PRESS CONFERENCE OF CITY OF CLEVELAND MAYOR
FRANK G. JACKSON, HELD AT CITY OF CLEVELAND CITY
HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114
ON THURSDAY, DECEMBER 11, 2014.
IN RE: DEPARTMENT OF JUSTICE FINDINGS
REGARDING CLEVELAND POLICE

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MAYOR JACKSON: Well, first of all, I want to thank you for coming and the reason I've asked for you to be here today, because when I'm out at events or I'm doing other press events, after I do an event, people want to talk to me about the DOJ and other things. And so what I say to people is that I won't do it then, but I will have a time when I can speak to everybody so everybody hears the same thing at the same time.

And it's usually in three areas -- three areas that people will ask me about. One is about the DOJ, its findings; the other one is about -- is whether or not there is systemic failure in the Division of Police; and the third is about the demonstrations that have occurred and -- and -- and their demands.

Now in the first one, in terms of DOJ, we -- I know I do and -- and we as a city really think this is a great opportunity. So we're not -- we're not at all adverse to the Department of Justice coming in and reviewing the Division of Police. As a matter of fact, I and -- and several other people have asked them to come in shortly after the East Cleveland and the
shooting.

And we have been working with them with our private consultant on the use of force even before that. So -- so it's not -- we actually welcome it. We think -- we think it's a good thing. And -- and at the end of that process, we will enter into a consent decree and we will -- as part of that consent decree, we will be under a monitor, which we're perfectly fine with.

The only concern I have, however, as you know, we -- part of going through the process of developing a final consent decree is -- is agreeing on what that will be. And -- and -- and we will do that. And again, it will be subject to a monitor.

The concern I have is I don't think it goes far enough to be honest with you. It's more -- to me there are problems in the Division of Police that we need to address, but there are also problems external to the Division of Police that really has a great impact on -- on how things happen internally.

And -- and I had asked before and -- and I continue to say that I just don't think
the Department of Justice in looking just at the
Division of Police is -- is going far enough.

The second thing that, again, is about
whether or not there is systemic failure in --
in the Division of Police. Those of you who
have talked to me about that, I continue to say
there is not systemic failure. There are
problems with our system.

And that the DOJ, even though we don't
agree on all the -- all of the findings or the
supporting data or examples they use to get
toward to those findings, it clearly points out
that -- that we have some problems that we will
agree to and we will agree to how to resolve
those problems as we enter into this consent
decree.

And the good thing about the monitor is
the monitor will take away the whole thing
about, "Well, I was here ten years ago and you
didn't do it." Well, now we'll have a monitor
to ensure that it is fully executed and
implemented.

But -- but in terms of systemic
failure, I maintain that there is no systemic
failure. There is significant problems that we
have to address. And -- and in that concept of systemic failure, it -- it -- it implies a relieving of people of the responsibility to make decisions. And -- and I believe that individuals make decisions in the Division of Police and throughout the City and they should be held accountable for those decisions if, in fact, those decisions are not done according to training and process and procedures of General Police Order.

So do we have problems? Yes. Do we have systemic failure? No. Do we demand that people be held accountable? Yes. Individuals should be held accountable for what they do.

And then finally in terms of the demonstrators, I really want to commend the demonstrators. I've -- really, they've impressed me. They're young. They're young, but they've impressed me on the way in which they've conducted their demonstrations and the sincerity of their demonstrations. They -- as they say, they're young, so they see things in black and white and whereas, we in -- in -- in organizations, as you probably know, we -- sometimes we have a little cloud on -- on those
and it's not so black and white to us, because there's a -- there's process and procedures we have to go through.

Whereas, with the young demonstrators, they just see it very clearly that they -- as to how government should operate and -- and how it should operate, particularly when it comes to use of deadly force. And -- and I really commend them by staying focused on that.

Now one of the things that they talked about and they demonstrated and they commented on is the resignation of the Director McGrath and -- and Special Assistant Flask and -- and I -- I fully appreciate their demonstrating on that, even though we don't agree, but at the end of the day, they had not lost sight of the substance and the sincerity of their demonstration.

And that is that they have a concern about the use of force, particularly deadly force, and -- and whether or not there's accountability in that and -- and I -- and I respect that and I respect their sincerity in that. And also, the way in which they've conducted themselves in -- in doing the
demonstration.

Other than that, that's pretty much -- I think I've addressed all of what people have talked to me about, but I know there are other things that you may want to talk to me about, so I'll gladly -- now, I'm -- I'm going -- I'm going -- I'm going to do it like I do community meetings. You were first, so and then we'll move around.

REPORTER 1: Mayor, the report spent a lot of time discussing accountability --

MAYOR JACKSON: Yes.

REPORTER 1: -- and discussing discipline. And the report expressed also what seemed like astonishment at the very few folks -- the officer who had been disciplined --

MAYOR JACKSON: Uh-huh.

REPORTER 1: -- for using force, which he got really none, and in the disciplinary process, it's either going to be heard by the Chief or it's going to be heard by the Safety Director depending on the severity --

MAYOR JACKSON: Uh-huh.

REPORTER 1: -- of the infraction.
MAYOR JACKSON: That's correct.

REPORTER 1: All right. So when we're talking about accountability, don't you hold the Chief, whoever that is, and the Safety Director accountable for these problems that the DOJ is going to ask?

MAYOR JACKSON: The quick answer to that is yes, but I also want to re-emphasize to you is that their findings in the data and the conclusions they reached with the examples that they used, we don't necessarily agree with all of that.

So we will be delving into -- we're already delving into that and we'll be reviewing that to see what in there is accurate, which is not accurate, which is a misstatement, which is -- are examples that may be factual, may not be factual; but your point about yes, the Chief is the Chief, the director is the director, in -- in regards to that.

Now but it implies from the report and from your question as if there was nothing done and now -- and that is where we have a -- a disagreement. As a matter of fact, when you look at the use of force over a period of time,
you will see that the use of force has decreased in -- in those various areas where there is deadly or less deadly -- less lethal force. And you will see that there's been accountability in regards to that, but there have also been -- and that's why I think the Department of Justice's findings don't go far enough in terms of looking at those entities external to the Division of Police.

So that when we do discipline people and when we do attempt to hold people accountable, that they go to an arbitrator. The arbitrator overturns it. We send stuff to -- to be -- have criminal prosecution. That doesn't necessarily happen. And so we -- we just believe that if we're going to really look at the systemic part of this, that it really does need to be correct. Then that -- that it should include not just the Division of Police, but more than the Division of Police.

So the -- again, I recognize what they have said and you're right, they were kind of aggressive on that. We are looking into that, so that we can provide you and others with what we believe is a more accurate data and if, in
fact, that is so, then you will find that action
will be taken in that regard.

REPORTER 1: Allow me one
follow-up, sir.

MAYOR JACKSON: Yes.

REPORTER 1: So are you saying
that you have full and complete confidence in
the Chief and the Safety Director and the job
that they have done? You see no problems in
what your chiefs and your safety directors have
done over the last three to four years?

MAYOR JACKSON: No, I -- I didn't
say that. I didn't say that. What I said is
that it would imply is that your question and
report implies that they did nothing and that's
inaccurate. And -- and so as we -- and there's
always a conversation. I meet with the Chief of
colice and the Safety Director every week.

And we go over what's happening out in
the neighborhoods, what's happening in the
districts, what are the relevant issues that are
facing them? We talk about the issue of -- of
accountability. We talked about the whole issue
of discipline and -- and -- and how we should be
doing those kind of things to process and we --
we talked about that.

But -- but so I have confidence in them in terms of their attempt to do what needed to be done to correct behavior that was incorrect. The report and your question implies is that they did nothing and they just accepted anything that was done wrong and that's not accurate. Yes?

REPORTER 2: Yes, Mayor. This talks about investigators sort of being interviewed.

MAYOR JACKSON: That is correct.

REPORTER 2: And some investigators actually admitted that the goal was to clear the behavior of the officers; does that trouble you?

MAYOR JACKSON: Well, it troubles me if that's accurate. One of the things that we're doing is we reviewed the report and we're delving into it is actually having conversations with those officers who would have made statements like that. That is completely unacceptable, particularly if your duty and responsibility as -- as -- as the investigator of -- of incidents is to ferret out the truth.
It is not to move towards a cover-up or move towards creating a set of facts or conditions that would relieve the responsibility or accountability. That's not what they're supposed to do. So yes, we would have trouble with that, but so what we're looking into it and -- and -- and once we look into it, if, in fact, that pans out to be true, then -- then we will do whatever is appropriate.

But we're just not accepting it, because the DOJ said it. We -- we have to actually look into this and -- and -- and review it for ourselves. Tom?

REPORTER 3: A large part of the report says that the confidence and trust between the community and the police department are essential to resolve these problems.

MAYOR JACKSON: That's right.

