

January 10, 2020

VIA EMAIL

Chief Calvin Williams
Cleveland Division of Police
cwilliams3@city.cleveland.oh.us

Enclosures

RE: Body-worn cameras during secondary employment

Dear Chief Williams:

We write today to inquire as to the status of Cleveland Division of Police (CDP) requiring officers to wear body-worn cameras while working secondary employment.

The ACLU of Ohio was glad to provide recommendations to the body-worn camera policy via letters dated April 4, 2016 and December 13, 2016 (enclosed). In both letters we discussed the issue of secondary employment. In January 2017 the Court approved the CDP policy, *except* for the sections relating to officer access to camera footage, public access to camera footage, and use of body cameras in secondary employment. Despite robust briefing throughout 2017 on the issue of secondary employment, the use of body-worn cameras during secondary employment is still not a requirement. This is deeply concerning to us and many members of the Cleveland community.

It should be noted that the ACLU of Ohio's stance on the matter of body-worn cameras is a nuanced one. The issue involves multiple civil liberties interests. However, with the right policies and laws in place, the ACLU of Ohio believes body-worn cameras can promote police accountability, deter officer and civilian misconduct, and provide objective evidence to help resolve civilian complaints against police without significantly infringing on privacy.

We feel strongly that body-worn cameras must be required during secondary employment for two reasons.

First, it is not uncommon for officers to be involved in use of force incidents while working secondary employment. As you know, in January 2018 Thomas Yatsko was fatally shot outside Corner Alley in University Circle by off-duty CDP member Sergeant Dean Graziolli. Absent the requirement from his employer, Sergeant Graziolli was not wearing a body camera. As such, neither investigators, nor Mr. Yatsko's family, nor the public will ever be able to see footage from the vantage point of Sergeant Graziolli.

Second, officers working secondary employment outside of a bar or store are required to wear CDP uniforms and carry CDP-issued weapons. To any reasonable member of the public, this officer appears as an on-duty Cleveland police officer. Community members interacting with that officer do not know

ACLU

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Ohio

4506 Chester Avenue
Cleveland, OH 44103
P: (614) 586-1959
F: (216) 472-2210

1108 City Park Avenue
Suite 203
Columbus, OH 43206
P: (614) 586-1959
F: (614) 586-1974

acluohio.org
contact@acluohio.org

Hasan Kwame Jeffries
President

J. Bennett Guess
Executive Director

who signs his paycheck. With the power that comes from wearing a CDP uniform and carrying CDP-issued weapons, must also come the accountability of wearing a CDP-issued body camera.

Cities across Ohio and the U.S. require their officers to wear body cameras while working secondary employment, and we urge you to follow their lead.

Please kindly share this letter with any and all relevant members of your team, and do not hesitate to contact us if we can provide any further information.

We look forward to hearing from you.

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1108 City Park Avenue
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Columbus, OH 43206
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F: (614) 586-1974

acluohio.org
contact@acluohio.org

Hasan Kwame Jeffries
President

J. Bennett Guess
Executive Director

Sincerely,



Jocelyn Rosnick
Policy Director
ACLU of Ohio

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[REDACTED]

CC: aden@theadengroup.com
gsingletary@city.cleveland.oh.us
gwhite2@city.cleveland.oh.us
michael.evanovich@usdoj.gov
mzone@clevelandcitycouncil.org
jgoodrick@clecpc.org