

**Fairness and Equity in Policing**  
**Medina Police Department**  
**June 15, 2020**

As the country watched in disgust at the injustice perpetrated against George Floyd, many community members have reached out to me and asked if that abuse of police power could happen in Medina. Specifically, what policies or training does the Medina Police Department have to prevent such an incident? This question is reasonable, and one this document will answer.

The Medina Police Department has practiced what is known as community-oriented policing since the mid-1990s. For the Medina Police Department, community-oriented policing is a strategy of building relationships with the members of the community we serve. Effective community oriented policing builds trust between community members and the police department. The result is a safer community and more effective policing operation. The Medina Police Department fosters these relationships in many ways.

**Community Outreach**

Citizens Police Academy

Annually, a Citizens Police Academy is held as part of a partnership between the Medina Police, Montville Township Police, and Medina Township Police departments. The Citizens Police Academy is a 10-week program held one night a week, which gives an in-depth view of police work in the three jurisdictions represented. Class material presented covers traffic stops, domestic violence investigations, court procedures, drug investigations, and active shooter training. This program regularly receives positive feedback from the residents who attend. The most common feedback is how eye-opening the training is from a lay-citizens perspective. Several members of the original Citizens Police Academy began an organization called the Medina Community Police Academy Alumni Association. This association is dedicated to strengthening the partnership between the citizens of Medina and the police department by assisting in community-sponsored activities and acting as a resource to the Medina Police Department. This group is often seen helping at events on the square throughout the City.

Apartment Liaison Program

The Apartment Liaison Program has proven to address quality of life issues in the City of Medina's apartment complexes. This program provides the residents and apartment management a specific officer to contact regarding problems. The assigned officer will

handle complaints from thefts to persistent noise complaints while offering enhanced patrolling during his or her regular shift. Data supports the overwhelming success of this program, evidenced in the reduction of calls for service and improved relationships with residents.

### School Resource Officers

School Resource Officers (SRO) have proven to be a vital link to our community's youth. The Medina Police Department has two School Resource Officers assigned to three of our city schools. One officer is assigned to the high school, and another officer splits his time between the two middle schools. This program has proven effective in bridging the gap between the youth and our police department. These officers also provide essential protection to the students of the schools. In addition to the School Resource Officers, the Medina Police Department provides an officer to the Medina City schools to teach the Drug Abuse Resistance Education (DARE) program. Hundreds of students have graduated DARE training throughout the years.

### Medina County Police Activities League

The Medina Police Department participates in the Medina County Police Activities League (MCPAL). MCPAL is a youth crime prevention program that utilizes education, athletics, and recreational activities to create trust and understanding between police officers and youth by bringing them together in a fun and active environment.

### National Night Out

National Night Out is a national event held yearly in August. This event invites the community to engage with officers in a public setting. It showcases cruisers, fire trucks, and ambulances, which are on display for the community to explore. This event creates an opportunity for both community members and officers to communicate in a friendly and engaging environment.

### Kids Day of Safety and Play

Day of Safety and Play is an event held on the Medina City Square and organized by the Cleveland Clinic. This event is for children to meet first responders. The children get to try on equipment and check out all the vehicles. Unfortunately, this event was canceled due to the COVID pandemic.

Community engagement events are vital to the Medina Police Department's continued success in developing partnerships with the community. The communication and relationships begin at an early age, and the hope is they will continue a lifetime.

## **Policy and Use of Force**

The Medina Police Department operates under a detailed Policy Manual that covers procedures from report writing to use of force. The Policy Manual is written by subject matter experts and vetted by attorneys for the State of Ohio. Policies are based on national standards and best practices while incorporating state and federal laws and regulations where appropriate.

Additionally, the Medina Police Department officers are trained daily on the Policy Manual through a process called Daily Training Bulletins. Officers login to the Policy Manual daily and review a hypothetical situation. The officer is given several different options and is required to answer according to the Policy Manual. The process allows officers to consistently train on current procedures. All training bulletins completed are documented to provide evidence of ongoing training.

In 2014, President Obama established the 21<sup>st</sup> Century Policing Task Force requiring reform in modern-day policing. As a result, in 2015, Ohio Governor Kasich created the Ohio Collaborative Community-Police Advisory Board (<https://www.ocjs.ohio.gov/ohiocollaborative/>). The Ohio Collaborative requires policies that have been vetted and are accepted as best practices nationally by law enforcement and civilian oversight representatives. The Medina Police Department was one of the first departments certified by the State of Ohio (2015) and is committed to continuing participation in the Ohio Collaborative.

