




## City of Cleveland Memorandum

Justin M. Bibb, Mayor

**From:** Mark Griffin   
**To:** Council President Griffin  
Chairman Jones  
**Re:** Analysis of the City's Fulfillment of Charter Section 115-5  
**Date:** November 22, 2022

Council President Griffin and Chairman Jones:

You requested a legal opinion setting forth whether and how the Mayor's and City Council's nominees for the Community Police Commission ("CPC") fulfil the legal requirements in Section 115-5 of the City of Cleveland Charter ("Charter"), as amended following the passage of Issue 24 in 2021.

Section 115-5 creates two categories of nominees: civil rights organizations and community representatives. The nominees satisfy the mandatory requirement that at least two members must represent community organizations focused on civil rights issues. The nominees further satisfy Section 115-5 for two independent reasons. First, Section 115-5 requires that "at least one" nominee must satisfy at least one of five named subcategories. This section does not require that each and every subcategory be satisfied. Such an interpretation would paralyze the work of the CPC. Second, Section 115-5 provides that the nominees must be "knowledgeable" of the issues addressed by the subcategory. If Section 115-5 required every subcategory to be satisfied – which it does not – the nominees satisfy every subcategory because collectively they are "knowledgeable" of each subcategory.

Because Section 115-5 requires either "at least one" nominee to be knowledgeable about one of the subcategories or, in the alternative, the nominees to be collectively knowledgeable about all of the subcategories, the City's nominees satisfy the Charter.

For the reasons set forth below, Section 115-5 will be satisfied by the slate of outstanding and talented nominees proposed by the Mayor and City Council. Attached as Exhibit A are brief biographies of the nominees and Exhibit B which explain how each person has made outstanding contributions to the city and fulfill the subcategories.

## I. Summary

The City's nominees are in compliance with the Charter. In short, the Charter's threshold for compliance is that at least one nominee must satisfy one of the five subcategories or, alternatively, that nominees "be knowledgeable" of certain subjects—and that knowledge is strongly reflected among the nominees. The drafters of the Charter amendment distinguished



between mandatory representation, which they required for civil rights organizations, but then used different language to simply require “knowledge,” a standard used for the subjects in question. Any alternative reading of the Charter would not only ignore this plain language but would, in practice, produce an unworkable CPC and frustrate the will of the voters to put the law into action. The City’s reasoning was independently reached but is consistent with others’, including the former administration’s as well as a certification provided by individuals who engaged in the selection process but later protested the outcomes.

None of this legal discussion should undermine the tremendous community support for and investment in these nominations. The thirteen nominees are the result of unprecedented engagement and deliberation. They represent not only the diversity of Cleveland but its collective wisdom—the City’s best and most courageous self. This is a slate to be proud of and one which fulfills the will of the voters for an effective and fair CPC.

## **II. Summary**

In November 2021, the voters of the City of Cleveland voted to enact Charter Section 115 to create and establish a new Community Police Commission (CPC) to provide community input on police policies to help strengthen relationships between officers and the constituents they serve. After extensive negotiations with the Department of Justice, the City and the DOJ agreed to jointly move United States District Court Judge Solomon Oliver to amend the existing Consent Decree to permit the operation of the new 13-member CPC once a quorum of 7 members had been appointed. Judge Oliver approved the proposed amendments on March 18, 2022.

Almost immediately after the Court’s approval, the City initiated a comprehensive and open process for soliciting nominees to the CPC. The City posted and advertised the open CPC positions. The applicants were reviewed at two levels. At the first level, the applications were reviewed by 25 community representatives – including activists who were active in supporting Issue 24, as well as representatives from each of the police labor organizations. The community reviewers were each asked to nominate 15 candidates. As part of the process, the community reviewers certified that their individual nominations satisfied Section 115. Although they certified that their own nominations satisfied Section 115, some of those who have raised objections recently did not nominate an attorney in their own selections.

At the second level of review, the candidates who were recommended by the citizens’ panel were then interviewed by a second tier by a diverse panel of five community leaders. Interviews of candidates by the five-member advisory panel were live streamed, beginning in the review period, on June 29, 2022. Three days of interviews were conducted, of 27 finalists from a pool of nearly 300 applications. From there, the selection advisory panel continued to vet and deliberate based on interviews. All finalists were subject to background checks. As this writing, the Mayor and City Council have selected their nominations for the CPC to be interviewed by City Council’s Appointments Committee.