REPORTER 3: A large part of the community expresses a lack of confidence in -- in -- in two of the voices that you've listened to and have had that oversight to the department when these problems were identified.

MAYOR JACKSON: Right.

REPORTER 3: If the community
does not have confidence in them, doesn't that make that an impediment to getting change made? Can old leaders direct new change?

    MAYOR JACKSON:    You know, the first part of your question, I hope so, because I'm getting old. But that being said, it implies that there's no one who has confidence in the Chief or the former Chief.

    REPORTER 3:    No, I didn't say no one, but a segment of the community.

    MAYOR JACKSON:    Well, a segment. Well, a segment of the community doesn't have confidence in your reporting. Does that mean that, you know, you change your leadership or that -- or that you terminate your reporters that they don't have confidence in? You know, the point is that's a segment and -- and -- and when we looked at those people who have communicated with us, e-mails and otherwise, there's also a segment that has complete confidence and complete trust.

    And -- and they've demonstrated that as early as this morning with -- with phone calls and things. So this is an ongoing process. And I will say to you that at the end of this my
goal and my -- my whole purpose is to have a
better police division. That is why I welcome
this so much. Believe me. I do not have a
problem with the DOJ. I just want to make sure
that what they're talking about is accurate.

And -- and -- and so at the end of
this, we will have an opportunity to really have
a motto as to how you do policing and have the
accountability and -- and the community kind of
policing that you need in order to have that
trust and -- and all of that stuff, at the end
of it. That is why I'm welcoming and agreed in
the letter of principle that we should have a
monitor.

We should not be a -- a -- the Division
of Police or the Mayor of the City or the
Cleveland City Council or anyone like that who
should determine whether or not we should be
successful. The consent decree will be very
specific, once we agree on what it is, because
we're -- we're not agreeing on everything. We
agree on the basic principle that there's a need
for change. That there are patterns and
practices that need to be changed in the
Division of Police.
And once we agree on the specifics of that, which we will include in the consent decree, we welcome the monitor to ensure the implementation of that, but that's -- that's a process. That's a process and we'll get to that process and we'll get to that end.

And I believe it will be a healthy process. And some of the discussion around the issues that have been raised either directly to the Department of Justice report or -- or collateral to it are a part of that discussion. The demonstrations are a part of that discussion. The community input is a part of that discussion.

And so we -- I don't have a problem with any of that, none whatsoever. She was next.

REPORTER 4: Two -- two parts here.

MAYOR JACKSON: Go ahead.

REPORTER 4: First, what specifically do you disagree with and secondly, the DOJ has said that -- said that their police's record keeping is invisible.

MAYOR JACKSON: Right.
REPORTER 4: How will the City go about checking out all of the DOJ's conclusions if the records are -- are just not there?

MAYOR JACKSON: Well, we have a couple things. I'm not going to tell you what we disagree with, because that becomes part of our process as we look into what they have said and what they recommend. And it also becomes part of our process as we work together and negotiate on what the consent decree is and I don't want to do that in a public kind of way.

That does not mean that at some time I will not say to you and whoever else wants to listen the findings that we had based on some of the things that they said. You know so that in that, you can interpret what we agree and disagree on, but the second part of your question was?

REPORTER 4: About record keeping.

MAYOR JACKSON: Oh, the record keeping, now that -- I believe that to be accurate in terms of if it is, then that is a problem in terms of pulling it, because one of
the things about poor record keeping is that it -- it does -- let me back up a little bit. I view the DOJ's procedure here as an audit and -- and what the audit does, it looks at your -- not only are you having a pattern and practice of a constitutional violation, it looks at your -- is auditing your -- your -- your systems internally to see if, in fact, there needs to be some improvement to get to your point of -- of being able to identify accurately information that you need.

And so if, in fact, that is the case and -- and I think it's an accurate assumption, that we need to correct that.

REPORTER 4: How though with -- with poor -- if it is -- if the record keeping is --

MAYOR JACKSON: Right.

REPORTER 4: -- lacking --

MAYOR JACKSON: Uh-huh.

REPORTER 4: -- how will the City investigate each of the points the DOJ is making to determine which side --

MAYOR JACKSON: Well, because there are points that need data and then there
are points that are not necessarily data-driven. And -- and so we will have to ferret all that out. And then we also will say, and I -- I can say that we have provided data that was not reflected in their conclusion.

And -- and so in their conclusion, they referenced the inability to get sufficient or accurate information and -- and I would suspect that that may have been the case in some cases, but not in all cases. Let me go here and then I'll come back. Yes, sir?

REPORTER 5: Now Mr. Mayor, you -- you and other mayors around the country and even the president have faced some difficult decisions recently --

MAYOR JACKSON: Yes.

REPORTER 5: -- in how to manage these situations that potentially expose the community for a number of different reasons.

Talk to us a little bit about what you weighed and how you balanced the competing interest of supporting your police while also being responsive to the community and their credibility in identifying if there's really a problem.
MAYOR JACKSON: Well, Tom, I just try to do the right thing. And wherever that leaves me, that's where I go. And -- and -- and in doing the right thing, because I don't think I'm right. I want to be right. If I thought I was right, then there's nothing you can tell me, but if I want to be right, then I will take some suggestions. I will listen, but what I will not listen to are those with agendas or those -- or who views this tragedy or other tragedies to promote agendas that are not associated with the purity that I think the demonstrators have in this regard.

So I just try to do the right thing. So sometimes that puts me at odds with the policemen, sometimes it puts me at odds with the community, sometimes it puts me at odds with City Council, sometimes it puts me at odds internally within my -- my own directors and -- and -- and commissioners. It -- it just puts me at odds.

But I really do try to stay focused on -- on what the truth of the matter is and doing the right thing. That's why I'm talking -- having this process today, because, you know, a
lot of people want to say what the mayor said or
-- or imply what the mayor meant by that and I
-- I don't think I'm that difficult to
understand. So -- and so -- and so -- and I
always tell people if you didn't hear it come
out of my mouth, I didn't say it.

And so that's why I'm trying to be
clear with people today that we believe we have
a problem within the Division of Police. We
don't think it's a systemic failure, but we do
believe we have a problem. We will ferret out
from the DOJ's report in our internal review of
their report as to what we believe are
legitimate concerns.

And then we will reach a consent decree
with the Department of Justice and are perfectly
willing to have a monitor to ensure
implementation of that, because I want to see
the change. I want to see the reform. I do not
want children to die at the hand of police
officers. I do not want adults to die at the
hand of police officers.

And -- and -- and if we need to correct
behavior or correct policy or correct whatever
or do things in addition to what we're doing to
better ensure that, then I -- then that's what
we'll do, but at the same time, I don't want a
policeman not to be able to go home, because he
was killed on the street, because he didn't --
he didn't do something that he should have done,
whether it's a tactical thing or he did --
didn't do something or -- or -- or was
hesitating, because he didn't know if he was
going to be sued or -- or fired because -- so he
hesitates.

So I don't want that either. You know,
police officers are -- are -- are here and
that's who we call. And the only thing we ask
them when they come out is to be professional in
what they do, to abide by -- and have the
sensitivity of the situation that they're
dealing with at that moment and to handle it in
-- in a professional way.

So I -- so those are the competing
interests. So I just try to do the right thing
in regards to it and just let it fall where it
may.

REPORTER 5: But in your
reference to you're going to take some
additional action as you negotiate --
MAYOR JACKSON: Right.

REPORTER 5: -- with the Justice Department. Sir, that's a process that's going to take a while now.

MAYOR JACKSON: That's correct.

REPORTER 5: Do you expect -- do you anticipate changing anything about use of force tactics for this?

MAYOR JACKSON: Yes, yes, yes. We -- we -- we are already -- we have done some things leading up to the Department of Justice finding and we intend to continue to do things and as we talk to the Department of Justice, as they then are focused in telling us things and we see through our own internal kind of a look at this that that is right and we intend to make those changes before we reached -- reached a final consent decree. We -- we intend to do that, yes. Yes, sir?

REPORTER 6: Thank you, Mayor. You and the Chief have repeatedly said last week during the press conference and you just said it again that there were things in the report that you accept or agree that there's a problem.

MAYOR JACKSON: We agree as a
general principle that we have a problem.

REPORTER 6: So there are -- so specifically what is a couple examples of things that you see as a problem? Because truly, in a report that large, there are things on face value that should be accepted or rejected and some of the things, you know, reiterate issues that have been raised years earlier; specifically about paperwork, statements of officers and excessive force that are not -- the complaints and the statements -- questions have been raised about their accuracy. So what in that report is -- that you accept right now is a problem?

MAYOR JACKSON: And what I'm saying to you rather than just be helter-skelter about this, we're going to do a complete review and when we complete that review, you will be -- you will be privy to it just like the rest of the world, but I'm not going to sit here now and just pick out one thing and say is wrong and one thing and say it's right or one -- or draw a conclusion or -- or say that that conclusion is wrong or draw another conclusion and say it's right.
I'm not going to do that, but I -- but my commitment to you and to everyone else and to the community, in particular, you just happen to be the vehicle to the community, is that we looking at that report. We are dealing with that report in very specific ways about specific things and those things that have been demonstrated once we complete that, that we need to correct, we will be proceeding in that immediately.

