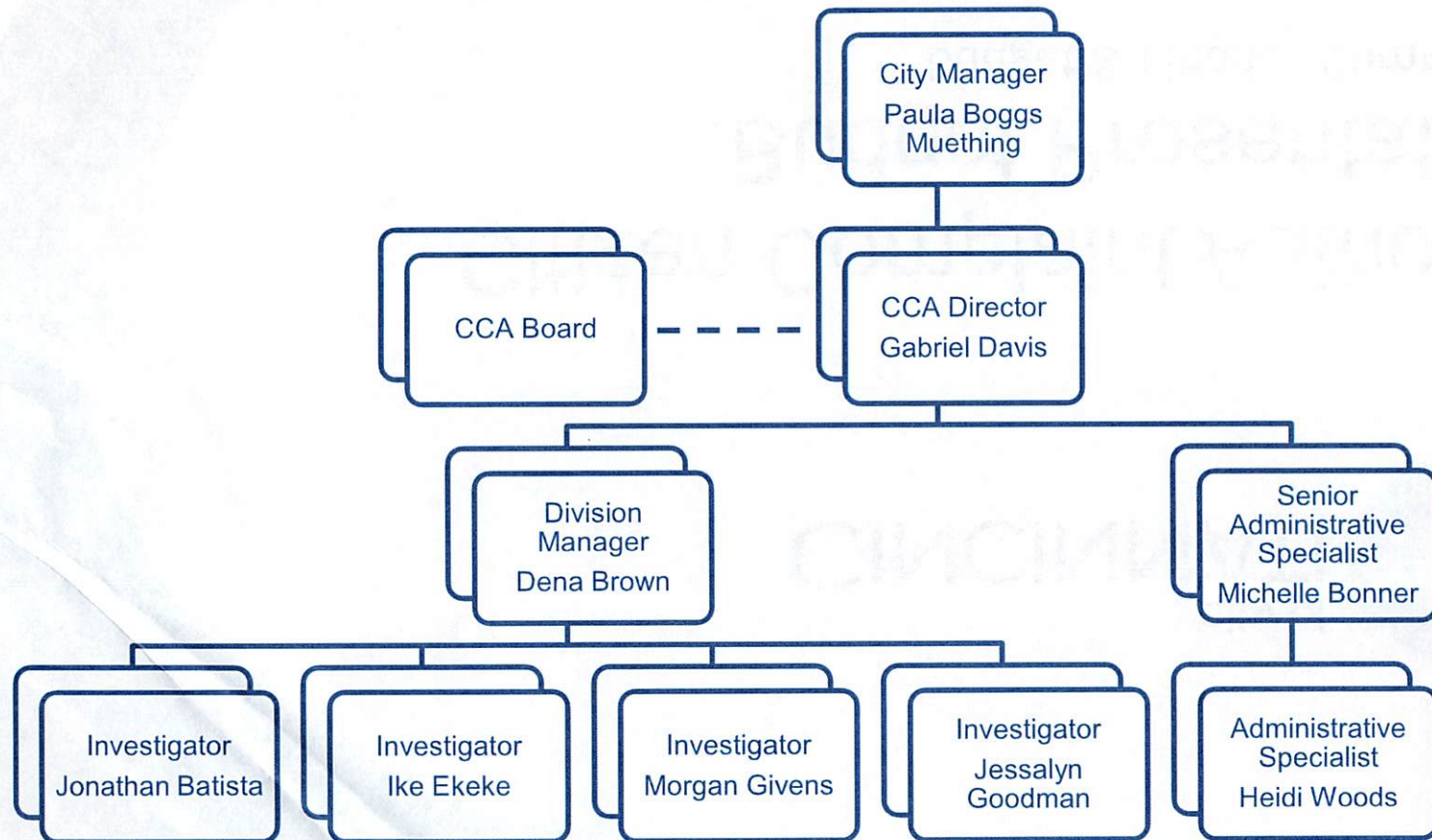


Citizen Complaint Authority Budget Presentation

Budget & Finance Committee

March 8, 2021

Citizen Complaint Authority Department Budget Summary Organization Chart



Citizen Complaint Authority Department Budget History

General Fund Operating Budget FY 2017 – FY 2021

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personnel Compensation	468,020	486,059	483,810	504,970	580,902
Fringe Benefits	156,030	157,727	159,880	158,410	219,054
Non-Personnel Expenses	21,560	29,262	26,820	28,250	99,084
Total	\$ 645,610	\$ 673,048	\$ 670,510	\$ 691,630	\$ 899,040