After the announcement of the Mayor’s nominations, and despite having participated in





the process and actually certifying Section 115 compliance, some members of Citizens for a Safer Cleveland wrote to Judge Oliver arguing that the Mayor's CPC nominations did not satisfy Section 115 because some of the subcategories were allegedly not satisfied. Specifically, they argued among other things, that the City is required to nominate an attorney with experience in representing victims of police violence. There is no dispute that representatives of civil rights organizations were nominated.

A representative from each subcategory was not required by Section 115-5. Additionally, this eleventh hour issue was not raised when recommendations were submitted by this group. As noted above, some of the sponsors of the letter did not nominate an attorney although they certified that their nominations fulfilled Section 115. Finally, it is notable that other members of Citizens for a Safer Cleveland have stated that this letter was not authorized and that they did not agree with its claims.

### **III. Overview of Ohio's Rules of Statutory Interpretation.**

Ohio Rev. Code § 1.47 provides that:

In enacting a statute, it is presumed that:

- (A) Compliance with the constitutions of the state and of the United States is intended;
- (B) The entire statute is intended to be effective;
- (C) A just and reasonable result is intended;
- (D) A result feasible of execution is intended.

In interpreting a statute, one must presume that the entire statute is intended to be effective and that a reasonable result is intended. *State v. Fields* (Ohio App. 8 Dist., 12-20-1999) 136 Ohio App.3d 393, 736 N.E.2d 933. Statutes must be construed to avoid unreasonable consequences. *State ex rel. Dispatch Printing v. Wells*, 18 Ohio St.3d 382, 384, 481 N.E.2d 632 (1985); *State ex rel. Cooper v. Savord*, 153 Ohio St. 367, 92 N.E.2d 390 (1950), paragraph one of the syllabus.

Ohio courts require that the terms of a statute should be read in the context of the statute as a whole. *See, e.g., Vossman v. AirNet Sys., Inc.*, 159 Ohio St.3d 529, 2020-Ohio-872, 152 N.E.3d 232, ¶ 14, *citing* R.C. 1.42; *see also Schindler Elevator Corp. v. United States ex rel. Kirk*, 563 U.S. 401, 408, 131 S.Ct. 1885, 179 L.Ed.2d 825 (2011). Interpretations must give effect to all of a statute's terms and avoid a construction that renders any part of the statute ineffective. *See Buddenberg v. Weisdack*, 161 Ohio St.3d 160, 2020-Ohio-3832, 161 N.E.3d 603, at ¶ 10, 14; *State v. Reed*, 162 Ohio St.3d 554, 2020-Ohio-4255, 166 N.E.3d 1106, ¶ 15. No individual word should "be construed to be redundant, nor should any words be ignored." *D.A.B.E., Inc. v. Toledo-Lucas Cty. Bd. of Health*, 96 Ohio St.3d 250, 2002-Ohio-4172, 773 N.E.2d 536, ¶ 26, *quoting E. Ohio*



*Gas Co. v. Pub. Utilities Com'n of Ohio*, 39 Ohio St.3d 295, 530 N.E.2d 875, 879 (1988).

An interpretation of a statute that would result in “unreasonable or absurd consequences,” will be rejected because courts must presume that the legislature enacted a statute for a “just and reasonable result.” *State ex rel. Clay v. Cuyahoga Cnty. Med. Examiner’s Office*, 152 Ohio St. 3d 163, 94 N.E.3d 498, 2017 Ohio 8714 (Ohio 2017) at ¶ 23, quoting *Columbia Gas Transm. Corp. v. Levin*, 117 Ohio St.3d 122, 2008-Ohio-511, 882 N.E.2d 400, ¶ 35.

When construing a municipal charter, courts apply the general rules of statutory construction. *McQueen v. Dohoney*, 2013-Ohio-2424, ¶ 42; *see also, e.g., State ex rel. Comm. For the Charter Amendment v. City of Westlake*, 97 Ohio St.3d 100, 2002-Ohio-5302, 776 N.E.2d 1041, ¶ 28. Courts are mindful that “[w]ords and phrases shall be read in context and construed according to the rules of grammar and common usage” *McQueen v. Dohoney*, 2013-Ohio-2424, ¶ 42 (citing R.C. 1.42).

As a result, the City must construe the charter section as a whole in order to make it effective and reject those interpretations that would make it ineffective.

#### **IV. The City’s Nominations Satisfy The Charter’s “Representation” Requirement and Its “Be Knowledgeable” Requirement**

##### **A. Charter Section 115-5 Overview**

Section 115-5 states the purpose and goals of the CPC’s composition noting that:

The Commission will consist of 13 persons broadly representative of the racial, social, economic, and cultural interests of the community, including those of the racial-minority, immigrant/refugee, LGBTQ+, youth, faith, business, and other communities, to reflect the overall demographics of Cleveland residents.

