

March 21, 2016

Hon. Frank G. Jackson
Mayor, City of Cleveland
Cleveland City Hall
601 Lakeside Avenue
Cleveland, Ohio 44114

Hon. Kevin Kelley
Council President, City of Cleveland
Cleveland City Hall
601 Lakeside Avenue
Cleveland, Ohio 44114

RE: 1) Call for Transparency and Meaningful Public Input Regarding Purchase and Deployment of Security Equipment During the Republican National Convention (RNC); 2) Call for Cleveland City Council to pass a Resolution to Demilitarize Police Forces; and 3) Call for Prompt Post-Convention Demilitarization and Decommissioning of Equipment

Dear Mayor Jackson and Council President Kevin Kelley,

We the undersigned wish to share our concerns regarding public safety and the deployment of security equipment for the RNC in Cleveland in July 2016.

The RNC has been designated as a National Special Security Event¹ which entails certain mandates imposed on the City in terms of federal security requirements. However, regardless of the designation, we believe City administrators must seek community input with respect to equipping and deployment of the Cleveland Division of Police (CDP) during the RNC. This includes input into how the \$50 million federal grant is utilized in order to balance security needs appropriate to the situation with respect for the fundamental rights of participants, protestors, bystanders, members of the media, visitors and others.

On March 3, 2016, we were dismayed to learn through media reports that the City plans to purchase 2,000 sets of riot gear, including collapsible steel batons, in preparation for the RNC. The reports indicated that the City also seeks to purchase more than 300 sets of riot gear for use by motorcycle units. The funds for these purchases will come from the aforementioned \$50 million dollar federal grant made available to the City; your administration has indicated approximately \$20 million of the grant will go toward equipment purchases. However, the public has yet to see the entire list of equipment to be purchased.

We are concerned that without meaningful public input and consultations, the purchase and possible misuse of tactical and riot gear, surveillance equipment and excessive use of security barricades, and other such crowd-control weapons (CCW) and equipment may actually undermine public health and safety,² further damage the relationship between the public and the CDP and project a negative image of the City.³

¹ As civil and human rights organizations, we have grave concerns about the designation of what is essentially a private event benefitting a particular political party, regardless of philosophical bent, as a National Special Security Event (NSSE). Such designations are questionable for a number of reasons including the fact that such a designation undermines the ability of the public to have effective oversight and transparency with regard to the utilization and outlays of public resources, including the use of public monies, material and personnel.

² See the recently released groundbreaking report entitled *Lethal in Disguise: The Health Consequences of Crowd-Control Weapons*, published on March 9, 2016, by the ACLU with Physicians for Human Rights

The deployment of certain military grade equipment and weapons, riot gear, caging equipment and surveillance devices in an urban setting among nonviolent demonstrators jeopardizes First Amendment and Fourth Amendment protections and creates a siege mentality. Such deployments, when unwarranted by immediate public safety needs, create a chilling effect that deters free speech and assembly through intimidation. Such deployments contribute to an “us vs. them” mentality, project a hostile, militarized posture and undermine the fragile public trust between the people and their police.

Because the City is under a federal consent decree it is all the more essential that the needs and concerns of the local community be considered. In fact, paragraph 294 of the Consent Decree states that “CDP will actively seek input and feedback from the Commission, patrol officers, and supervisors regarding resource allocation, *equipment needs*, and technological improvements.” [emphasis added] At this point, we are aware of no consultations between CDP and the Cleveland Community Police Commission (CCPC) regarding the intent to purchase \$20 million of equipment for the Cleveland Division of Police for use during the RNC. This is unacceptable.

Therefore, we urge the City and the CCPC promptly engage in mutual consultations on this matter and to hold a series of joint public forums specifically to address these issues and to seek public input.

We call on you as Mayor, as well as the Cleveland Division of Police and the Cleveland City Council, to protect the residents of the City, visitors and convention participants equally, and without intimidation or unwarranted police presence.

In furtherance of this aim and to ensure security and constitutional protections and to promote the public trust, we call for the following:

1. The immediate and thorough response to the attached public records request, including but not limited to, the release of the entire list of equipment required for the RNC.
2. Transparency and timely meaningful public input into the City's purchase of all equipment, devices, weapons and supplies, including crowd-control weapons (CCW) and equipment and their deployment by the CDP and associated security personnel during the RNC.
3. The passage by City Council of the Local Resolution to Demilitarize Police Forces (See proposed text of draft resolution attached.)
4. Transparency and citizen input to formulate a process for immediate post-convention demilitarization following the RNC.

(PHR) and the International Network of Civil Liberties Organizations (INCLLO) available at <https://www.aclu.org/report/lethal-disguise-heath-consequences-crowd-control-weapons>.

³ On June 10, 2015, a Cleveland Division of Police Sergeant Frank Woyma posted an image of officers of the Cleveland Division of Police and associated safety forces deploying riot batons and wearing black full-body riot gear, helmets and face shields with the superimposed words “WELCOME TO CLEVELAND: WE WON’T TOLERATE YOUR BS” referring to protestors exercising their First Amendment rights. This post is but one example of the attitude engendered by such equipment if officers are not properly trained in the use of such gear and if such gear is improperly deployed. (See attached image.)

We believe that such measures are required to promote public safety during the RNC and to promote trust and confidence that the needs of the community will be taken into account by the City and that the rights of all will be respected by the Cleveland Division of Police.

Sincerely,

Chris Link
Executive Director
ACLU of OHIO

Albert Porter, Jr.
President
Black on Black Crime, Inc.

David Patterson
President
Carl Stokes Brigade

Michael L. Nelson, Sr.
President
Cleveland Branch NAACP

Rev. Waltrina Middleton
Organizer/Founder
Cleveland Action

Nina McLellan
Co-President
Cleveland Peace Action

Toni Ann Rozsahegyi
Board Member and Chair, Police De-Militarization Action Group
Cleveland Peace Action
Code Pink, Local Organizer

Rachelle Smith
Cleveland 8 Member

Debbie Kline
Director
Cleveland Jobs with Justice

Stephanie Riccobene
Co-Convener
Cleveland Nonviolence Network

Edward Little
Co-Chair
Collaborative for a Safe, Fair and Just Cleveland

Julia A. Shearson
Executive Director
Council on American-Islamic Relations
Cleveland & Northern Ohio Chapter

Don M. Bryant
Co-Convenor
Greater Cleveland Civil and Human Rights Coalition
Local Anchor, Bill of Rights Defence Committee (BORDC)

Brian Stefan-Szittai and Christine Stonebraker-Martinez
Co-Coordiators
Interreligious Task Force on Central America and Colombia (IRTF)

Greg Coleridge
Executive Director
Northeast Ohio American Friends Service Committee (AFSC)

Jacqueline Greene, Esq.
Co-Coordinator
Ohio Chapter of the National Lawyers Guild

Rev. Dr. Jawanza Karriem Colvin
Olivet Institutional Baptist Church

Larry Bressler
Executive Director
Organize Ohio

Valerie Robinson
Stop Targeting Ohio's Poor

Walter Nicholes
President
Veterans for Peace Chapter 39 - NE Ohio

Linda Park
Secretary
Women Speak Out for Peace and Justice

cc: Cleveland Community Police Commission
Cleveland City Council Members