

RESOLUTION NO. 2022-82

ENACTING SECTION 222.05 OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO CREATE AN INDEPENDENT CIVILIAN OVERSIGHT COMMITTEE FOR REVIEW OF PUBLIC COMPLAINTS AGAINST TRANSIT POLICE DEPARTMENT EMPLOYEES

WHEREAS, in its efforts to provide greater transparency and community input and to improve relationships between the community and the Authority in the modern policing environment, the Greater Cleveland Regional Transit Authority ("Authority") has resolved to create an independent Civilian Oversight Committee ("COC"); and

WHEREAS, under Article VI, Section 4 of the Bylaws of the Greater Cleveland Regional Transit Authority, the Board of Trustees is authorized to establish special advisory committees; and

WHEREAS, the COC's purpose is to review public complaints filed against the Authority's Transit Police Department ("TP") employees; and

WHEREAS, the COC will receive, investigate, and make recommendations for the resolution of public complaints regarding alleged misconduct by TP employees; and

WHEREAS, enacting Section 222.05 of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority will authorize the structure and functioning of COC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the Civilian Oversight Committee ("COC") is hereby created consisting of seven (7) members appointed by the Board of Trustees who will be responsible for reviewing, investigating, and making recommendations for the resolution of public complaints against the Authority's Transit Police Department employees, as outlined in Attachment A hereto.

Section 2. That the members of the COC shall be paid at the rate of one thousand two hundred dollars (\$1,200.00) per year.

Section 3. That Section 222.05 of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority creating the COC is hereby enacted to read as specified in Attachment A hereto.

Section 4. That the Board of Trustees hereby waives the fourteen-day period provided for in Article XI, Section 2 of the Bylaws.

Section 5. That this resolution shall become effective immediately upon its adoption.

Attachment: A. Code Book Section 222.05

Adopted: August 23, 2022



President

Attest:



Secretary-Treasurer

Attachment A to Resolution

222.05 CIVILIAN OVERSIGHT COMMITTEE

(a) Operations.

(1) Name. The Board of Trustees ("Board") of the Greater Cleveland Regional Transit Authority ("Authority") hereby creates the Civilian Oversight Committee ("COC").

(2) Purpose. The purpose of the COC is to review, investigate, and make recommendations for the resolution of public complaints filed against the Authority's Transit Police Department ("TP") employees.

(3) Officers. The COC shall elect a Chair and a Vice Chair.

(4) Meetings.

A. All meetings of the COC shall be held at the GCRTA Main Office Building unless otherwise designated in the notice of the meeting.

B. The COC shall hold meetings as it deems necessary. The Board and Authority staff shall have input in setting the COC meeting agendas.

C. All meetings of the COC, except executive sessions held for purposes required or permitted by law, shall be open to the public, and no person shall be excluded from any meeting except for conduct which unreasonably interferes with the orderly conduct of the meeting.

D. Notice of COC meetings shall be provided in the same manner as notice is provided for Board meetings.

(5) Administrative support.

A. The Authority shall designate a Staff Liaison to the COC to serve as the primary point of contact with the Authority. COC members are not precluded from contacting other Authority staff or TP staff directly when appropriate.

i. The Staff Liaison shall be responsible for communications to the COC, tracking attendance, maintaining a record of meetings, and channeling COC members' concerns to the Chief of Police.

B. The Authority shall designate a Staff Investigator to the COC to serve as an independent investigator of all complaints assigned to the COC.

i. The Staff Investigator shall be responsible for organizing complaints, conducting investigations, interviewing witnesses, collecting records, and any other investigatory responsibilities as assigned by the COC.

ii. The Staff Investigator shall only be entitled to access the records and personnel pertinent to the matter(s) being investigated.

(6) Investigations and Recommendations. The COC shall have the power to receive, investigate, and make recommendations for the resolution of public complaints regarding alleged misconduct by TP employees. Recommendations shall be made to the Authority's Chief of Police.

(b) Membership.

(1) Composition of the COC.

A. The COC consists of seven (7) members who are representative of the diverse communities within Cuyahoga County, Ohio.

B. The Board shall appoint each member of the COC through the selection process outlined in subsection (3) of this section.

(2) Qualifications.

A. COC members shall have a general understanding of the Authority's services and its TP Department.

B. Members shall have the ability to remain objective and unbiased in order to represent the best interests of the public.

C. COC membership shall reflect the Authority's customer base and have diverse representation in regards to age, sex, race, color, religion, national origin, disability, genetic information, sexual orientation, military status, transit dependence, and geography. All COC members shall be 18 years old or older and a resident of Cuyahoga County.

