

**COMPREHENSIVE NEIGHBORHOOD SAFETY STRATEGY  
COLUMBUS SAFETY ADVISORY COMMISSION  
MEETING MINUTES  
Thursday, March 14, 2019**

**Commissioners Present:**

Dr. Chenelle Jones, Dr. Vlad Kogan, Erin Synk, Tiffany White, Emily Buster, Tammy Fournier-Alsaada, Oleatha Waugh, Traci Shaw, Ellen Moore Griffin, Mary Wehrle, Matthew McCrystal, Brooke Burns, Dr. Reginald Wilkinson

**Commissioners Absent:**

Andrea Morbitzer, LaShaun Carter

**Staff Present:** Elon Simms, George Speaks, Chief Quinlan, Kate Pishotti, Jeff Furbee, Bryan Clark, Cmdr Meader, DC Bash

**WELCOME**

Chair Jackson called the meeting to order at 3:00 pm and welcomed the Columbus Community Safety Advisory Commission ("Safety Commission") to the 16<sup>th</sup> meeting of the group.

**APPROVAL OF MINUTES FROM THE JANUARY 23, 2019 MEETING**

Dr. Wilkinson moved to accept the minutes as presented; seconded by Ms. Synk. Mrs. Alsaada raised a concern that several discussions during the meeting were not captured. Mrs. Griffin offered to review the video and revise the minutes as necessary. Vote to approve the minutes was tabled until the next meeting.

**REPORTS FROM THE SUBCOMMITTEES** – there will be a public meeting around sub-committee draft recommendations to gather input and comments – not scheduled as yet

- A. Hiring/Recruiting – draft recommendations are being synthesizing our work into recommendations, with input from the full commission
- B. Training – two meetings since last meeting – one by phone and one with training academy staff
  1. We have reviewed all training materials provided to us by CPD and OPOTA
  2. Putting together draft of recommendation to present to full commission
- C. 21<sup>st</sup> Century Policing – last meeting was productive in talking about recommendations – we need to meet with training subcommittee to avoid overlap
- D. Hot Topics
  1. Conference call with the Denver Police Department focused on the topic of using outside agency reviewers to investigate complaints – got a good sense of pros/cons
  2. Innovations and technology – reviewed technology report from public safety on all the software programs officers must use to perform their jobs
  3. Tiffany White contacted resource officers in schools to gather information about new American communities and their experiences

**PRESENTATION FROM COMMANDER MEADER ON 2017 USE OF FORCE REPORT**

- I. Use of Force - the exertion of energy or the actions of personnel in the performance of their duties used to direct or control another's movements or action. A use of force may be implemented to control resistive or aggressive behavior toward the involved personnel, other personnel, third parties, or property.
  - A. The use of force continuum was developed as a result of US Supreme Court case, *Graham v. Connor*, in 1989, and establishes these four prongs:
    1. Severity of the crime in question
    2. Apparent threat posed by the suspect
    3. Was suspect attempting to flee or resist
    4. Was force "objective and reasonable when applied in a tense, fast-evolving situation"

- B. CPD produces a report each year detailing the statistics around every aspect of the Division's utilization of force in these categories:
1. Level 0 - use of commands, search, handcuffs, taser sparked for compliance
  2. Level 1 - use of empty hand control (joint manipulation; pressure point control tactics) (1,246)
  3. Level 2 - use of mace (124)
  4. Level 3 - use of taser (109)
  5. Level 4 - use of hard empty hand control (strike/punch/kick) (103)
  6. Level 5 - use of baton, flashlight (6)
  7. Level 6 - use of police K9 - dog bite (2)
  8. Level 7 - use of less than lethal control (bean bag or knee knocker) (0)
  9. Level 8 - deadly force (13)
- C. For Levels 4-7, a supervisor must be notified and respond to the scene. Paperwork must be completed with a great deal of detail for statistical record-keeping purpose.
- D. 1.2 million calls received by radio room in 2017
1. This number translated into 604,318 calls for service
  2. Out of this number, there were 438 use of force incidents (0.07%)
  3. All other statistics related to use of force and arrest/victim/witness statistics by gender/race/geography were included in the written reports in graph form
  4. 102 CPD Officers assaulted in the line of duty
- E. Sources of information used to prepare the report
1. Premier One offense reports
  2. Computer-aided dispatch
  3. Internal Affairs database
  4. Data processing worksheets (completed by supervisors who responded to Level 4-7 calls)
- F. Recommendations
1. Hill v. Miracle, US Court of Appeals, Sixth Circuit decided April 4, 2017
    - a. lawsuit brought by a diabetic man against a police department for use of force in a medical emergency – decision created a need for reasonably acceptable use of force in a medical emergency
      - 1) was the person experiencing a medical emergency that rendered him incapable of making a rational decision under circumstances that posed an immediate threat of serious harm to himself or others?
      - 2) was some degree of force reasonably necessary to ameliorate the immediate threat?
      - 3) was the force used more than reasonably necessary under the circumstances?
    - b. new policy was written to comply with the decision
  2. Two additional phases of training added to deal with active shooter situations