Citizen Complaint Authority Anticipated Budget Submission

Anticipated Operating Budget Submission FY 2022

<u>Object</u>		<u>FY21 Budget Original</u>		<u>FY22 Operating Budget</u>
		<u>Authorization</u>		<u>Request</u>
7100: Personnel Services	\$	580,902.00	\$	679,238.00
7200: Contractual Services	\$	86,454.00	\$	36,590.00
7300: Materials and Supplies	\$	11,480.00	\$	16,290.00
7400: Fixed Charges	\$	1,150.00	\$	1,160.00
7500: Benefits	\$	219,054.00	\$	206,796.00
TOTALS	\$	899,040.00	\$	940,074.00

Citizen Complaint Authority Anticipated Budget Submission

- **CCA's Operating Budget submission for FY 2022/2023 is also expected to include a request for additional funding for:**
 - **Three (3) additional Investigators**
 - **Two (2) additional Administrative Specialists**
 - One for community engagement
 - One for research and data analysis
 - **Salaries & benefits for additional FTEs = \$460k annually**

Citizen Complaint Authority Department Significant Issues Staffing

- CCA has significant responsibilities, both under law, and to our community:
 - Timely investigations of serious police interventions (including police shootings) and citizen complaints of police misconduct
 - Policy review, analysis, and recommendation
 - Data analysis
 - Problem solving and mediation
 - Community engagement
 - Annual reporting requirements
- CCA currently has five (5) investigators and two (2) administrative staff, including two new hires included in the FY 2021 Approved Budget.

Citizen Complaint Authority Department Significant Issues Staffing

- New staff will allow CCA to eliminate its case backlog in FY 2022 and complete investigations in the timeframe required by law.
 - Current caseload of approximately 140 open cases
 - Current backlog of approximately 130 cases (older than 90-day legal deadline) as of March 1, 2021
 - Experienced investigators have over 50 cases each.

Citizen Complaint Authority Department Significant Issues Staffing

- Without new investigators, conservative estimates do not have CCA being compliant with the law (i.e., within 90 days on *all* investigations) until well after 2022 and possibly into early 2024.

Citizen Complaint Authority Department Significant Issues Staffing

- Additional administrative staffing support would facilitate critical community engagement; pattern analysis; data analysis; and mediation.
- New administrative staff are essential to preventative and restorative justice goals.

Citizen Complaint Authority Department Significant Issues Staffing

- Current administrative duties include the following (among others):
 - Complaint intake support
 - Budget, ETS, and Procurement liaison functions
 - CCA database management (maintenance, reporting, etc.)
 - Public records request management
 - CCA Board administrative support
 - Graphic design, social media, and website management
 - Annual and Pattern Report creation
- Ability to meet other goals of CCA challenged by current duties, capacity, and expertise.

Citizen Complaint Authority

Department Significant Issues

Miscellaneous

CCA requires at a minimum \$9,000 for the following non-personnel expenses:

- Information dissemination equipment and materials to allow CCA to provide citizens and communities with CCA outreach information
- Computer equipment and supplies for investigators and staff

QUESTIONS?

April 26, 2021

To: Neighborhood Committee

Chair Jan Lemon Kearney

Vice Chair Betsy Sunderman

Councilmember Wendell Young

Vice-Mayor Christopher Smitherman

The Cincinnati Black United Front organized in September 2000 because 14 of the 34 downtown restaurants closed during the city's largest economic generator. The Cincinnati Music Festival held in July of that year to avoid serving black customers. In November of 2000 Black Cincinnati experienced what we called 2 in 24. The 13th and 14th killings of unarmed Blackman in 24 hours. Jeffrey Irons #13 & Roger Owensby, Jr.#14 by the CPD.