D. COC members shall be outstanding members of the community and exhibit a strong moral code. All COC members should be free of any criminal history.

E. At least one (1) member of the COC shall be a retired police officer with Ohio Peace Officer Training Academy experience. If there are no such applicants, then one (1) member position of the COC shall remain vacant until an applicant with this qualification can be appointed.

(3) Terms of Membership.

A. Terms of membership for COC members shall be for three (3) years with a term limit per member of two (2) consecutive full 3-year terms.

B. Terms of membership for COC members shall be staggered so that no more than three (3) COC members' terms expire in any year.

C. To ensure that the COC member terms will be staggered, two COC members' initial appointments shall be for one (1) year, two COC members' initial appointments shall be for two (2) years, and three COC members' initial appointments shall be for the full three (3) years.

(c) Selection Process for New Members.

(1) All individuals interested in becoming a COC member shall submit an application.

(2) An ad hoc Screening Committee consisting of the Chief of Police, the Authority's General Manager, Chief Executive Officer, two or more staff members, and one or more Board Member(s) shall review the applications based on the criteria set out in subsection (b)(2) and refer a slate of candidates to the Board.

(3) The Board shall appoint COC members and specify the effective dates of their appointments by resolution. Interim appointments may be made at other times throughout the year to fill vacancies.

(d) Removal. All members of the COC shall serve at the pleasure of the Board and shall be subject to removal by the Board at any time.

(e) Compensation. Members of the COC shall receive a stipend of \$1,200 per year, paid at \$100 per month.

(f) Operating Procedures. The Board shall adopt procedures for the operation of the COC. The COC may recommend to the Board amendments to the operating procedures, which are not in conflict with this Section 222.05 or any other provision of the Bylaws or Codified Rules and Regulations of the Authority. The operating procedures shall address the following topics:

- (1) Terms and responsibilities of officers;
- (2) Procedures for conducting meetings;
- (3) Attendance; and
- (4) Other matters pertinent to the COC's operations.



Greater Cleveland Regional Transit Authority
STAFF SUMMARY AND COMMENTS

TITLE/DESCRIPTION: ENACTING SECTION 222.05 OF THE CODIFIED RULES AND REGULATIONS OF THE GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY TO CREATE AN INDEPENDENT CIVILIAN OVERSIGHT COMMITTEE FOR REVIEW OF PUBLIC COMPLAINTS AGAINST TRANSIT POLICE DEPARTMENT EMPLOYEES.	Resolution No.: 2022-82
	Date: August 18, 2022
	Initiator: Transit Police
ACTION REQUEST: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____	

- 1.0 PURPOSE/SCOPE: This resolution will enact a new Section 222.05 of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority ("GCRTA") to create the Civilian Oversight Committee ("COC"). The purpose of the COC is to review public complaints filed against GCRTA Transit Police Department ("TP") employees. The COC shall have the power to receive, investigate, and make recommendations for the resolution of public complaints regarding alleged misconduct by TP employees.
- 2.0 DESCRIPTION/JUSTIFICATION: The Civilian Oversight Committee is intended to give voice to the community and enhance transparency and accountability through an independent review and investigation of complaints of excessive use of force incidents and public complaints regarding TP. The COC will increase the public's understanding of law enforcement policies and procedures and help improve upon them. By establishing the COC, GCRTA and its TP are provided the opportunity to demonstrate their desire for increased police accountability and the need to eliminate misconduct.
- 3.0 PROCUREMENT BACKGROUND: Does not apply.
- 4.0 DBE/AFFIRMATIVE ACTION BACKGROUND: Does not apply.
- 5.0 POLICY IMPACT: Enacting Section 222.05 of the Codified Rules and Regulations of the GCRTA will properly establish and authorize the COC.
- 6.0 ECONOMIC IMPACT: Members of the COC shall receive unlimited transit privileges during their service. Members of the COC shall be compensated in the amount of one thousand, two hundred dollars (\$1,200.00) per year, paid at a rate of one hundred dollars (\$100.00) per month. Compensation for COC members shall be paid from the Board of Trustees' departmental budget.
- 7.0 ALTERNATIVES: Not adopting this resolution. The COC will not be established nor authorized for operation.
- 8.0 RECOMMENDATION: Creation of the COC was discussed at the August 9, 2022 Committee of the Whole meeting and recommended for consideration by the full Board of Trustees. It is recommended that this resolution be adopted.
- 9.0 ATTACHMENT: None.

Recommended and certified as appropriate to the availability of funds, legal form, and conformance with the Procurement requirements.



General Manager, Chief Executive Officer