There may be some things in there that we want to correct that maybe we may be hindered by a -- a collective bargaining, we may be hindered by -- by other external rules. We don't know. Then there are things that are in that report that really falls back on us that are -- that we then have to look at some external changing of things too in order to make what we do more effective, but yes, I will -- we will do that, but I -- I just can't answer the specifics right now.

REPORTER 6: One related follow-up?

MAYOR JACKSON: Right.

REPORTER 6: Yes, can you shed
any light on the fact that obviously you guys talked to the Department of Justice about that release, and I don't know whether they gave you a hard copy or not, if you got briefed on --

    MAYOR JACKSON: A day before.
    REPORTER 6: So you never had any insight at all.
    MAYOR JACKSON: Oh, yeah, yeah. We had -- we had --
    REPORTER 6: Which I'm getting at is: Did you challenge any of their initial findings that were verbally given to you guys months ago?
    MAYOR JACKSON: Oh, yes, yes. We -- we -- we pointed out that we would have disagreements, yes. And that's why even with Mr. Dettelbach, he said that he knew we were not going to agree on everything. Some of the specifics may be off in our -- you know, in our opinion, some of the findings may not be as -- as -- as they wrote it in their findings.

    So yeah, we -- we -- we said to them, that, you know, "These things that you're mentioning here, these examples may not be accurate or correct, but as we go on and you
release your findings, we will work with you and we will -- we will then communicate to you what our side of this is. If -- you know, this -- regardless of what people may think, this is -- this is a -- this is a legal court kind of proceeding going on here. And so you have different sides to this.

REPORTER 6: But if you -- if you resist, you could go to court and then that testimony would be there where you guys could fight it out in court.

MAYOR JACKSON: Mark, the truth is the truth. And -- and -- and if we can reach a consent decree before that, then there's no -- there's no necessity to go in court and we'll accept a monitor on that. If, in fact, we can't, then -- then -- then it will be out to everybody to make a decision as to which side is correct.

Ultimately, the Court will make that decision, but I just want everyone to understand that these are -- and I don't want to use the word "allegations," but these -- this is the position of the Department of Justice. They have served us, in a sense, with their findings
and now we are responding to that finding and -- and as to what the process is when you go through any kind of legal proceeding. And -- and the goal is to get to both the Department of Justice, now this is I do believe, that at the end of the day the Department of Justice and the City of Cleveland have the same purpose in mind.

That is to come up with a motto of how to do policing that ensures a constitutional right, but at the same time does not put police officers in jeopardy. And -- and to build that trust with the community. We have that. We just have a difference maybe on the road to that -- to that destination and that is the process that we're going to go through.

We are in contact with them, as you mentioned. We talked to them before the finding. We're in contact with them now. We'll be meeting next week with them, you know, our lawyers, their lawyers. So we're -- we're in the process and it's -- it's moving towards that conclusion. Yes, sir?

REPORTER 7: You had mentioned that one of your problems with the DOJ report is that it didn't take into account these external
factors. Talk about some of these external factors that you say are part of the complaint.

MAYOR JACKSON: Well, it's -- I've been very public, so it's not like I'm doing something new here. And I've been public about it even before the DOJ's report, so but I will recite some. There is -- there is probably a pattern of practice in our entire criminal justice system in the process of it.

You know, who gets arrested, who gets charged and charged with what? You know, once they are charged, who gets indicted and who doesn't get indicted? And then if you are indicted and you're convicted, who gets this amount of time and who gets that amount of time?

And then when you put a -- a layer of police on there, that disparity sometimes gets even greater, because if you're talking citizen to citizen, that's one thing. This citizen disparity in terms of what happened to this citizen and that citizen, that's one thing, but when you put the police in there, the police are treated differently in the criminal justice system.

And -- and -- and when you do that and
-- I'll give you a perfect example. We -- we've -- we've terminated police officers not just involving a -- a use of force or use of deadly force. We've suspended police officers without pay. We've done many kinds of disciplinary actions against police officers. And they invariably are taken to the -- to the arbitrator.

And invariably, the arbitrator will say, "Well, City, you were right, but maybe you were too harsh, so bring them back. Bring them back. If you demote them, give them their rank back and give them back pay. If you fire them, bring them back to work if you've given them too many days" in the arbitrator's mind.

So if you -- if you -- so then, that's an issue when it comes to how do you discipline employees and hold employees accountable when you're going to be measured as to whether or not you took appropriate action. Even if you do take appropriate action, that may be overturned. But let's say, for instance, on a use of force and you -- you sent it to -- and that's on the administrative side, but let's say it's a use of force and you send it to a prosecutor or to the
Grand Jury, there's not that many police officers that get indicted.

And when they do get indicted, you'll find except for very egregious situations, that a jury will tend to give them the benefit of the doubt. And this has even occurred when -- when there is an indictment, someone goes to trial or if it is not a felony, it might be a misdemeanor. So there are -- there are systemic issues and patterns of practice within the entire criminal justice system.

REPORTER 7: So sir, are you saying if a jury's going to give a police officer the benefit of the doubt, then that means you should give them the benefit of the doubt?

MAYOR JACKSON: No, I'm not saying that.

REPORTER 7: I'm not quite sure I'm following you.

MAYOR JACKSON: No, I'm -- I'm answering your question and if you -- if you remember your question, I'm following it. Your question is for me to give you examples of what I mean by external. And that's what I'm doing.
I'm giving you examples as to where there's disparity in the criminal justice system is not just associated with police.

Police sometimes become the easy one, because it's obvious. They're there. You know, and -- and so they become -- it's easy, but when you get beyond the internal discipline in an administrative way or -- or you get into the criminal justice system, there is disparity when it comes to how a police officer is treated and the average citizen and there is disparity in how an average citizen is treated compared to another average citizen.

It is just -- that is way the system is currently functioning. So for me in order for us to have a type of police force we are desiring to have and to have the level of accountability, then there needs to be some -- some correction external of things that will make it very clear that if you do certain things and you're held accountable in an administrative or in a -- or if we decide to charge somebody, that the external system will also follow suit in regards to that.

Not to say that -- that they must agree
with us, but to say that -- that there should not be a level of disparity in the way in which they approach justice or administrative action. Let's go here and then I'll come back. Did you -- I'll get you.

REPORTER 8: Sir, there's some talk of improvements that have already been implemented and some that are already in the works. So what can you say specifically, you talked about the specific measures, to assure to the public that improvement is already underway?

MAYOR JACKSON: That would be a much better question for the Chief and the director to be honest with you, because they -- they're doing it on an everyday basis, but I can give you like the categories that we're looking at.

One of the things that Layla mentioned was our record keeping. So we're actually looking into record keeping and -- and to see before -- to see if, in fact, there's some issues around record keeping. So we're -- we have haven't concluded that, but if we find that there is something around record keeping that is inappropriate or not adequate, we will make
those changes.

We have over some time, there's an issue around training, use of improper tactics, those kind of things and -- and we have issued General Police Orders, not we, but the division of -- issued General Police Orders around how to use proper tactics letting people know that even if you're justified in using this force, whether lethal or not, but you use inappropriate tactics and you put yourself in a situation where you were forced to use force where you would not have if you -- if you had to use proper tactics, that they will be disciplined on -- on administrative leave on that kind of stuff.

So it's those kind of things that -- that I believe that's one of the things that the DOJ raised about proper tactics and -- and not being -- and putting yourself in a position of having to use force. If you had to use proper tactics, you would not have had to do that. Well, we agree with that and -- and we have made changes in that regard.

We're also looking at and have made some changes saying that if you're on the scene of something and there's been a use of force and
you, as an officer or whether your supervisor or
not believed that that force was inappropriate,
you need to take actions to stop that. And if
your failure to do what you believe is the right
thing and an appropriate thing, then you will be
subject to discipline just like the person who
actually did the -- the use of force.

So it's those -- those kind of things.
So we're -- you know, the question becomes as
was pointed out how do you get from a General
Police Order or a policy and you give that down
to the rank and file and that becomes -- that's
the process that I think one of the things the
DOJ is talking about.

REPORTER 8: One thing I found
interesting about Dettelbach's comments during
the press conference was that he said that
police are sometimes escalating situations, not
de-escalating them. Is there a discussion
about --

MAYOR JACKSON: Yes.

REPORTER 8: -- training to
address that?

MAYOR JACKSON: Well, a lot of
that has to do with sensitivity and -- and --
and how you are -- how are you able to recognize
the situation in a way that you're sensitive to
that situation? And -- and that is some people
-- individuals are better at that than others.
Some will need some -- just some training.
Other people will need training, training,
training, training in regards to that. So -- so
yes, we're looking at that. A lot of it is
around sensitivity.

