

City of Akron Use of Force Policy and Practices Review

Frequently Asked Questions (FAQ)

1. Why is our city doing this review?

Over the last several years, there have been several incidents of police use of force that have caused significant pain and concern in our community – especially incidents resulting in loss of life. Our new city police auditor has been reviewing specific use of force incidents, and one repeated recommendation from his office has been to review and revise the underlying use of force policy. And while there have been previous reports focused on topics like policing or racial equity, there has never been a review or report focused specifically on use of force.

From 2012 to 2020 the city spent less than \$1 million total on settlements related to police use of force. From 2020 to the present, the city has spent \$6.65 million on such settlements, an unsustainable trend.

Additionally, our officers do difficult work on a daily basis, and facts show that they are encountering individuals with illegal weapons much more frequently over the last few years. We need to be proactive about how officers engage in those encounters, and a review allows us to make sure our officers are well-trained and supported so that force is used appropriately.

The relationship between our community and our police officers is crucial and building transparency and trust between law enforcement and the citizens they serve is a critical part of this review. Paul, Weiss is proposing a significant amount of engagement around community and law enforcement perspectives regarding police use of force. They will conduct engagement with our police union and officers as well as our residents, councilmembers, Citizen's Police Oversight Board, Police Auditor, and other stakeholders.

Given all of the above, our administration believes that systemic change requires a deep dive into our policy, practices, and culture around use of force and do everything possible to make incidents involving deadly force less likely.

2. What will the review focus on and what will we get out of it?

The teams from [Paul, Weiss](#) and [21 CP Solutions](#) will undertake a thorough review and assessment of the department's use of force and related policies and trainings in the City of Akron. Their goal will be to review APD's programs, policies, and practices related to use of force; assess if there are any inequities and disparate impacts resulting from the identified information; identify systems and practices for monitoring and tracking data and identifying trends; and review community perceptions of safety.

Part of the assessment will also include reviewing conclusions and progress from prior reports, including the 2011 Police Executive Research Forum (PERF) report, City Council's 2021 Reimagining Public Safety report, and the city's Racial Equity and Social Justice Task Force reports. They will not conduct an investigation of any particular incident or officers, but may review past incidents for context.

This review will incorporate stakeholder engagement including interviews with APD leadership, the Akron FOP, and focus groups with rank-and-file officers. The engagement will also focus on the Akron community with eight in-person community engagement sessions. Four of these sessions will be public, city-wide roundtables used to discuss perceptions, concerns, and suggestions for improvements, as well as rebuild community trust and APD transparency. The other four sessions will be smaller listening sessions grouped along the following categories: faith-based and interfaith organizations, civic and social justice organizations, government entities, and community and civic engagement groups.

Throughout the review process, the city, Paul, Weiss, and 21 CP Solutions intend to include input and feedback from the Citizens' Police Oversight Board, the Independent Police Auditor's Office, City Council, the FOP, Akron Police Department, and other community stakeholders.

Following the review and engagement, the Paul, Weiss team will produce a set of recommendations the City of Akron should take to address any issues that may be identified from the review. This could include changes to the use of force policy, changes to training, changes to practices relating to use of force, accountability mechanisms, interactions with the public, and more. We do not want to prejudge what will come out of the review, but the Malik administration is fully committed to implementing the recommendations.

3. How were Paul, Weiss and 21 CP Solutions chosen to lead the review?

This use of force review is something the administration has been working towards throughout the first year. Tony Ingram, Public Safety Strategist for the city, contacted a variety of firms and individuals who do this work including Spencer Fomby, the Department of Justice COPS Office, 21 CP Solutions, and Marcia Thompson. Originally, the city was looking at just policing consulting firms and Mr. Ingram identified 21 CP Solutions as a leading organization. 21 CP Solutions has previously worked with Paul, Weiss on other similar reviews. After several conversations with the Paul, Weiss team, the administration determined that this pairing provided a truly unparalleled level of expertise and experience in both legal review and policing best practices to properly perform the work. Attached to this document, you can find a summary of past reviews and engagements from both firms.