In order to achieve the goal of broad diverse representation that can effectively implement civilian oversight, Section 115-5 creates two separate categories. In the first category, Section 115-5 uses specific mandatory language to require two members from civil rights organizations:

At least two Commission members must represent community organizations focused on civil-rights issues.

Unlike the first category, the second category lacks mandatory language, like set number of people per category. Instead, it provides that “at least one” member “must be, represent, or be knowledgeable of” various groups interested in police reform:

At least one Commission member must be, represent, or be knowledgeable of, as applicable, the issues of those who are limited-English speakers,





homeless, or who have mental-illness and substance-abuse disorders; those who have been directly impacted by police violence, or be a family member of a person who has been killed by police; those who have been incarcerated and exonerated where police were involved in the wrongful conviction or incarceration; gun-violence survivors or be a family member of a person killed by gun violence; an attorney with experience representing victims of police misconduct or criminally prosecuting police misconduct.

Notably, Section 115-5 does not include either a mandatory “and” or an “or,” which would be either conjunctive or disjunctive.

Section 115-5 with regard to these categories also notes that:

A single Commission member may fulfill more than one of the above categories.

This provision refers to the two broad categories discussed separately above, and specifically written in Section 115-5 as two separate sentences.

Finally, this part of Section 115-5 provides that “where feasible, the Mayor will seek to appoint at least one member between the age of 18 to 30 at the time of appointment.”

The CPC’s nominees conform to a plain-text reading of the Charter’s legal requirements.

**B. The City’s Nominees Satisfy Section 115’s Legal Threshold That “At Least One Nominee” Must “Be, Represent, or Be Knowledgeable of One of Five Subcategories, Not Each And Every Subcategory.**

The Charter text requires that “at least one Commission member must be, represent or be knowledgeable of” the above issue categories. Plainly, they can “be” or “represent” the categories. But just as plainly, *knowledge of an issue fully satisfies this requirement*. The City cannot simply reduce the Charter’s “knowledgeable” language to a surplusage, changing its plain meaning to one that replicates the qualifiers before it. *See, e.g., Perrysburg Twp. v. Rossford*, 103 Ohio St.3d 79, 2004-Ohio-4362, 814 N.E.2d 44, ¶ 7 (emphasizing duty “to give effect to the words used, not to delete words used or to insert words not used”). And without question, nominees are knowledgeable of the issue categories. *See* Exhibit B attached hereto.

When a statute uses clear mandatory language in one section but not another, it is understood that this difference in language is deliberate and is intended to create a different result. *See In re Acubens, LLC*, 10th Dist. No. 17AP-870, 2018-Ohio-2607, 116 N.E.3d 793, ¶ 24 (“Had the [statute drafter] intended for [a given outcome], it clearly knew how to do so.”). Here, in the first category, Section 115 uses very particular language to mandate specific representation that “[a]t least two Commission members must represent community organizations focused on civil-





rights issues.” The drafters used this phrasing to mandate the inclusion of individuals with certain qualifications, and they chose not to use that same language—and therefore chose not to issue the same mandate—for the five issue categories.

The text itself also requires “at least one” member satisfy the criteria listed. It does not require that there be a member for each and every subcategory. *See, e.g., In re M.M.*, 9th Dist. Lorain No. 10CA009744, 2010-Ohio-2278, ¶ 10 (finding that plain language of statute requiring at least one of a group is satisfied by affirmative presence of any single item in that group); *Call v. Ohio Dept. of Rehab. & Corr.*, 10th Dist. Franklin No. 06AP-1057, 2007-Ohio-2655, ¶ 8 (same).

The better analysis is that the City satisfies Section 115-5 as long as at least one member is, represents, or is knowledgeable of at least one of the issue categories. However, even if each of the categories are considered mandatory—which they are not—the nominees collectively are, represent, or are knowledgeable of each one. Their experiences, their affiliations, and especially their knowledge is set forth in Exhibit B. The City’s slate satisfies Section 115-5 because there is at least one member who is at a minimum knowledgeable of each issue category.