The Black Community • Was being told both killings were justified • Not much more information than that • At a boiling point • Gave the CBUF its Blessing to do something

A little History

First, to our history and Second to the community. We Listened to our history. The lawsuit that resulted in the Collaborative Agreement traced 33 years of unrest – from the race riots in 1967 to 2000. That history tracked repeated flashpoints followed by efforts not to solve problems but to appease.

We found: • thirteen blue ribbon panel reports; thirteen sets of broken promises. • In the six years before the Collaborative Agreement 15 black men were killed by the Cincinnati Police.

No wonder trust was low or even at all. Listening to our community. • We identified eight stakeholder groups early in our collaborative process. • This problem was not going to be solved by lawyers in a back room. It needed air. • The voice of the people needed to be heard. Online surveys and facilitated group meetings were pursued over a period of several months. • This process was supplemented by the community conversations

What is the Collaborative on Police Community Relations?

- The Collaborative was a class action agreement between the African American Community. Between the Black United Front, the police union, and the City administration.
- Federal Judge Susan Dlott supervised the agreement for six years (2002-2008). A monitor and advised the court on **compliance**.
- The Collaborative was merged with the Department of Justice Memorandum of Agreement on use of force and accountability
- Under the agreements all the reform terms became the **policies** of the department.
- Training and performance were aligned with those policies.

- When court supervision ended the parties agreed to continue following the agreement and have met regularly with the Cincinnati City Manager One-third of the sworn ranks were hired during court supervision.
- The Collaborative was a national model on how to achieve change in the police culture

How

1. Use of Force Reform.

- Under the agreement use of force policies were rewritten and officers trained consistent with those revisions.
- Tasers were adopted, and incidents carefully tracked. Canine deployment was carefully reviewed and has been gradually revised to reduce incidents of dog bites.
- **Mental health** response teams were developed, and training expanded to every member of the sworn force.
- Injuries to citizens and officers both went down.

CCA Comes into view

- **Accountability.** Good policies require a system for holding officers accountable when they violate policies.
- That is why the **Citizens Complaint Authority was established.** With an independent professional staff its investigations provide an informed community perspective on individual cases and their decisions are presented to the City Manager before he decides on officer discipline.
- The CCA also reviews policies in action and recommends changes when appropriate.
- The Cincinnati Civilian Complaint Authority (CCA) Bias-free Policing and Officer Accountability
 - Complaint and investigative procedures.
 - • Communication with the public.
 - • Pattern review and process for recommending policy reforms.
 - • Use of problem solving to reduce identified patterns of complaint or abuses.
- As noted in its review, the CCA was created in 2002 as a result of the CA and the CPD/Department
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- That is why the **Citizens Complaint Authority was established.** With an independent professional staff its investigations provide an informed community perspective on individual cases and their decisions are presented to the City Manager before he decides on officer discipline.

- The CCA also reviews policies in action and recommends changes when appropriate.
- The CPD also started an employee tracking system which collected important performance data on each officer in an effort to serve as an early warning system about those who may engage in misconduct. Deployment of cruiser cams and now body cams are an important part of accountability.

Next the Refresh

- **The goal of the Refresh** is to recommit ourselves to the Collaborative Principles and to develop ongoing ways to monitor our progress.
- **Bias-free Policing and Officer Accountability** – Ensuring fair, equitable, courteous treatment of all; Early Warning System to identify at-risk officers, training, Citizen complaint authority;
- **Mutual Accountability of All Parties** – Engagement of other City departments, engagement of the community, other jurisdictions and the oversight process by the City Manager’s Advisory Group (MAG), evaluation protocol;
- **Community Problem-Oriented Policing Strategy** – Problem solving adopted by the City and Parties as the principal strategy to address crime and disorder problems, including CIRV, PIVOT, Partnering Center

Citizen’s Complaint Authority (CCA) that are critical to our pledge to the community of police accountability. (Cincinnati Administrative Code XXVIII), the ordinance establishing the CCA (Ordained by Ord. No. 149-2002, eff. May 15, 2002

Why is this important?