The other side to that is it's
difficult for me to judge in every case where
that happens, because the police officer may be
responding to an escalation of something by the
person that they're confronting. And so the
question then becomes whether or not it's --
it's appropriate for you to then escalate your
response, because they have.

That goes to the whole training issue
of particularly around people who -- who may
have some mental illness and things and to
recognize that and then how do we quickly engage
either someone else who is better able and
equipped to deal with that individual or how do
we train our -- our officers in a way that they
have a better appreciation as to how to behave
in that -- in that situation?

And we found when we do that, officers are very receptive to that, because they want to -- they want to know how should they deal with this, because they don't want to also get into some physical confrontation. They would rather talk their way out of it or engage their way out of it rather than having to use force. So those are kind of the things that we're looking at.

Yes, sir.

REPORTER 9: Mayor, thanks. You were talking a lot in this issue here of discussion about the officers on the streets.

MAYOR JACKSON: Right.

REPORTER 9: And you were using some examples, but is this report in your interpretation more about leadership or more about the officers on the streets? And if it's about the leadership, where would you make changes?

MAYOR JACKSON: Well, it's about -- it's about three things. It's about I think they mention specifically about supervision and -- and whether or not supervisors are taking charge. They're talking about the individual
officer and whether or not they're behaving appropriately. And then there is this third part that I think is the most essential part in -- in regards is how do you review that and how do you -- how do you after -- whatever happens happens, how do you then review that and -- and have a level of accountability and things like that. Those, I think, are the three areas.

So yeah, the report was very clear that they have a concern about supervision, and very clear about they have a concern about officers' immediate reactions to things that may be inappropriate and I think they pointed out this third side too. And that is how do you -- how do you ensure that -- even if you do have good policies and good General Police Orders, how do you ensure that there's a level of accountability so people know that if you cross this line, then -- then you will be held accountable for it?

Again, that's where I go about why that is not just -- that -- that rests primarily with the Division of Police. Primarily, it rests with the Division of Police, but there's also that external factor that will validate that's
holding people accountable that is very important, because if -- if people believe that, "Okay. You did what you could do, but at the end of the day, I'm not going to be held accountable," they -- they tend not to be as on their -- on their game or disciplined about it.

Let me get first you, sir.

REPORTER 10: All right.

Mayor, you grew up in such a neighborhood --

MAYOR JACKSON: Yeah.

REPORTER 10: -- in the 1960's.

MAYOR JACKSON: Right.

REPORTER 10: It's a pretty volatile time.

MAYOR JACKSON: Volatile time all the time. Volatile now sometime.

REPORTER 10: You have a relationship growing up in it. You didn't grow up in Pepper Pike. You can agree with that. The relationship that the neighborhood had with the Cleveland police officers then, do you think it's any better especially now in the City that is -- is more than 50 percent minority?

MAYOR JACKSON: I know this sounds like I'm not answering, but I am. It's a
yes or no situation. I'll tell you why. It is yes, that it's better, because I've actually seen police officers diffuse things. I've seen them confront young people in a way where they maybe could have arrested them, but they did what they would do perhaps in a more affluent environment, affluent community where they'd actually take them home and they -- you know, and they'd talk to them. They engage with them, so I've seen that. I've seen that.

And I've seen more of that over the last, you know, ten years or so than -- than I've seen when I was a kid, but -- but so yes, I've seen them.

No, because I actually still see some that are just pretty -- pretty straightforward about how they approach communities in situations. It's either, "You do what I say or you're going to jail" and I think that -- that kind of brings a sense of -- of a -- of a person believing that they're not being respected. Then that begins to escalate. Okay. Now so I've seen both.

I will tell you that -- you know, as you say, I stayed in the Central area. I still
stay in the Central area, on 38th and Central and -- and I have an 18-year-old grandson that has been on his face on the ground and police over him, not that he did anything, not that he did anything, but it's just the area you're living in and things are going on and the police come and they try to control the situation. So he's face down in the -- on the ground in the mud while they check everything out, "It's okay. You can go."

I have a granddaughter that when she was -- and I know you probably remember, who was arrested by police for something that she should not have been arrested for and as a result of that, she went to trial and was found not guilty by a jury and -- and -- and -- and exonerated from it, but she spent a night in jail in which -- which she did not like then and as she remembers now.

But I also have a 12-year-old greatgrandson who was caught out after curfew and lectured by the police and brought home -- and so that I could chastise him. And -- and he didn't know who -- who he was when he stopped him, but he could have, you know, got real
aggressive with him, but he didn't do it, you know.

So -- so my point is -- is -- is there's a variety of experience. Now let -- let me point out --

REPORTER 10: What is -- I'm sorry, Mayor. What do you believe is the overall level of trust between the residents that you swore an oath to -- to be their leader and the officers who swore an oath to -- to protect, do you think as you sit here today, there's a good relationship between your community and your police department?

MAYOR JACKSON: And -- and when you say "my community," I'm assuming you mean an African-American community.

REPORTER 10: No, I mean --

MAYOR JACKSON: So you need to distinguish please for me.

REPORTER 10: Now you're making an assumption. I'm talking about --

MAYOR JACKSON: Well, you said "my community." My community where I live or --

REPORTER 10: Your community where you're the mayor of the community.
MAYOR JACKSON: When you said "my community," where I live or the City of Cleveland?

REPORTER 10: The community overall.

MAYOR JACKSON: And I would say as -- I would say as a general rule, yes, there is trust. I will say in terms of specific -- at specific times that I think, no, but as a general, I would say yes. And -- and I say that, I say that because again, when I -- you know, from the phone calls we get and all these other kinds of things and -- and when I go out into my neighborhoods and I talk to people, people welcome the police.

We have pretty -- let me back up a little. Give me a little time on this one, but the quick answer is yes, I believe, there is trust, but it doesn't always happen throughout the City of Cleveland in every part of the City of Cleveland. And in some parts of the City of Cleveland, there's a high level of mistrust. But let me point out something to you, that even in those areas where you would think there's not a trust of police, I've yet to have that
community or that neighborhood tell me, "Don't have police come here."

We have -- we live -- we're in an urban environment. We're not in a suburban or a rural environment. We have urban challenges that are associated with the high availability of guns in the hands of younger and younger people, in the hands of people who shouldn't have it, there is drug activity, there is all kinds of things going in an urban environment.

And that type of policeman and that type of policing is very aggressive and we have initiatives around that, whether it's V-GRIP, our gun suppression initiative, we work with the highway patrol and the county sheriff when we go into an area and saturate that area with police officers, both the county, DEA, FBI come and get me to a point.

And when we do that, I've yet to hear a community, even in an area of the community where you would say that there is a less of a trust than other areas, I've yet to have that neighborhood, that community, tell us not to have them police be there. I've had them say to us, "When are you coming back? And thank you
for being here." So -- so -- so the thing around trust is it -- it goes -- you know, it's a broader kind of issue. And as a general rule, there is trust in the police.

In some areas there is less trust of the police and -- and in some areas there's a mistrust of police, but even in those areas where there's less trust and mistrust, I've yet to have that community tell me not to have the police come there. As a matter of fact, I have other communities say, "When are you coming here?"

REPORTER 10: Mr. Mayor, you said --

MAYOR JACKSON: No, before you say anything, no, he didn't ask. Let me -- he can ask me his question.

REPORTER 11: Thank you, Mr. Mayor. Other communities that have been involved with the DOJ concerns previously, a couple things that they have generally in common was there's been some change in leadership somewhere. You know, some new blood somewhere higher up in command. They had citizen complaints to authorities that had an outside
transparent investigation of the police shootings. And they had the consent decree which I thought I heard you say may or may not happen and you can address if I heard it wrong?

MAYOR JACKSON: No, I didn't -- I didn't say that. I'm saying my -- my -- we are working towards one happening. What the question was that "If it didn't happen, are you going to court?" And I said, "Well, that's right." But our goal is to have one.

REPORTER 11: Do you support an independent, outside investigating body for the police shootings?

MAYOR JACKSON: Oh, yeah. I can answer that right off the top. As a matter of fact, not only do we support it, I have -- I have attempted on several occasions to see if we could have that happen. And I'm not saying anything new here. We originally thought that what is that state department, Bureau of Criminal Investigations?

REPORTER 11: BCI.

MAYOR JACKSON: BCI, I had originally hoped that they would pan out to be the investigators of it. However, I lost
confidence in how they handled the East Cleveland shooting. So we're looking at -- and I -- I've actually talked to the FBI about whether or not they would be willing and their issue is they don't have jurisdiction. Unless it raises to a certain level, then they come in and they take over.