### **C. The Nominees Satisfy The Two Major Categories Created By Section 115.**

Section 115 provides that a “single Commission member may fulfill more than one of the above categories.” This phrase refers to the two categories created by the Charter which are: 1) At least two Commission members must represent community organizations focused on civil-rights issues;” and 2) at least one Commission member must be, represent or be knowledgeable of” five subcategories. Thus, under Section 115, a CPC member may qualify as both a representative of a community organization focused on civil rights, as well as, someone who is knowledgeable of one of the five subcategories.

### **D. In Violation of Ohio Rev. Code § 1.47, Other Interpretations Actually Ignore The Plain Text, and Would Prevent the CPC from Performing Its Essential Functions**

Ohio Rev. Code § 1.47(B)-(D) requires interpreting statutes such that “the entire statute is intended to be effective; A just and reasonable result is intended; [and] a result feasible of execution is intended.” The City of Cleveland must put the language of Section 115-5 into action, and it cannot indulge interpretations that would prevent the CPC from performing its essential duty. For example: if a future CPC had a member who was a qualified attorney, but that member resigned—would the CPC still be able to meet? Would its decisions have authority? To claim that the CPC cannot function without an attorney nominee is to claim that the CPC cannot function at any time it lacks an attorney commissioner. Such a conclusion would be ripe for political abuse, render Section 115 inert, and defeat the people’s intent. It also is not backed by the text (see above). The City rejects such an inventive, non-textual interpretation and instead stands by one that will allow the CPC to assemble and operate.





**E. The City’s Interpretation Is Consistent With The Separate, Independent Legal Analysis of the Prior Administration Submitted To Judge Oliver In December 2021.**

The City’s interpretation was reached independently but is consistent with the views of the former administration’s law department. In the former administration’s summation of Issue 24 in a December 2, 2021 filing with Judge Oliver’s court, it summarized that “at least one member must be, represent, or be knowledgeable of at least one of the following five categories.” *United States of America v. City of Cleveland*, Case No.: 1:15-cv-01046, Doc No.: 389 (Motion Regarding Charter Amendment, filed December 2, 2021, at pp. 16-17). In short: an individual commissioner’s knowledge of multiple categories can satisfy those requirements, without a requirement that there be one person appointed for each category.

**F. The Amended Consent Decree, Approved By Judge Oliver, Is Consistent With The City’s Interpretation.**

Immediately upon taking office, Mayor Bibb and the Law Department began discussions with the Department of Justice to modify the Consent Decree in order to permit the effective implementation of Section 115 and the creation of the CPC. On March 18, 2022, Judge Oliver approved the amendments to the Consent Decree to provide that the new CPC will become effective once a quorum, or in this case 7 of the 13 members, are approved by City Council and the Mayor as set forth in the Charter. Amended Consent Decree, ¶16. In short, under the Consent Decree, there is no requirement that each and every subcategory must be filled. Under the misinterpretation that is argued by some, the CPC would not be properly constituted without all the subcategories being filled. This incorrect interpretation contradicts the language of the Amended Consent Decree. The correct interpretation – the interpretation that is consistent with the Amended Consent Decree – is that the CPC can be properly constituted with only one member being knowledgeable of the five subcategories.

**G. Issue 24 Proponents Participated In the Nominee Selection Process and Certified that Their Own Recommendations Satisfied Section 115 – Even Though They Themselves Did Not Recommend An Attorney.**

And contrary to the recent letter, multiple members of Citizens for a Safer Cleveland had certified that they shared similar views. During the City’s extensive review process in 2022, the City invited members of Citizens for the Safer Cleveland to participate on its “Resident Review Committee.” There, they joined the City to help evaluate the CPC applications, and were asked to individually propose a slate of nominees that satisfied the Charter. *They themselves proposed slates of nominees that did not have one person from each of the specific categories*—lacking an attorney or someone wrongfully incarcerated, as just two examples. Yet, each submitting member certified that they believed they had satisfied the exact section of the Charter now in contention:



I confirm that the list of applicants I am recommending meet the requirements outlined in City of \* Cleveland Charter Section 115-5, 'Commission membership, eligibility, and appointment categories.'

See Section 115-5 here: [https://codelibrary.amlegal.com/codes/cleveland/latest/cleveland\\_oh/0-0-0-49835](https://codelibrary.amlegal.com/codes/cleveland/latest/cleveland_oh/0-0-0-49835)

Yes

No

The confirmation speaks for itself.