The Paul, Weiss team is made up of several former government and Department of Justice officials and includes the former U.S. Attorney General making them a unique fit. They offer a team with extensive backgrounds in appropriate governance and accountability structures and have a renowned reputation for their assessment work providing proactive counsel on complex issues. The 21 CP team is made up of former police professionals who are leading experts in the field of public safety making them the strongest possible choice to partner with Paul, Weiss. These are two expert teams who can provide Akron with the most comprehensive review possible that is specifically tailored to the city's needs.

4. Why is this review so expensive?

The proposed contract is for \$640,000 with a possible 20% contingency, so the total cost could be as much as \$758,000. While that cost is substantial, we believe the experience and perspective provided by the teams from Paul, Weiss and 21 CP Solutions is truly invaluable and in the context of a more than \$800 million city budget, this is an issue we should be prioritizing, not trying to do as cheaply as possible. In addition, when weighed against the cost of lawsuits the city has settled over the years, it makes this a fiscally responsible decision. From 2012 to 2020 the city spent less than \$1 million

total on settlements related to police use of force. From 2020 to the present, the city has spent \$6.65 million on such settlements. This is an unsustainable trend – and so we have a financial duty to invest in how we approach use of force incidents.

We have been researching other cities who have conducted use of force reviews that were not part of a consent decree to compare costs. While we are still gathering information, initial data shows a wide variety of costs. Fort Worth, Texas did a review in 2022 conducted by Police Reform Experts that cost \$1.5 million. Arlington, Virginia conducted an Administrative Policy and Data Review in 2021 led by Hillard Heintze which cost them \$375,000. It's possible that there could be a firm or organization that would provide a cheaper price for this work, but we strongly believe they would not be as qualified as the team we have selected, and the results would not be as comprehensive as they will be with our current selection. This administration is committed to making a real difference in use of force and that change is deserving of an investment. This review is an investment into the future of our city.

5. Some have advocated for the U.S. Department of Justice (DOJ) to do a patterns and practices investigation in Akron. Why not have the Department of Justice lead the review instead?

The city can't command the Department of Justice to come here. If the Department of Justice began an investigation – which is less likely under the incoming administration – the timeline would be entirely up to them. They could ultimately file legal action against the city and seek to have the city agree to a consent decree to remedy issues. The implementation of a consent decree is a lengthy and ultimately extremely costly process. From a review of publicly available information, Cleveland is spending between \$6 and \$11 million per year since 2015. Seattle spent over \$100 million on police department reforms since entering a consent decree. Oakland spent \$28 million over several years on their decree. New Orleans spent more than \$100 million. Los Angeles spent approximately \$49 million in the first year of their consent decree. Baltimore spent approximately \$1.5 million annually on their consent decree monitoring team alone. Chicago budgeted \$667 million between 2020 and 2024 for their consent decree. While the implementation of the results of the city's use of force review will likely be expensive, any

notion that the DOJ process is free is not accurate.

The approach the city is proposing allows us to begin this critical work immediately, not wait for a Department of Justice process that may or may not ever happen. In addition, doing this review allows us to focus on what we need to focus on – use of force. By proactively seeking out experts to conduct this review, the city can take action right now on the areas identified as being the highest need.

6. Is there a plan for when the city would begin implementing action items from the review once the review is finished? What will the implementation look like?

Mayor Malik is fully committed to implementing the recommendations that come from the review. Rule and policy changes can be made by the Mayor and Police Chief. Other implementation steps – like training – would likely require additional funding and buy-in from Akron City Council. If there are changes that require amending the union contract, that would have to be agreed to with the FOP union.

We anticipate that the implementation of recommendations may be an expensive process, similar to the implementation of a DOJ consent decree. But as mentioned above, our administration believes we have a financial responsibility (given the cost of settlements) and a moral responsibility (given the life and death nature of these issues) to focus on this issue.