Even on this particular case that we're looking at with the 12-year-old, we were having conversation with -- if I -- let me finish, with the County Prosecutor who -- who is -- who is intensely reviewing our process. And he himself can not do that. It would have to be the county sheriff that would do that. So I'm in complete support. As a matter of fact, I -- I believe that the best way to do it is to have external eyes look at anything in regards to use of force by police. I think that is the right way to go. Yes?

REPORTER 12: And -- and you've already answered that you have faith in -- in your command, so I'm assuming you're --

MAYOR JACKSON: Right.

REPORTER 12: -- not making changes in the Division of Police command, but
do you worry how that is perceived, and I'm not criticizing anyone in your command --

MAYOR JACKSON: Right.

REPORTER 12: -- but after the East Cleveland shooting, three of your top people got promoted; okay? So what I'm worried about is the perception that some people say there is a problem with the people that tended to have received promotions.

MAYOR JACKSON: Well, there are -- to some, that is a -- a problem and they're very boisterous about that. For most people I talked to it's not a problem and they're not as boisterous about it. Now do I have confidence in the individuals? Yes, I do. I do. And I will say that much of those changes that have occurred is through their effort and through their tenacity of -- of pushing those things from top to bottom. Have they been successful in -- in -- in making the kind of changes that we would like to have? Not completely. No.

No, but I don't think any of us when you're dealing with major institutions and organizations even with the best intent, are
able to turn that 100 miles an hour freight
train around on a hairpin.

REPORTER 12: But do you think
sometimes, I don't know if it happens, but do
you think sometimes new blood, fresh blood --

MAYOR JACKSON: Yes.

REPORTER 12: -- or outside
blood --

MAYOR JACKSON: Yes.

REPORTER 12: -- will get a
chance to put --

MAYOR JACKSON: Yes, I believe
having new blood and an external review an
evaluation, yes, and -- and because all of us
get institionalized, even those who have the
best intentions and -- and we wind up being
institutionalized. And so it's always good to
have fresh and new blood to bring to bear on
situations as -- as they present themselves.

So -- so and I'm not opposed to that.
I actually welcome that, but I do believe that
at this time that we have a Department of
Justice review that we have to go through. And
that at the end of that process, it will make
some recommendations, we will agree on a consent
decree and we will welcome a monitor, which we believe will be an outside kind of thing, and -- and we will look at all aspects of what makes it best for us to do implementation.

REPORTER 12: When do you think you'll get an agreement, because I'll bet those negotiations are tough?

MAYOR JACKSON: Well, you know, I've -- you know, I've -- some of those take years and some of them take months. None of them have taken weeks; right? And so we want to be on the -- on the month's side, not the year's side. And -- and as we go through this, some -- we will -- I'm confident in talking to the U.s. Attorney Dettelbach and -- and in talking to even those who people want to get rid of, McGrath, that I'm confident that we will have a consent decree.

And I'm confident in that consent decree that it will make some recommendations that -- that we will agree on even if we don't like it. And -- and I think the same on the other side too. He's first and then you. Go ahead.

REPORTER 13: Thank you, Mayor.
MAYOR JACKSON:  Uh-huh.

REPORTER 13:  So the first time you read this report --

MAYOR JACKSON:  Uh-huh.

REPORTER 13:  -- was there anything in there that shocked you, surprised you, made your jaw drop, shake your head?  I mean you asked for this, but was there anything in there that you said, "I just can't believe this?"

MAYOR JACKSON:  That goes to -- that goes to Mark's question.

REPORTER 13:  Yeah.

MAYOR JACKSON:  And the fact that they --

REPORTER MARK:  We're a double team.

REPORTER 13:  Right, right.

MAYOR JACKSON:  The fact that they had -- I don't want to say softened me up, but the fact that they gave us a general notion of what would be there, so when they put it in writing, I wasn't shocked.  I wasn't shocked, but not being shocked doesn't mean that I wasn't --
REPORTER 13: Surprised?

MAYOR JACKSON: No, not surprised. I think they were pretty -- they were pretty clear up front that they were going to find some stuff that we weren't going to be happy with. They were pretty clear up front, so -- so -- so even though I wasn't shocked, you know, I was saying, "Well, you know, this is exactly what they said they were going to do" So in that vein, but I wasn't -- I wasn't shocked by it.

Now if your -- if the question is would I be shocked if all of what they said I believed to be true? Yeah, I'd be shocked then because that would mean that, you know, a whole lot of things. It just so happens that there are things that we disagree in there with and we'll go through a process of -- of talking about that with them and reach some agreement with them on those things that we can agree on.

And I'm pretty sure there'll be things in there that they're not going -- they're not going to budge from. I'm pretty sure that that's going to happen.

REPORTER 13: A second --
second question, raised by critics --

MAYOR JACKSON: Right.

REPORTER 13: -- and raised by
the grapevines that write editorials.

MAYOR JACKSON: Uh-huh.

REPORTER 13: The ultimate
responsibility for oversight of the Safety
Department, you appoint the chief, you appoint
the officers, command staff.

MAYOR JACKSON: Right.

REPORTER 13: How much
responsibility do you bear for what's described
in the report?

MAYOR JACKSON: I -- I bear all
responsibility for anything in there that's true
or that's factual. I'm the Mayor. And -- and
-- you know, I'm not going to blame somebody
else for that. You know, it's just like me
having my staff meeting and cabinet meeting and
I imagine even in your organization meeting,
your or whoever is above you have a direct
conversation with you how in the heck did you do
this or that?

You know, we have the same thing.
We're a city. We do the same thing here, but
at the end of the day, I am the Mayor and -- and 
-- and ultimately, I bear all the responsibility 
of anything in there that is -- that is accurate 
-- and -- and that has not been changed even to 
the point of those things that we were aware of 
and agreed to. Agreed that, you know what? 
You're right about this.

And the fact that we did things in 
order to correct that particular thing and it 
didn't happen, then -- then ultimately, I'm 
responsible for that. And -- and -- and I let 
those know who I relied on to make that happen 
that didn't that I was not happy about it. Yes, 
sir?

REPORTER 14: Mayor, this picks 
up on what you were just talking about. All the 
issues outlined in the police force report -- 

MAYOR JACKSON: Right.

REPORTER 14: -- how did it get 
to this point that there's -- you know what, 
they have to amend without you or somebody in 
the top safety leadership recognizing there were 
this many problems?

MAYOR JACKSON: Well, again, 
assuming the accuracy of it. What I'm saying to
you is that we have recognized that we have problems. We have attempted to deal with those. Some -- some things we've been successful. Some things we have not. And as you know, this came about through a series of events that culminated in this report.

And -- and so those things that became high profile and those things that became very intense, you know, resulted in this report and them being here, but we were aware of -- of things that we recognized in this report as we go through it that were legitimate and we have taken steps to correct some of that, those things.

And -- and there were other things that they're raising in there that we're looking at that may be we didn't see. And so we're going to take steps in correcting those. Once we recognize that that's a legitimate concern, then we should deal with that.

UNKNOWN VOICE: Mayor?

MAYOR JACKSON: There was -- yes. Did you have something yet?

UNKNOWN VOICE: Yes, sir.

MAYOR JACKSON: Okay. Go ahead.
REPORTER 15: On Monday night, your administrators walked out during a city council meeting --

MAYOR JACKSON: Uh-huh.

REPORTER 15: -- in a very dramatic turn of events. There were protesters there. There were all sorts of people calling for resignations of Director Flask and McGrath. Did you know that that was going to happen? When were you -- if not, when were you made aware of it and do you condone that?

MAYOR JACKSON: Let me sequence it for you, so I can give you a full answer. I was at the Word Church having a public dialogue with a -- on a panel and -- and I was not aware that it had happened. Subsequently after leaving the community meeting at the Word Church, I found out that it did happen.

I didn't call anybody at that particular time, but I did ask some people to come to my office early the next day and I asked them, you know, what happened? You know, why did you do this, because it was pretty spontaneous. No one planned to do it is from my understanding. And -- and so once they
articulated to me the reason why they did it, I'm in complete support of it, complete support.

    It wasn't about the demonstrators to a -- to a person, even with Director McGrath. They actually had no problem with the demonstrators. Even though they were asking for his resignation, he had no problem with it. None of my staff or administrators had any problem with that. We -- I think council, as a whole, we did not have any problem with council, as a whole, in terms of them as a body taking a position, but where they were concerned with and -- and they just felt that they would not tolerate is what they believed to be a disrespect and personal attack on -- on someone in what they believed to be a nonprofessional way.

    And -- and that they believed and I support that they're not here to be abused. And that if -- if -- if there's a public opinion about something, that's fine. I mean, your editorial board has written the same thing, you know, so that's fine. You know, if demonstrators have said and members of council, they say it, that's -- that's fine. We don't
have a problem with that, but we -- we are here
to -- as public servants and -- and we're not
here to be abused.

REPORTER 15: What was the
specific?