#### **V. Nominees Are Knowledgeable About Each and Every Subcategory of Section 115-5.**

The better analysis is that the City satisfies Section 115-5 as long as at least one member is, represents or is knowledgeable regarding at least one of the subcategories. However, even if the subcategories are considered to be mandatory – which they are not – the City satisfies Section 115-5 because this section only requires that that members be, represent or be knowledgeable. The “knowledgeable” requirement applies to each subcategory. The nominees collectively are, represent or are knowledgeable of each subcategory. Their knowledge is set forth in Exhibit B. Thus, the City’s slate satisfies Section 115-5 because there is at least one member who is knowledgeable as to each subcategory.

#### **VI. Nominees Include An Individual Between Age 18 and 30**

The Charter requires that, “Where feasible, the Mayor will seek to appoint at least one member between the age of 18 to 30 at the time of appointment.” Citizens for a Safer Cleveland also claimed that the City had failed to satisfy this element.

In fact, nominee Alana Garrett-Ferguson is 30 years old.

In the past, Ms. Garrett-Ferguson had worked as a political consultant for Citizens for a Safer Cleveland. Given the organization’s familiarity with Ms. Garrett-Ferguson, the Law Department is unclear why it raised this issue in its letter to Judge Oliver.

#### **VII. Nominations Satisfy Other Legal Criteria**

The Charter contains other requirements for nominees not in dispute:





- The Commission will consist of 13 persons broadly representative of the racial, social, economic, and cultural interests of the community, including those of the racial-minority, immigrant/refugee, LGBTQ+, youth, faith, business, and other communities, to reflect the overall demographics of Cleveland residents.”
- “At least two Commission members must represent community organizations focused on civil-rights issues.”
- “[N]o more than three police-association representatives.”
- Other than potential police-association representatives, “no member may have served within the five years before appointment as a law-enforcement officer, have ever been an employee of the City’s Division of Police or Department of Public Safety, or otherwise have been a City employee within the previous year.”
- The “application process” must be “open and fair.”

Attached are brief biographies of the nominees for reference, but their backgrounds and stories indisputably represent “the racial, social, economic, and cultural interests of the community.” The nominees include members of each of the demographics listed. Multiple nominees represent “community organizations focused on civil-rights issues.” They include one former law enforcement officer representing the Fraternal Order of Police. No other nominees have served as law enforcement officers in the last five years or otherwise been a City employee within the previous year. And the application process was not only open and fair, but it involved multiple panels of residents to evaluate the nominees, public interviews, and input solicited from the community at each step.

### **VIII. Conclusion**

The City has not only satisfied its legal requirements but produced a slate of 13 exceptional nominees for the CPC. Recent critics have ignored their prior statements to the public as well as their own certifications. Their newly-adopted positions ignore the charter’s “knowledgeable” requirement and invents a different standard—one not just in conflict with the text but that would grind the essential work of the CPC to a halt. The City’s interpretation is faithful to the plain language of Section 115-5 and is the only interpretation that complies with Ohio Rev. Code 1.47’s requirement that an ordinance be interpreted so that it is “effective” and “feasible of execution.”

The Law Department stands ready to provide any additional information or analysis.



## Exhibit A: About the Nominees



**James M. Chura**

*"I want to develop a disciplinary framework that ensures the completion of fair and impartial investigations in allegations of police misconduct." – James*

James Chura has 33 years of experience in police patrol and investigative operations. He served as the officer in charge of the Integrity Control Section which included the Internal Affairs Unit, the Inspection Unit, and the Overtime Review Unit. He rose through the ranks of the Cleveland Police Department starting out as a patrolman and rising to commander.

James also served in the United States Marine Corps Reserve and has a bachelor's degree in criminal justice from Kent University. He is a lifetime Cleveland resident and lives in West Park with his wife and son. James represents the Fraternal Order of Police, Lodge 8.



**Charles Donaldson Jr.**

*"It is imperative that the Commission upholds the expectations of Cleveland residents and ensures that the path to police reform is both collaborative and impartial." – Charles*

Charles Donaldson Jr. is a talent acquisition specialist for Sherwin-Williams Company. He has extensive experience in human resources and management as well as being a Member of the Society for Human Resource Management.





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Charles was an active-duty officer of the U.S. Coast Guard for five years and rose to the rank of Lieutenant. For the past 10 years, he has been a proud Cleveland resident.



**Pastor Kyle Earley**

*"I desire to serve on the commission because of my experience in being a convener, community organizer and bridge builder. The opportunity to serve on this commission gives us all the opportunity to bring accountability to our police department and community." – Pastor Earley*

Kyle Earley serves as senior pastor at the City of God Church on the East Side of Cleveland. He has over 15 years of activism, organizing and community building experience in the Cleveland area and serves as President of the Faith Movement.