Q: Does policy allows officers to use taser after use of chemical spray (fire hazard)?

A: The type of mace CPD uses is non-flammable.

Q: Does policy allow officers to shoot into moving vehicles?

A: Yes. It is not a trained skill, but it is not outside of policy.

Q: Is crime statistic information shared with social service agencies?

A: Yes, it is readily available through the community liaison unit?

Q: Have there been reports of use of force from using bicycles and horses in crowd control situations?

A: No reports have been filed.

Q: Could you speak to "objectively reasonable" construct in the Hill v. Miracle?

A: Originally defined in the 4<sup>th</sup> amendment of the constitution.

Q: Some uses of force are excessive – do you keep track of these for discipline and training purposes?

A: Yes we do – discipline often results in re-training.

**PRESENTATION FROM DEPUTY CHIEF RICHARD BASH**

- I. Use of Deadly Force (video presented of an incident to demonstrate split-second decisions officers have to make in the field)
  - A. Critical Incident Response Team
    - 1. Lieutenant, four Sergeants, 12 Detectives
    - 2. Tasked with investigating all uses of deadly forces or deaths that occur in police custody
    - 3. Criminal investigation of the officer involved and the person on whom the force was used
    - 4. All team members are issued a take-home vehicle to facilitate immediate response to scene
  - B. All cases involving death are presented to the Franklin County Grand Jury
    - 1. Is there probable cause to believe that the police officer committed a crime?
  - C. Firearms/Death Review Board
    - 1. Occurs after the grand jury investigation, regardless of outcome
    - 2. Did the officer act within policy?
    - 3. Four different panels of three commanders serve on the board on a rotating basis, one of whom responded to the original scene
  - D. Chain of Command Review
    - 1. Supervisor to Deputy Chief
    - 2. If there is a disagreement amongst the chain of command, the Chief then reviews the investigation and makes final determination

Q: Have any officers been indicted by the Grand Jury for excessive use of force?

A: No - none from CPD.

Q: How long does the investigation take?

A: It depends on the court system, but usually 12-18 months, because the administrative review happens after the grand jury investigation or criminal process.

Q: Since the county prosecutor is an elected official, does it make sense that these cases are presented in the county in which the incident occurred? Is the process fair and impartial?

A: Task force looked at grand jury process and its political nature and determined that homicide cases involving officers should be reviewed by the Ohio Attorney General's office, not county prosecutors, but General Assembly has not acted on that recommendation. This recommendation was also offered by Governor Kasich's task force, President Obama's task force, and Attorney General DeWine's task force.

Q: Are there any other processes that could be recommended by this commission to improve trust and legitimacy?

A: All records are public records and can be viewed by any member of the public.

Q: Are the records posted on the website?

A: They are not currently, but could be.

Q: We had been getting updates on current events at previous meetings, but that has not happened recently?

A: We will review this at the next meeting.

Q: What is the timeline for the rest of the process for this commission?

A: We are running concurrent with the Matrix Consulting timeline, approximately late May - June. We will meet every 2-3 weeks, with rolling review of the Matrix final report included in those meetings.

Q: When does the community get to weigh in on these issues?

A: Telephone survey will be done by Matrix, contacting 500 random individuals. Focus groups will be facilitated by RAMA Consulting over the next several months. Surveys will be distributed within the entire police division and guided discussions with affinity groups within the division will be conducted as well.

Our next meeting is Wednesday, March 27 from 3p-6p at CPD Training Academy

Meeting adjourned by Chair Jackson.

Respectfully submitted,

Ellen Moore Griffin  
Recording Secretary