MAYOR JACKSON: Well, I was not
there, but if my -- I have a professional
cabinet. And they have more years in government
than I am alive. And -- and -- and -- and so
they have gone through council hearings, they've
gone through public hearings, they've gone
through all of that. So they -- their skin is
pretty thick, pretty thick. And if they felt
that way, then I honor their feelings. And if
they believed that is the action that they
needed to take at that point in time, based on
what they communicated to me, then I support
their actions.

REPORTER 16: So their specific
-- their specific beef was with Jeff Johnson's
treatment of -- of Mr. McGrath?

MAYOR JACKSON: I was -- I was
not there.

REPORTER 16: Is that what they
said to you though; is that how they -- is that
how they explained it to you, Mayor?

    MAYOR JACKSON: I'll get to you.

Do you watch -- do you watch this stuff all day
or I mean, do you just come in on certain
moments when something happens? And the reason
I ask that with no disrespect is that this stuff
just doesn't happen in isolation. There's
context and -- and when you go through a -- a
day of -- of -- of hearing I think safety -- was
that? how long was safety at your table?

    UNKNOWN VOICE: Yesterday?

    MAYOR JACKSON: No, on Monday

night.

    UNKNOWN VOICE: Monday night,

about two hours.

    MAYOR JACKSON: Two hours. And

-- and -- and -- and if you look at that two
hours and -- and you look at what transpired
between two hours and then when you get into,
you know, having early in the morning, you get
into council committee hearings and what happens
and then you -- what happens, then you got to
the floor council, and I'll remind you, this was
at a miscellaneous when council people were
allowed, and rightly so, to make public comments
about stuff.

So it's not just one thing, you know. It is about what has happened over a course of time that culminated in that. And so that -- that is what they responded to. They didn't respond to just one thing. It's -- it's a -- it's a combination of things that led to their actions that I supported.

REPORTER 17: Mayor, you said you've lost confidence in BCI at the Attorney General's Office.

MAYOR JACKSON: Yes.

REPORTER 17: Can you explain?

MAYOR JACKSON: Again, this is one of the -- one of the problems that I have to be honest with you which is that I will explain it again, let me put it this way, is that if you remember when there was -- before the Attorney General had his press conference on the release of investigation. And I told you all this, he actually called me and said that these officers did nothing wrong. And that if he was the county prosecutor, he wouldn't indict them.

Well, right away I said, "Well, is that your role? You're an investigator. You're
dealing with the forensics of things. You're
dealing with interviewing witnesses. You're
recreating the scene, so you can investigate.
And then you're going to go turn it over to the
county prosecutor who then makes a determination
whether there's probable cause to take it to a
Grand Jury."

So I just thought that his comment and
his attitude was premature in regards to that.
And then when I looked at the -- I didn't look
at it, but our people looked at the videos of --
of how they interviewed the officers there and
then we looked at the releasing of the
information that was unprecedented in criminal
proceedings, unprecedented. And -- and the same
type of information that he refused to release
down there in the Dayton shooting of a police
officer of a person at the Walmart, "Well, you
released it here. Why didn't you do it -- you
know, you don't" so -- so -- so I just don't
have the confidence that it's going to be an
objective, transparent, due process kind of
investigation because of statements made to me
directly where they drew conclusions. How can
you have that conclusion?
And then that's the same reason why whoever it was asked me having an external person investigate whether or not all the police shootings or use of force, whether or not it has more validity if you have somebody external? Well, yes, it does, because you -- you then assume that they're going to be objective about it. You assume that they're going to do it in a professional way. I don't think that happened. And as a result of that, from that point on, things kind of rolled downhill.

REPORTER 17: Those who have been calling for the resignations --

MAYOR JACKSON: Right.

REPORTER 17: -- of the top officials --

MAYOR JACKSON: I figured that -- figured that would get you fired up, but go ahead.

REPORTER 17: -- they -- they believe that ultimately the top officials --

MAYOR JACKSON: Right.

REPORTER 17: -- are responsible for the behavior of the police, the quality of -- of their policies, quality of
internal investigations and that the culture of
police then trickles down --

MAYOR JACKSON: Right.

REPORTER 17: -- from the top and -- and Director McGrath and -- and --

MAYOR JACKSON: Then Chief McGrath.

REPORTER 17: -- then Chief McGrath and then Director Flask have been around for decades.

MAYOR JACKSON: Right.

REPORTER 17: They were here when the first DOJ --

MAYOR JACKSON: Right.

REPORTER 17: -- investigation took place and -- but you -- you have suggested especially with the case of the -- of the 137 shots --

MAYOR JACKSON: Uh-huh.

REPORTER 17: -- that those were all the result of individual police officers' actions. To what extent when you're talking about 100 officers --

MAYOR JACKSON: Correct.

REPORTER 17: -- who were
involved in some way --

MAYOR JACKSON: Right.

REPORTER 17: -- in an event

that went off the rails as far as adhering to
policies that are in place, at what point does
that land directly on -- on the culture of
policing and the fact that it trickles down from
the top?

MAYOR JACKSON: And -- and I

think in terms of the culture of policing and --
and this whole culture of blue that justifies
any action that a policeman takes on another
policeman is -- they believe their life is in
danger, that -- that culture is there. And --
and -- and it's still there. And that's why you
have to have clear, definable rules in a box of
engagement, so that -- so that that -- so that
they know where they're wrong and where they're
right. And you measure them by whether or not
they stay within that box.

Now you had the chance to review the
DVD that we put together of all the video we had
of -- of that chase. You had the ability to
listen to all of the radio communications that
occurred. And in that, you would probably have
to admit that there were officers and
supervisors who did the right thing and followed
protocol, followed General Police Orders and
policies and procedures.

And there were supervisors who forced
their people in their districts to stand down
and -- and -- and there were officers who obeyed
that. There were other supervisors who chose to
do nothing or -- or participated in doing stuff
that they believed was outside -- they not only
believed, but they knew, because they told you
they knew what -- that they were violating --
you knew they knew that. They told you
they knew it and they deliberately did that,
those supervisors, allowed for that to persist
and some of them participated and we fired them.
We demoted them. We disciplined them. The
arbitor said, "You can't do that even though
you're right."

So my point -- my point is that there
was a clear understanding as to what was right
and wrong here and it was a clear choice by
supervisors which the DOJ points out, clear
choices by some supervisors not only to allow
something to happen that was outside of what
they should do, and some participating in it and
-- and under the Code of Blue, under the Code of
Blue, that that some kind of way -- that's what
the union has told you that that trumped
everything else, trumped everything else.

And then there were those who did the
right thing. They did the right thing. And
so in that, yes, you have a police chief, yes,
you have a director, but to say that they are
the ones that should be terminated when, in
fact, when we took action against the
individuals, the system said, "You can't do it."

And then to say to them that they
should be terminated when they were the ones who
stood up and said it was wrong and they're the
ones who went and did the corrective action.
Now if they had done nothing, if they had done
nothing or if they would have come to me and
said, "Mayor, it's the Code of Blue" or they
would have said that, not directly, but
indirectly, then they would have been fired, but
they didn't do that. They said, "Mayor, this is
wrong."

They clearly knew what they were doing
and they clearly knew that -- that they took
actions and those actions were wrong. And --
and -- and to show that they clearly knew it,
the police officers and the supervisors said
they knew it, including the union, but they
figured that the Code of Blue overrid it. And
this McGrath and Flask said, "That's not so. It
does not overrule it so -- override it."

So they took action and they took very
aggressive action, very aggressive action. Now
if they had done nothing or they would have
tried to justify to me and said it was the Code
of Blue, they would not be here today. Yes,
ma'am?

REPORTER 18: Can you give us
an idea of who is going to be involved on the
City of Cleveland's side in the DOJ --

MAYOR JACKSON: The DOJ?

REPORTER 18: -- negotiations
about the consent decree.

MAYOR JACKSON: What it will
primarily be the lawyers, because, you know,
it's a legal proceeding. Now in that, just like
what all lawyers do, they bring in whoever they
believe are the experts to support their side of
things. So I would imagine it will be Public
Safety, not necessarily the -- the top but those people involved, particularly if it's talking about -- let's say, for instance, talking about Internal Affairs and the comments they made about Internal Affairs.

Then we need to talk to those people in Internal Affairs and find out from them what was attributed to them, was that correct or incorrect and how they attributed it and then from -- so that will be people who will give information, but it will be the attorneys that will be primarily involved.

I will not be hands on on this. Of course, at the end of the day, I'll make the final decision in regards to the work product. You know, the results of the work product in the final decree, but I won't be helping out. So it's -- it's primarily lawyers and whoever else they want to bring in. Now at the same time, if we're doing this in a cooperative way, then we will be willing to talk to agreed upon experts that the DOJ and us agree upon in terms of how do we get their input as to how to correct things, you know, once we identify what the problem is. So it will be a range of
people dealing with the lawyers.

REPORTER 18: You will not be hands on then?