Given the recent events of police brutality highlighted in Minnesota, it is crucial to discuss the Medina Police Department's use of force policy. The use of force policy is consistent with best practice mandates of the Ohio Collaborative. There have been public requests to implement what is called "Eight That Can't Wait". Each of the suggestions in the "Eight That Can't Wait" are addressed below. These recommendations have been included in Medina Police Department policy for many years.

# #8CANTWAIT

TAKE ACTION RIGHT NOW.

**Data proves that together these eight policies can decrease police violence by 72%.**



Several of the eight points are covered in the Medina Police Department's de-escalation training. Officers have all received training in de-escalation techniques. In addition to de-escalation training, every officer has been through Crisis Intervention Training. CIT is a collaborative effort between law enforcement and the mental health community to help law enforcement officers and emergency responders handle incidents involving people with mental illness. CIT is a community-based collaboration between law enforcement, NAMI (National Alliance on Mental Illness), the Medina County ADAMH Board, Alternative Paths, and mental health consumers. Officers and emergency personnel receive four days of training in mental illness, crisis intervention, de-escalation techniques, and the local mental health system.

Officers learn to integrate their police and emergency responder training with new skills and approaches to respond to a person they believe has a mental disorder or persons experiencing a psychiatric crisis.

## #8CANTWAIT

### Ban chokeholds and strangleholds:

The Medina Police Department does not train chokeholds and strangleholds. These types of holds are prohibited unless the use of lethal force is justified. (See recommendations section regarding the recommended addition of specific policy language banning the use of chokeholds.)

### Require de-escalation:

Medina Police Officers are required to use de-escalation techniques during any use of force encounters. Officers receive de-escalation training on a regular basis, along with certification in Crisis Intervention Training.

### Require warning before shooting:

Use of deadly force is justified in the following circumstances:

1. An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
2. An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the subject is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

1. The person has a weapon or is attempting to access one, and it is reasonable to believe the person intends to use it against the officer or another.
2. The person is capable of causing serious bodily injury or death without a weapon, and it is reasonable to believe the person intends to do so. **This is directly from our policy.**

Officers are not required to give a warning in every situation, as it would not be practical. Often the decision to use deadly force must be made and acted upon in less than a second.

#### Exhaust all alternatives before shooting:

The use of force policy requires an officer to use the least amount of force necessary to effect the arrest. This is a long-standing best practice, and it has been established by the Supreme Court. It uses the reasonableness standard of the force applied.

#### Duty to intervene:

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor. **This is directly from our policy.**

#### Ban shooting at moving vehicles:

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others. Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle. **This is directly from our policy.**

#### Establish a use of force continuum:

Best practice law enforcement has evolved from the use of force continuum as it has been found that just because a suspect's actions justify a specific force tool, it does not mean it is always the best decision in the application of force. De-escalation and using the least amount of force necessary to effect the arrest is the current best practice and mandate to our officers.

#### Require all use of force to be reported:

The Medina Police Department policy requires the use of force reports to be filed immediately after force is used. This reporting requirement also includes force that has been displayed or threatened, but not used in the furtherance of an arrest. The Medina Police Department has several layers of review to determine if the force used is consistent with our use of force policy. The Shift Sergeant completes a use of force review and submits it to the Lieutenant. That report includes a full description and all details of the incident. The Lieutenant then reviews all evidence and statements related to the use of force, i.e., body camera footage, car camera footage, radio tapes, written statements and phone audio. The Lieutenant will decide whether the force used is within policy. The entire investigation is then forwarded to the Chief's Office, where all the

information and findings from the Lieutenant are reviewed by the Chief of Police. If the force used is not within the policy, appropriate steps to correct the issue are administered. Those steps may include retraining, written reprimand, suspension, or termination. Once the use of force investigation is complete, it is filed in our records system to be retained. A yearly summary of the use of force data will be published in the department's year-end report.

### **Prohibition Against Biased-Based Policing**

Bias-based policing is a strictly prohibited activity at the Medina Police Department. Ethical and fair behavior is essential in professional police service. Trust is undermined if an officer is using race, ethnicity, or sexual orientation as factors in their decision making.

Every member of the department shall perform his/her duties in a fair and objective manner, and each is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

**This is directly from our policy.**

The Medina Police Department collects traffic stop data to generate a race-bias report. This report is reviewed by the Chief of Police and published in the year-end report. A recent upgrade to our records management system has allowed us to more effectively collect data based on race and ethnicity.

The Medina Police Department and Medina City Schools collaborated in Cultural Diversity training for police officers and school staff. This training was very beneficial in giving officers the opportunity to engage in the discussion of racial inequalities and implicit bias training. Staff feedback regarding the training was positive.

### **Accountability**

Officer accountability is imperative in maintaining a professional and ethical police force. Officer misconduct is not tolerated in the Medina Police Department and is thoroughly investigated when a complaint is filed, or policy violation is discovered.