While implementation of all recommendations will take time, we will create a process and timeline so that our entire community can track our progress in implementation and hold us accountable for it.

7. Since this wasn't passed in 2024, does that mean the city can't use ARPA funding to pay for it?

The city is not planning to utilize American Rescue Plan Act funding for this review. However, thanks to the flexibility of the funds provided by ARPA, the City is able to strategically cover certain general operating expenses in response to the COVID-19 pandemic. By substituting other governmental costs, this allows the flexibility to utilize the general fund to cover the cost of

the review. This process will be explained in full with a list of all the substitutions in an ARPA update to City Council on January 13th.

8. What about the reports that the city already has? Are they just sitting on a shelf?

Our city government and broader community have created many reports over time, including the 1969 Commission on Civil Disorders and many more since then. Since the beginning of this administration, Mayor Malik has been clear that implementation is often where the rubber meets the road, and frankly where our city government sometimes falters.

Throughout this first year in office, the administration has used many of these reports to guide our actions. For example, here are some of the steps recommended by the 2020-2022 Racial Equity and Social Justice Task Force Criminal Justice Subcommittee that have been implemented this year:

- Proposing a budget for the Citizens Police Oversight Board and the Office of the Independent Police Auditor to enable them to fully staff the OIPA office
- Agreement with police union to permit lateral hiring from other policing agencies, a first in our community's history
- Equipping our SWAT and uniformed Street Narcotics officers with body cameras
- Mentoring of academy cadets to ensure successful completion of training
- De-escalation training is embedded in many aspects of required training, including the new ICAT training being rolled out in 2025

However – none of the previous reports focused exclusively on use force policy and practices and had very limited input on this specific issue which is why we feel a deep dive into this area is warranted.

9. Can this work be done for free or by our Police Auditor's office?

This issue is a priority for our community. It is worth doing well, and that requires an investment. It is very unlikely that we would find a team with comparable experience that would perform this work for free or significantly cheaper.

Our Police Auditor's office is focused every day on reviewing specific cases of use of force or civilian complaints and is not staffed to undertake this comprehensive use of force review. The Police Auditor's office will be a key stakeholder in this process as will the Citizen Police Oversight Board.

10. Did the Mayor select Paul, Weiss due to Harvard connections?

Absolutely not. The city did not identify Paul, Weiss through any connection from Mayor Malik, and neither the Mayor, nor anyone in the administration are familiar with members of the Paul, Weiss team in any capacity other than a professional capacity. The city selected the Paul, Weiss and 21 CP Solutions teams because of their unparalleled experience and ability to help the city tackle a critical issue.

11. How does this help us respond to gun violence in our community? What is the city doing about that?

Public safety is our administration's top priority, and combatting gun violence is a key part of that. Creative strategies are needed to address a complex problem.

Throughout this year, the administration has deepened partnerships with federal and state law enforcement agencies to counter gun violence, and taken significant steps, such as forming a new Street Team Pilot program modeled on effective practices in other communities, in which credible messengers (individuals with lived experience who are trusted in the community and can mediate conflict) will work with young people at-risk of becoming involved with violence. Our city government has also budgeted for the largest police staffing in over 20 years in order to provide the Akron Police Department with the resources necessary to tackle gun violence in our community. Chief Harding has implemented park and walks with patrol officers so that officers can interact with the community they serve and build relationships with residents as another method of tackling violence in Akron. This was a recommendation from the 2011 PERF report which was not fully implemented previously.

Our administration has also focused on making sure our youth have more opportunities, including helping to create Youth Success Summit as a new

backbone support organization for youth-serving nonprofits in our area. There is no one solution to ending gun violence but this administration is addressing it through a multi-faceted approach. It will take the entire community coming together to help put a stop to the violence.

This use of force review does not take away from these efforts to counter gun violence – we can and we should make both a priority.