MAYOR JACKSON: I will not be hands on, because I always tell people if I'm -- sometimes a meeting goes much better without a mayor there. When a mayor is there, it tends to kind of push one way or another. So it's always best for me if I want the best work product to stay, I'll get -- I'll get briefed, but and -- and that -- so when -- but for them to then compile something and bring it to me, so I can make a decision.

REPORTER 18: And this may be just beating a -- a dead horse --

MAYOR JACKSON: I think that -- that happens quite often here --

REPORTER 18: But yeah.

MAYOR JACKSON: So don't worry about it.

REPORTER 18: Are asking for or accepting the resignations of Marty Flask and Michael McGrath on the table with this -- with this consent decree?

MAYOR JACKSON: Well, that cannot
be in the consent decree. I mean, I they -- I think -- I think Mr. Dettelbach was very clear at his testimony before the council that he's not even looking at some stuff like that. He's looking at what he calls to be problems within the division that lead to a pattern of behavior, a pattern and practice that leads to a constitutional violation.

REPORTER 18: So it won't be a part of the consent decree?

MAYOR JACKSON: No, it's not -- it's not a part of that. No, no, it would not be part of the consent decree. There was somebody --

REPORTER 19: Mayor, when are you -- when are you starting to go into negotiations? When do those start?

MAYOR JACKSON: Oh, they -- they've already started. They've pretty much have already started. They will -- I believe that I have to talk to the lawyers, but I believe that the structure of how you perceive setting a structure in place that will talk about how do we conduct this and how do we -- how do we get to consensus on stuff and what are
the time periods?

I believe that starts next week, but the discussions are there. It's ongoing. The formal -- formalization of the process, I think, will -- or I know it will start next week, but we're -- we're -- we're -- we're in negotiations already.

REPORTER 20: Mayor, a couple things in the report that don't seem to be in dispute. One would be whether the police department has certain computers or equipment or not.

MAYOR JACKSON: Right, right, right.

REPORTER 20: And if those are things the Justice Department pushes --

MAYOR JACKSON: Uh-huh.

REPORTER 20: -- is that something that you would or feel you have to resist, because the City could not afford to, you know, implement those kind of changes?

MAYOR JACKSON: You know -- you know --

REPORTER 20: I'm talking about the cost.
MAYOR JACKSON: I'm not trying to make light of this, but as a perfect example, if we're talking to -- you know, even three branches of government; legislative, judicial, executive branch and -- but we handle all the budget. So if we say to the legislative body or we say to the judicial system, for example, that "Hey, what about your budget?" They say, "There is no -- there is no -- no cost for justice," so that's the way I feel that we want to do the right thing here.

Fully recognizing that just the use of technology will not resolve the problem. It will help, because people do behave different, both -- not only police officers now, but those who they confront will also behave different if there's cameras there. But we also know external that if you have video doesn't necessarily mean that the process will work its way out to in a way that people feel that there's justice.

So but for an internal situation, I believe that cameras are -- are -- are -- are great tools and is a great technology. Computers are a great technology, because what
it allows you to do is pull up information in
real time that will allow you -- maybe you
behave different or you approach somebody
different if you know they have a felony warrant
for -- or you think or as opposed to a traffic
ticket, if you know that they're a fugitive, so
you approach them different.

(Video and audio of press conference
stops abruptly.)

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CERTIFICATE

I, Mary Bolas-Dietz, do hereby certify that I have transcribed the proceedings of the digital video recording of the press conference held by Mayor Frank G. Jackson, at Cleveland City Hall, on Thursday, December 11, 2014, and that the foregoing is a true and accurate transcript made to the best of my ability.

Mary Bolas-Dietz
Transcriber

Fincun-Mancini Court Reporters
1801 E. Ninth Street
Suite 1720
Cleveland, Ohio 44114
(216) 696-2272
e-mail@fincunmancini.com
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OF CLEVELAND MAYOR FRANK G. JACKSON, AUDIO
ONLY PORTION, HELD AT CITY OF CLEVELAND
CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND,
OHIO 44114 ON THURSDAY, DECEMBER 11, 2014.

IN RE:
DEPARTMENT OF JUSTICE FINDINGS
REGARDING CLEVELAND DIVISION OF POLICE

- - -
MAYOR JACKSON: There was somebody --

REPORTER: Mayor, when are you starting these negotiations? When are those starting?

MAYOR JACKSON: They've already started.

REPORTER: Okay.

MAYOR JACKSON: They pretty much have already started. They will, I believe that -- I have to talk to the lawyers -- but I believe that the structure of how you proceed is setting a structure in place that will talk about how do we conduct this and how do we get to consensus on stuff, what are time periods. I believe that starts next week. But the discussions are there. The formalization of the process, I think, will -- well, I know it will start next week. We're in negotiation already.

REPORTER: Mayor, there were a couple things in the report that don't seem to be in dispute. One would be whether the Police Department has certain computers or equipment, or not.

MAYOR JACKSON: Right, right, right.
REPORTER: And if those are things the Justice Department pushes, is that something that you would or feel you have to resist because the City could not afford to implement those kinds of changes?

MAYOR JACKSON: No.

REPORTER: I'm talking about the cost.

MAYOR JACKSON: You know, I'm not trying to make light of this, but as a perfect example; if we're talking to -- you know, three branches of government, legislative, judicial, executive, right? But we handle all the budget. So if we say to the legislative body or we say to the judicial system, for example, that hey, what about your budget? They said there is no cost for justice. So that's the way I feel, that we want to do the right thing here, fully recognizing that just the use of technology would not resolve the problem. It will help because people do behave different, both, not only police officers now, but those who they confront will also behave different if there's cameras there.
But we also know, external, that if you have video doesn't necessary mean that the process will work its way out in a way that people feel that there is justice. So, but for an internal situation, I believe that cameras are great tools, is a great technology. Computers are great technology, because what it allows you to do is pull up information in real-time, that will allow you -- maybe you behave different or you approach somebody different if you know they have a felony warrant, as opposed to a traffic ticket. If you know that they are a fugitive, so you approach them different, rather than everybody gets approached the same way.

REPORTER: Why didn't we have them then sooner? I mean, it's a cost thing.

MAYOR JACKSON: Well, there's a cost, there's a cost, and that's a driver. But we are putting in technology, we just hadn't intended doing as quickly as the DOJ would mandate under a Consent Decree. But we were moving in that direction.

I just approved over almost $2-3 million for body cameras recently. We've had
What did they call it — pilot projects, pilot on these, in various districts for over a year now. So we're moving in that direction, it's just when you get to this point, that becomes an immediate expenditure. So we were going to get there, but we probably wouldn't have gotten there as quick as we'll get there now if that becomes part of the Consent Decree. It's similar to what's happening with the RNC, and a lot of Republican National —

REPORTER: That's a whole different press conference, but since you bring up, why does Public Square have to be done by the RNC time, that's not part of the proposal? There's a lot of those things —

MAYOR JACKSON: No, it's not.

REPORTER: -- bridges and things that --

MAYOR JACKSON: Of course there is, but see, these things were in effect long before there was a Consent Decree — I mean, before the DOJ findings. So these are things that are in motion. There's significant non-government money in this. You know, we
would like to have, perhaps, some similar arrangements on other obligations we would have under this Consent Decree. But these are things that were in motion. These aren't things that right now we decided to do after we -- that's not the case. That's not the case.

Yes?

REPORTER: So following up on the point introduced there, have the Republicans expressed any concern at all about the events of the last couple of weeks? Do you expect them to? Are they worried or should they be worried that this overarching story is going to maybe override or blur or be a problem for the convention?

MAYOR JACKSON: First of all, they have not expressed concern. As you know, some of the leadership chain is in town now, and I think there was a meeting last night and they'll probably be some ongoing today, and I'll probably be meeting with people today. At no time did they raise that as an issue.

REPORTER: But they have to wonder what's going on.
MAYOR JACKSON: They may wonder, but your question is whether or not they raised it to me. So, no, they have not raised it to me and they haven't hinted that way. Now, I expect fully, when I meet with them, to raise it myself. You know, so that's not an issue. They have not demonstrated that's an issue with them. They have not raised it yet and they have not insinuated or implied that they have an issue with it. They have not. They have not.

Let's go over here first and then we'll come back here.

REPORTER: The week of -- well, last week, I guess, earlier in the week before the DOJ came into town, there was -- you had had a press conference about announcing a $100 million bond issue --

MAYOR JACKSON: Right, that's right.

REPORTER: -- to deal with other things throughout the City, roads and infrastructural things, playgrounds, rec centers. What does that bond issue do to the City's bonding capacity as it relates to the money that you will need to address the
inevitable issues within the Cleveland Police?

    MAYOR JACKSON: What happens is, if you understand the way it happens, because you really borrow money, on the property tax there is, I think, is the unrestricted side, and there's a cap between what's obligated and what's available to do bonding. That's just not with the City of Cleveland, that's County-wide. So what you do is you look at that to see if there's a capacity within that, because if other communities are looking to do a bond that year, they may take up the capacity.