Kyle is also a board member at the Hunger Network of Greater Cleveland and a member of the NAACP.



**Alana Garrett-Ferguson**

*"Not only am I a concerned citizen that is directly impacted by the effectiveness of our police force, but I also was and continue to be a strong supporter of the legislative changes that resulted in this*



*commission” – Alana*

Alana Garrett-Ferguson is a policy associate at the Center for Community Solutions. She brings a wealth of experience in community organizing, program management, and policy and advocacy work.

She has worked for several community-based organizations, including Ohio Women’s Alliance, New Voices for Reproductive Justice, Youth Opportunities Unlimited, Open Doors Academy, and Rainey Institute. She is a part of the greater faith community and a member of the Cleveland NAACP and Board of the Abortion Fund of Ohio. Alana previously served on the Community & Problem-Oriented Policing Committee and has been intimately involved in championing Issue 24 and Charter Amendment 115-5. Alana has also been directly impacted by police violence.



**Cait Kennedy**

*“I envision a more just, sustainable, and equitable policing system that serves all people, created using the voices and experiences of those who are most impacted” – Cait*

Cait Kennedy is the Executive Director and co-founder of unBail, a free app that democratizes information about the criminal legal system. unBail delivers valuable and relevant legal information to defendants and their families in plain language, empowering them to advocate for themselves and proactively plan for the future.

Cait Kennedy is a Visiting Assistant Professor of Sociology & Politics and Global Citizenship at Baldwin Wallace University and Assistant Director of the Community Research Institute. She is a Ph.D. candidate at the Levin College of Urban Affairs at Cleveland State University and a 2019 graduate of the College's Master of Science in Urban Studies program.





**Gregory Reaves**

*"I think the new Community Police Commission would have a huge impact on the public trust in the police department. People in neighborhoods like mine are very skeptical of the police department and have never trusted them to police themselves. People would have more confidence in the Commission and feel they are being represented" – Gregory*

Gregory Reaves works as a career coach for Towards Employment, specifically working with individuals directly and negatively impacted by the criminal justice system. He has extensive knowledge of the criminal justice system as a previously incarcerated individual and advocate for those with criminal backgrounds.

Gregory is a born and raised Clevelander and attended John F. Kennedy Senior High School in the Lee-Miles neighborhood, where he previously spoke to at-risk youth.



**Jan Ridgeway**

*"The greatest role of the new Community Police Commission is to create trust and credibility in the*



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*oversight process – on both sides, residents and police” – Jan*

Jan Ridgeway is the Board President & Volunteer Director of Garden Valley Neighborhood House. She is a retired Cleveland Public Librarian where she served as a Community Outreach & Public Affairs administrator. Before that, she worked in the library system in Cleveland, Cuyahoga County and Anchorage for more than thirty years.

Jan is a community activist and organizer and has worked directly with nearly every demographic in the city. She grew up on a farm in Georgia and has lived in Cleveland for more than twenty years.



**Piet van Lier**

*“As a resident of Cleveland, I believe that everyone, no matter what they look like or where they live, has the right to be safe and treated with respect.” – Piet*

Piet van Lier is a senior researcher at Policy Matters Ohio. His current research and analysis focuses on civil rights and criminal justice reform to re-imagine public safety in Cleveland and Cuyahoga County.

Previously, Piet was the executive director of the Cleveland Transformation Alliance. He began his career as a journalist and worked as peace and human rights activist with an organization called Peace Brigades International in Central America and Mexico. Piet grew up in the Old Brooklyn neighborhood and now lives on the near West side with his wife and two children.





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**Teri Wang**

*"I believe that Cleveland has the potential to be exceptional. However, for Cleveland to reach its potential, we must address ongoing tensions between the police and the community." – Teri*

Teri Wang is a writer and academic consultant living in Cleveland's Tremont neighborhood. She is experienced in scientific and data analysis, as well as implicit bias research.

Teri was born in Shanghai, China and moved to the United States when she was six years old. She attended Harvard University for Biochemistry and Art History and now is the Chair of Community Partnerships for the Asian American Coalition of Ohio.



**Sharena Zayed**

*"This is the city I love, my city of choice. I've been hurt by her, but I refuse to give up on her. As Cleveland residents it is up to us to create the positive change we want seen in policing, violence and community policy/engagement." – Sharena*

Sharena Zayed is the North Broadway Network Weaver for University Settlement. She has an abundance



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of experience in community outreach and engagement.

Sharena has lived in Cleveland all her life and works for multiple community organizations, including serving as a board chair of Stop the Pain, Inc., board member of Chagrin Arts, and member of Citizens to Bring Back North Broadway.

