

City of Cleveland

Memo

To: Ayesha Bell Hardaway, J.D., Interim Monitor

From: Leigh R. Anderson, Ph.D., Executive Director of the Police Accountability Team

cc: Mark Griffin, J.D., Law Director and Chief Legal Counsel

Date: January 31, 2023

Re: Response to Monitoring Team: Gannon-Kilnapp Incident & the Current State of the System of Accountability

SUMMARY: Regarding the Gannon-Kilnapp incident and the subsequent reports that examined the episode, on January 5, 2023, the Monitoring Team requested “that the City provide evidence that the recommendations and accountability deficiencies have been addressed through CDP’s governance structure in its policies, training, and related instruction to its members by February 1, 2022.” In response, the City would like to provide the following explanation regarding how the Gannon-Kilnapp incident has led the City to ensure that its system of governance is more closely aligned with elements of accountability, transparency, and accuracy.

The City's current leadership is working to appropriately incorporate and address each of the recommendations made by Superintendent Viland in his report dated September 19, 2022, and the Monitoring Team's findings from the report dated November 21, 2022. When procedures are not followed, the City works diligently to ensure there is a solid governance structure in place to hold those individuals accountable. It is important to note that the City does not take the position that all accountability deficiencies have been addressed through CDP’s governance structure in its policies, training, and related instruction. The City recognizes this as a work in progress and an area for special and continuous attention.

CDP does, however, make every effort to ensure that best practices related to detecting, eliminating, and correcting any, accountability deficiencies are being incorporated into CDP policies, training, and implementation procedures. With the progression toward having a solid governance structure in place, human error in CDP is handled through thorough investigations, re-training, mediation, and/or discipline when necessary.

The City looks forward to continuously reviewing, updating, and implementing, when necessary, the recommendations from the MT, DOJ, and best practices to ensure a sustainable and highly effective accountability structure within CDP.

Also of note, the accountability and governance structure that is in place was in part created and implemented with the assistance of the DOJ and the MT and authorized by the Court. CDP respects this input and authorization and also understands that the CDP is not free to change/amend/update/implement any policies or procedures without additional required and official input. The City looks forward to continuing to work with internal and external stakeholders to safeguard an accountability structure that is built on collaboration, transparency, and fairness.