    So I'm saying that to let you know that there are other tools available to accomplish the same end. There are other tools available.

    REPORTER: What are some of those?

    MAYOR JACKSON: Well, you'd have to talk to the Finance Director about that.

    REPORTER: Later, that's not why we're here.

    (Voices talking over one another.)

    MAYOR JACKSON: She's trying to tie it back to if there's technology. That's what
they're trying to tie it back to.

But so you'd have to ask Finance Director, but there are other tools to accommodate that. But since you raised it, I'm pretty sure the next spring you'll be talking about chuckholes, and I'm pretty sure that if they don't get garbage collected in time one day, you'll be talking about vehicles and garbage trucks, why don't you have them. I'm pretty sure that you'll be talking about the condition of public facilities. Well, the world doesn't begin or end with a DOJ report. I got to run the City and I have to run a city in way that addresses not only the operational needs, but the capital needs.

So that bond issuance was around upgrading our fleet so that we have ability to plow snow, pick up trash, dump trucks. It was about upgrading our facilities so that we can make the necessary repairs and build new facilities. It was about roads and bridges so that we can have leverage money to bring in additional state and NOACA dollars to repair our roads and our bridges, and things like -- so that's what that was about.
Also, it was about how do we increase private investment into communities that have challenges, through private investment. So the City doesn't stop, begin or end with that. Also, in that bond issuance is money for body cameras for police. So you know, it's a city to run, and with all of its challenges at any moment in time.

Yes, ma'am?

REPORTER: To go back to the walk-out from the meeting the other night, which you said you supported, I mean, it seems to me like the priority would be the rebuilding public confidence that the administration is responsive to their concerns, and that activity seems like, even if the feelings of those officials were legitimate, it certainly doesn't contribute to rebuilding trust.

MAYOR JACKSON: I don't -- I've yet to here anybody from the public disagree with their action. But I think the reason why they walked out and what led to their walk out didn't contribute to public trust either. So I've yet to hear anybody complain about the
actions that they took. I don't know for
sure, because I didn't talk to the
demonstrators, but from what I hear, they were
fully aware that it had nothing to do with
them. I believe there are council members who
realized that they had nothing to do with
them.

You have to be here and you have to
experience here, in order to have a greater
appreciation for what they did and why. These
are professional people. They just don't do
stuff on a whim, and particularly, they don't
do stuff and the first thing, what's the Mayor
going to say about this. They just don't do
those kind of things. So if they did it, they
did it, and they didn't -- it wasn't planned,
and it was spontaneous and it was in unison.

But the public trust is something that
we value and that we work on constantly.
Losing trust is a hard thing to regain. So we
know that, so we value.

Yes?

REPORTER: My last question.
Did the Tamir Rice shooting influence or
change your thinking towards that DOJ report,
in terms of maybe even a position you would
take or push back, or anything of that
nature? How did that change (inaudible) of
their actions?

MAYOR JACKSON: The Tamir Rice

shooting, let me put it this way and then I'll
get specific. You know you've asked me and
every reporter I know has always asked me,
what are you most proud about and what are the
things that you -- my constant answer is what?
Ask me when I'm no longer Mayor and I'll tell
you what I'm proud about and what I'm not
proud about, and then because at that time,
I'll be no longer Mayor, I can have time to
reflect. I will tell you that if you ask me
that question on the day, I would say the
shooting of Tamir Rice was the worst time I've
experienced as Mayor. You know, that's
completely contrary to what I have said,
right?

So if you asked me that right now, so
that has impacted on me. It's the impact it
has on this city and to be perfectly honest
with you, the impact it has on this Division
of Police, and the men and women of the Police
Department. So, with that, when you look at this DOJ report, you can't escape that being in your mind, because it has become part of Cleveland now. It's a part that I really have a difficult time talking about.

REPORTER: Regarding the Tamir Rice shooting, the surveillance tape which was captured, when will that be released?

MAYOR JACKSON: Surveillance, I think they released it, didn't they?

REPORTER: Oh.

MAYOR JACKSON: You're talking about the one at the gazebo on the shooting?

REPORTER: Yeah, but the tape at the news conference a week or two ago, it cuts off immediately after --

MAYOR JACKSON: Oh, you mean in its entirety?

REPORTER: Correct.

MAYOR JACKSON: That, I do not know. You would have to talk to our Law Department communications and do a public records request, and that will go through the process, and they will make that determination based on the investigation, and whether they think it
is appropriate or not. But I don't know. I know it was, as they told you then, it was for a short period of time.

REPORTER: If Melanie can speak to that course one last time (inaudible) can understand, but you mentioned how you can become institutionalized in your thinking --

MAYOR JACKSON: Uh-huh.

REPORTER: -- and maybe you don't see things as clearly --

MAYOR JACKSON: No, I said we all are.

REPORTER: We all are --

MAYOR JACKSON: We all are. I mean, it's just a fact of life.

(Talking over each other.)

REPORTER: -- outside in life.

MAYOR JACKSON: Right.

REPORTER: You don't think that would be the case, though, with Safety Director McGrath or Mr. Flask, or any of them? You don't feel like they're too institutionalized to see --

MAYOR JACKSON: No, no, I --

REPORTER: -- to see the full
picture?

    MAYOR JACKSON: Let me put it to you this way; we are all institutionalized in some form or another. Once you become part of an organization, you stay there a while, it happens. It's inevitable. That's why I go back to saying I appreciate the demonstrators, because they kind of shed a black and white light on this thing, know what I mean; where we're clouded sometimes, because we're caught up in process and procedure.

    Now, to say that they're not part of a system, to say that they're not part of, as the young people would say, we're part of the establishment, would be wrong. Yeah, they're part of the establishment. So am I and so are you. The question becomes, as Layla and Mark has pointed out, is whether or not there's clarity in their decision-making and effectiveness in their decision-making. I happen to have confidence in that part of them. But, yes, they're institutionalized, just like I am and you are, but not to the point that they're ineffective. That's the point I'm making.
REPORTER: I understand. As far as the Consent Decree, following up on that question, you don't anticipate the DOJ saying that, you know, the departure of those two or if one of those two should be part of the Consent Decree; and if it is, you're saying it's off the table? (Inaudible.)

MAYOR JACKSON: No, I think Mr. Dettelbach said that that is not the purview of his report. Neither will it be part of how he's going to proceed in terms of a Consent Decree or a monitor.

REPORTER: So you don't expect him to push (inaudible) --

MAYOR JACKSON: No, I don't expect him to do that. Now, I do expect the Plain Dealer to continue down that path, and I do expect demonstrators to do that too. I do expect that. But in terms of Mr. Dettelbach, I think he was very clear that that's not what he's looking at. He's looking at the pattern and the practices, and what we need to do to correct that, not at personnel issues or leadership issue.

REPORTER: You talked about the
demonstrators. What about blocking motorists trying to get home from work?

MAYOR JACKSON: Well, you know,
that's the inconvenience of freedom. It's an inconvenience of people exercising their Constitutional right. You know, there was a lot of Twittering and Facebooking around, they should do something about this. I got to get home. You know, they was having rush hour rage, demonstration rage, right?

But we're not going to do that. We're going to allow people to demonstrate, and they have a right to demonstrate, as long as they stay within -- you know, they weren't violent. They were actually being very respectful and they didn't disobey anything. They say we want to go over here, we said, okay, let's take you over here. We want to block -- they going to block the freeway, we stopped the traffic on the freeway, we didn't want them to get runned over. So I didn't have a problem with it.

I know that from -- I don't do Twitter or Facebook, but those who do do it, told me about frustration and anxiety of some
commuters and all that. But I think weighing
all of the factors involved and looking at
what they had a right to do, and the way in
which they did it, I didn't have a problem
with it.

Well, I thank you very much. I thank
you. Before you leave, I do want to say to
you that I'm going to have ongoing
collection. It may not be when you want it
or it may not be as frequent, but we will have
ongoing conversations with you, in regards to
whatever's happening at that time. Dan
Williams is the communications person. You
will find that if you try to go around him,
you might not get anything done, but if you go
directly to him, we will figure out a way in
which to accommodate your wishes, okay?

Thank you very much.

(Recording concluded.)

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State of Ohio,    )
    ) SS:
County of Cuyahoga.)

CERTIFICATE

I, Steven E. Mengelkamp, do hereby certify that I have transcribed the proceedings of the digital audio recording of the continued press conference of Mayor Frank Jackson, at Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio, on Thursday, December 11, 2014, and that the foregoing is a true and accurate transcript made to the best of my ability.

Transcriber

FINCUN-MANCINI COURT REPORTERS
1801 East Ninth Street
Suite 1720
Cleveland, Ohio 44114
(216) 696-2272
(216) 696-2275 FAX

FINCUN-MANCINI -- THE COURT REPORTERS
(216) 696-2272