Sharena tragically lost her 15-year-old son to gun violence in March 2020 and is an advocate for families.





### City Council Selections



**Dr. John Adams**

*"My goal is to foster better relations between the police and different communities because there is a disconnect, and a divide in dire need of repair." - John*

John Adams is the former chair of the social studies department and current 9th grade leader for the Cleveland School of Science and Medicine. He received his Ph.D. in African American history with a specialty in Civil Rights and gender from Rutgers University, where he researched the life and activism of Daisy and L.C. Bates. His research includes the history of law enforcement and the Black community.

John is active in several community organizations, including the Cleveland Association of Black School Educators, the Ohio Council of Social Studies, the Thurgood Marshall Oratorical Debate and Education Project, and has been a panelist for the City Club of Cleveland as well as spoke to the State Board of Education about education reform and Critical Race Theory.



**Shandra Benito**



*"We will all be safer when we can reimagine what the relationship and response can be between carers, law enforcement, and the community, and I want that for our city." - Shandra*

Shandra Benito is a licensed social worker who works as the Director of Diversity and Inclusion for the Nord Center. She has a background in working in mental health, survivors of domestic violence and sexual assault, people with disabilities, justice-involved youth, and people experiencing homelessness.

Shandra has previously served as a commissioner in Seattle for the Commission on People with Disabilities and their Public Safety Committee and has a wealth of knowledge regarding public policy and community outreach.



**Audrianna Rodriguez**

*"It is my hope that serving on the board would help to improve public safety, build trusting relationships between communities & police, and create a national safety model." - Audrianna*

Audrianna Rodriguez works as a family advocate at The Centers for Children and Families for three Cleveland Metropolitan Schools. She received a master's degree in community psychology with a concentration in clinical services from University of New Haven.

Audrianna is a member of the Cleveland Branch of the NAACP, Cleveland Chapter of the National Congress of Black Women, Zeta Phi Beta Sorority, Inc. and member of the 4<sup>th</sup> District Community Relations Community. She has a breadth of experience in community organization, engagement, and outreach.



# Exhibit B

Charter Language	Requirements	Nominees
<p>Commission will consist of 13 persons broadly representative of the racial, social, economic, and cultural interests of the community, including those of the racial-minority, immigrant/refugee, LGBTQ+, youth, faith, business, and other communities, to reflect the overall demographics of Cleveland residents.</p>	<p>Racial Minorities</p> <p>Immigrant/Refugee</p> <p>LGBTQ+</p> <p>Youth</p> <p>Faith</p> <p>Business</p>	<ul style="list-style-type: none"> <li>• African-American - Alana Garrett-Ferguson, Charles Donaldson Jr., Jan Ridgeway, Pastor Kyle Earley, Gregory Reaves, Sharena Zayed, John Adams, Audrianna Rodriguez</li> <li>• Asian - Teri Wang</li> <li>• Hispanic/LatinX - Shandra Benito, Audrianna Rodriguez</li> </ul> <p>Immigrant:</p> <ul style="list-style-type: none"> <li>• Teri Wang</li> <li>• Piet van Lier (child of immigrant parents)</li> </ul> <p>Charles Donaldson Jr.</p> <p>Alana Garrett-Ferguson</p> <p>Pastor Kyle Earley</p> <ul style="list-style-type: none"> <li>• Cait Kennedy (unBail)</li> <li>• Teri Wang (Writing &amp; Academic Consulting)</li> </ul>
<p>At least two Commission members must represent community organizations focused on civil-rights issues.</p>	<p>Civil Rights Organizations</p>	<p>Organizations</p> <ul style="list-style-type: none"> <li>• NAACP – Alana Garrett-Ferguson, Pastor Kyle Earley, Audrianna Rodriguez</li> <li>• Policy Matters Ohio – Piet van Lier (Civil Justice &amp; Criminal Legal System Reform)</li> <li>• Towards Employment – Gregory Reaves</li> <li>• Asian American Coalition – Teri Wang</li> </ul>
<p>At least one Commission member must be, represent, or be knowledgeable of, as applicable, the issues of those who are limited-English speakers, homeless, or who have mental-illness and substance-abuse disorders; those who have been directly impacted by police violence, or be a family member of a person who has been killed by police; those who have been incarcerated and exonerated where police were involved in the wrongful conviction or incarceration; gun-violence survivors or be a family member of a person killed by gun violence; an attorney with experience representing</p>	<p>Limited-English speakers, homelessness, or mental-illness &amp; substance-abuse disorder</p> <p>Limited-English Speakers</p> <p>Homelessness</p> <p>Mental-illness &amp; substance-abuse disorder</p>	<p>Limited-English Speakers</p> <ul style="list-style-type: none"> <li>• Teri Wang (English was second language)</li> <li>• Shandra Benito - (hard of hearing, fluent in American Sign Language English was second language)</li> </ul> <p>Homelessness</p> <ul style="list-style-type: none"> <li>• Gregory Reaves (Formerly unhoused)</li> </ul> <p>Mental-illness &amp; substance-abuse disorder</p> <ul style="list-style-type: none"> <li>• Alana Garrett-Ferguson (Works with Youth &amp; Young Adults with mental illness)</li> <li>• Audrianna Rodriguez (Works with individuals with mental illness)</li> <li>• Gregory Reaves (Works with individuals with mental illness)</li> <li>• Shandra Benito (Works with individuals with mental-illness, personal experience with mental-illness)</li> </ul>