1. Timely case investigations. CCA is required to complete case investigations in 90 days. This is important because discipline is supposed to be delayed until the CCA reports its results to the appointing authority (Chief or City Manager depending on the case). Short staffing has prevented CCA from meeting this deadline. As a result, it is our understanding that discipline decisions are proceeding without citizen input contrary to the core purpose of the CCA. That is unacceptable. Full staffing will solve the problem.

2. Policy Review. CCA routinely sees cases where the officer conduct complies with policy, but the board members and staff are struck by questions about whether the policy should be changed. CCA should be engaging in a robust review of how other law enforcement agencies solve similar problems. CCA has been unable to fully perform its task of making responsible policy reform recommendations because it is chasing a backlog of cases. This means the same problems keep surfacing due to bad policies. This is unacceptable. Full staffing will solve the problem. January 10, 2020 Page Two

3. Data Analysis. CCA is the home for traffic and pedestrian stop analysis and other racial disparity reviews for the community. Data is collected by Office of Performance and Data Analytics (OPDA) but not analyzed with an eye toward the issues the community cares about. The recent Enquirer review of traffic and pedestrian stops demonstrates that not doing this work means we are failing to take seriously one of the primary drivers behind the Collaborative and Refresh – racial fairness. CCA makes community

presentations. Those should include education on how to access and understand data about disparities. That has not been done. Full staffing will solve these problems.

4. Recommendations. Even though CCA has been understaffed, it has nonetheless made numerous recommendations to the Cincinnati Police Department (CPD) on individuals and procedures that are based on the various case investigations that do get completed. Unfortunately, the police department rarely reports back and rarely enters into any dialogue regarding the recommendations. See the 2018 CCA annual report <https://www.cincinnati-oh.gov/ccia/citizen-complaint-annual-reports/>. This is unacceptable. Full staffing will permit CCA to follow up and insist on responses and that will serve the community.

5. Employee Tracking. We understand that a new Employee Tracking System (ETS) will be used to identify officers in need of interventions before they engage in conduct harmful to citizens. This was another core commitment in the Collaborative and the Refresh. We have yet to see what data fields will be used in the new system. CCA needs access to that system in order to fully perform its oversight role regarding police misconduct. Full staffing is needed for CCA to understand and partner with the CPD as it develops, tests and implements the new system.

6. Records Management System (RMS) and Electronic Contact Cards. We have been told for more than a year that the CPD will be implementing a new RMS and that it is piloting a new electronic contact card that will replace the paper contact cards. This may be great, but we have seen nothing to date. As part of its policy work CCA should be involved in reviewing and evaluating these systems before they are set in stone. Full staffing will give CCA capacity to do this work.

7. Mediation. Several of us question the efficacy of the Citizen Complaint Review Panel (CCRP) mediation process performed internally by the CPD. Many citizens do not participate since they find themselves in a room alone with officers and supervisors and it feels intimidating. We believe that the CCA should evaluate the CCRP as part of its policy work and also consider adapting some of its own cases for mediation where appropriate. This could be a very helpful step in improving police community relations but without full staffing CCA cannot even begin such important work.

Much more needs to be done. Racial disparity in arrests persists, especially among juveniles. The CCA must eliminate the backlog and decide its cases on time, police response to protest should be less violent, problem solving should be expanded, the number of social workers assisting with mental health runs should be expanded, armed officers should be removed from schools and other CBUF projects adopted.

The public safety debate in Cincinnati has been grounded in the Collaborative Agreement principles for these past 20 years. The CA has kept us all at the table. Problem solving has helped reduce arrests and engage multiple agencies and stakeholders in public safety. We hope more citizens join us to use the tools developed under the CA. Working together we do see *some justice and some peace.*

NOW, our ask.

WE ask The City to use 5 million of its Rescue Stimulus Dollars to set aside for the CCA. If the City truly believes in the CA/MOA/Refresh and all that is listed above it will show the citizens of Cincinnati Just how much it cares and truly lead by putting funds into the citizens led organizations. CCA needs full funding to begin to do the work it was chartered to do.

Iris Roley

Cincinnati Black United Front, PM (CBUF)

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