### **Mission Statement**

The Medina Police Department is a proactive service organization committed to providing a safe community through a spirit of involvement, cooperation, and dedication. We continuously strive to achieve the highest quality of life possible for all through personal integrity, impartial police service, and professional excellence.

## Core Values

1. Respect
2. Honesty
3. Self-discipline
4. Professionalism - on and off duty
5. Performance-oriented
6. Attention to detail
7. Team concept/teamwork
8. Adaptability
9. Community-oriented
10. Constantly strive for excellence.

In 2013, the Medina Police Department invested in body cameras for each officer and in-car cameras for all patrol police vehicles. This has allowed unprecedented transparency to officers' actions in the field, as well as first-person evidence collection for court proceedings. Supervisors routinely review videos of interactions to ensure professional behavior and policy adherence.

The Medina Police Department has a complaint process that complies with all Ohio Collaborative recommendations and standards. All allegations of misconduct are thoroughly investigated. Annually, the Medina Police Department receives very few citizen complaints. This is attributed to treating people in a respectful manner.

## **Hiring / Recruitment / Selection**

The Medina Police Department actively recruits for officers in various ways. Officers attend job fairs, police academies, and universities to select some of the best candidates possible. We actively seek out minority candidates and collaborate with community groups who advocate for minority candidates. A command officer from the Medina Police Department is a regular attendee at the meetings of the Medina Diversity Project. All job postings with the City are forwarded to the group so they can advocate on behalf of the City for minority candidates. The Medina Police Department has a very thorough selection and vetting process for new officers.

1. Candidates interested in becoming a police officer with the Medina Police Department take a civil service test conducted by the Medina Civil Service Commission.
2. Upon successful completion of the written test, a physical agility test requires a 1.5-mile run, timed sit-ups, and push-ups. The benchmark for passing is set as part of a national standard.

3. A detective interviews the candidate, and a preliminary background check is conducted. Upon completion of the preliminary background check, the candidate is scheduled for a panel interview with the Chief of Police and Command Staff.
4. A conditional offer is given to the successful candidate and the candidate is scheduled for a polygraph examination. This examination identifies any illegal, unethical, or dishonest behavior in the candidate's past. Failure of the polygraph requires an immediate withdraw of the conditional offer, and the candidate will no longer be considered for employment.
5. A psychological examination is conducted to determine the mental well-being of the candidate. The Medina Police Department utilizes a professional employment assessment organization that specializes in police candidate selection. The evaluation is compared to a national matrix of "best fit" candidates. A critical assessment of the Medina Police Department's psychological evaluation is beneficial in determining racial bias or impulsive behavior. The pre-hire psychological assessment goes beyond standard clinical abnormalities.

Medina Police Department's assessment includes the four pillars of procedural justice:

- a) Being fair in processes
- b) Being transparent in actions
- c) Providing an opportunity for voice
- d) Being impartial in decision making

Upon completion of the assessment, a report indicating a "good fit" or "poor fit" is generated and submitted to the department for review. A "poor fit" removes the candidate from further consideration.

6. A thorough background investigation is conducted by a detective. The investigation includes a review of prior employment history, educational history, any police interactions, speak to references, speak with current and past neighbors, and a social media examination.
7. The final step in the process is a full medical exam and physical.

The officer will work with a field training officer for a minimum of twelve weeks prior to patrolling on his or her own. Every new officer must serve a one-year probationary period.

### **Recommendations for Improvement**

Governor DeWine has recently indicated he would like to develop a board of licensure, similar to the State Nursing Board. The belief is that this step is imperative to revoking licenses of officers who have engaged in illegal or unethical behavior. The process of resigning under pressure, only to move on to another department, is detrimental to public trust. There must be a system in place to eliminate officers who conduct themselves contrary to the oath they have sworn to uphold. This measure of accountability is long overdue.

Additional training in racial equality, bias-based policing, and de-escalation should be included in the basic police academy as well as ongoing in-service training. The basic concept of fairness is a tenant that must be reiterated at every level of training and rank.

With regards to the Medina Police Department policy, a chokehold or lateral vascular neck restraint is not specifically prohibited in the policy. Research and adoption of a policy banning such restraints will be instituted for encounters other than where deadly force is justified.

### **Commitment**

I am proud to be the leader of the Medina Police Department. Our department has been on the forefront of progressive change, while building community trust, for over 30 years. We have some of the most professional and dedicated police officers in the nation. Each officer comes to work with the dedication to serve the community fairly, respectfully, and with pride. I am committed to maintaining service/community-oriented policing throughout my tenure. Please know my office remains open for citizens we serve.

Edward R. Kinney  
Chief of Police  
Medina Police Department