## Exhibit B

<p>victims of police misconduct or criminally prosecuting police misconduct. A single Commission member may fulfill more than one of the above categories.</p>		<ul style="list-style-type: none"> <li>• Sharena Zayed (Personal experience with mental-illness)</li> <li>• Dr. John Adams -</li> </ul>
	<p>Police Violence (directly impacted or family member killed by police)</p>	<ul style="list-style-type: none"> <li>• Jan Ridgeway (Grew up in the deep South and faced police misconduct after attempts at integration, witnessed the impact of police violence and misconduct on Garden Valley residents),</li> <li>• Alana Garrett-Ferguson (thrown in a police vehicle)</li> <li>• Gregory Reaves (experienced of violence in jail)</li> <li>• Shandra Benito (hit by police at a peaceful protest)</li> </ul>
	<p>Incarcerated &amp; exonerated where police were involved in the wrongful conviction</p>	<ul style="list-style-type: none"> <li>• Jan Ridgeway - Partnered with Ohio Innocence Project (Case Western Reserve University) to advocate and secure early release for defendant, work with people living in Garden Valley to get their records expunged, family members have been incarcerated (not exonerated)</li> <li>• Cait Kennedy - Knowledge of wrongful conviction, advocating for defendants as co-founder of UnBail – Cait Kennedy</li> <li>• Gregory Reaves - Incarcerated (not exonerated)</li> <li>• Dr. John Adams - family members have been incarcerated (not exonerated)</li> </ul>
	<p>Gun violence survivors/family members of a person killed by gun violence</p>	<p>Family member</p> <ul style="list-style-type: none"> <li>• Sharena Zayed (son killed by gun violence)</li> <li>• Dr. John Adams (members of family and former students have been victims of gun violence)</li> </ul> <p>Friends impacted by gun violence</p> <ul style="list-style-type: none"> <li>• Jan Ridgeway (residents impacted)</li> <li>• Piet van Lier (close friend killed)</li> <li>• Dr. John Adams (former students killed)</li> </ul>
	<p>Attorney – representing victims of police misconduct/ criminal prosecution</p>	<ul style="list-style-type: none"> <li>• Cait Kennedy (deep knowledge of criminal legal system, works as criminal justice professor and coordinated closely with attorneys through unBail)</li> <li>• Gregory Reaves (helped people while incarcerated understand their sentence)</li> </ul>
<p>Where feasible, the Mayor will seek to appoint at least one member between the age of 18 to 30 at the time of appointment</p>	<p>18-30 years</p>	<ul style="list-style-type: none"> <li>• Alana Garrett-Ferguson – 30 years old</li> </ul>



# Exhibit B

With the exception of no more than three police-association representatives, described below, no member may have served within the five years before appointment as a law-enforcement officer, have ever been an employee of the City's Division of Police or Department of Public Safety, or otherwise have been a City employee within the previous year. The Mayor may appoint no more than three representatives of police associations, including racial-or-ethnic-minority police-labor associations, or these associations' successors recognized by the City. These police-association representatives must have a background relevant to police-community relations and demonstrated connection to their respective associations' membership, and no representative may have a record of police misconduct (whether adjudicated or not), or career records or personal history meriting designation or disclosure under *Brady v. United States* or *Giglio v. United States* and their caselaw progeny

- Police Association Representative
- Has not served w/in 5 years
  - Employee of CDP or DPS w/in last year
  - Background relevant to police-community relations
  - No record of police misconduct

- James Chura – Fraternal Order of Police