

News

Police Deals

Cincinnati still wrangling over reform measures

BY MARIA ROGERS

Cincinnati Police officers didn't kill any unarmed African Americans this year. But the best gauge of the pace of reform came at year's end, with police union bosses hinting at a slowdown by cops if the city insists on changes approved by voters.

Citing a charter amendment allowing the police chief and assistant chiefs to be chosen from outside the department, city council refused Dec. 18 to approve a contract with police supervisors. In 2001, voters approved the charter amendment, which appeared on the ballot as Issue 5.

"We took an oath of office, all of us, to uphold the charter of this city, and the more I look at this I'm convinced that these agreements do not comport with the charter," said Councilman Pat DeWine. "The charter change voted for by the voters last year and supported by all members of council at the time said very clearly that we would move the assistant chiefs into the unclassified service of the city."

Pending litigation brought by the Fraternal Order of Police (FOP) challenges Issue 5.

"Issue 5 was in complete conflict with the contract," FOP Vice President Keith Fangman said. "Now we're told at the 11th hour that the rug's about to be yanked out from under us."

Fangman called the city's agreement with the U.S. Department of Justice an "ongoing debacle" (see "Ambling Toward Justice — Or Just Shuffling Along?" issue of June 13-19). He also expressed disappointment in the decision not to challenge the racial profiling lawsuit in court, calling its allegations baseless.

The agreement ending the suit has "not done a whole lot to improve police/community relations at this point," Fangman said.

He promised council there would be consequences unless it approved contracts for both the rank and file and police supervisors.

"When you talk about consequences, are you talking about a slowdown?" asked Councilwoman Alicia Reece.

The conversation between Reece and Fangman turned into a shout-down.

"I would almost be afraid if I'm just a citizen if a council member is treated like that," she said.

Fangman said he was only talking about "legal consequences" but told Reece they're



Stuck in the middle with you: Police Chief Tom Streicher addresses city council while surrounded by critics Jackie Shropshire (left) and the Rev. Damon Lynch III.

PHOTO: JYMI BOLDEN

THE YEAR



IN REVIEW

"none of your business."

FOP President Roger Webster was less coy than Fangman.

"I'm not going to ask for a slowdown," Webster said. "I don't have to. The guys are going to take it on themselves probably, because they're that angry at this city council."

In the end, council approved the contract for police officers but rejected the supervisors' contract.

Fangman explained that because of the pending litigation, the FOP couldn't negotiate the issue of declassifying the assistant chiefs. Councilman David Pepper said the city's negotiating position should have been similar.

"Just as the FOP said to us, 'We aren't going to negotiate this,' our answer needed to be, 'Well, we can't either,'" Pepper said. "Once we let down our guard, then Issue 5 will become meaningless."

Combative collaborative

In the summer, the city reached an agreement settling a lawsuit in which the Black United Front and the American Civil Liberties Union accused the Cincinnati Police Department of racial profiling. The settlement included an

agreement with the Justice Department that's supposed to change the way the police department operates.

But the settlement hardly began with a spirit of collaboration (see "Unsettled Feeling," issue of May 30-June 5). It required the appointment of an independent monitor to oversee the progress of police reform.

When the city and the plaintiffs couldn't agree on a monitor, U.S. District Judge Susan Dlott appointed California attorney Alan Kalmanoff. He lasted less than a month. Soon after receiving Kalmanoff's first invoice, city council unanimously voted to challenge his appointment and ordered city administrators not to pay him.

Kalmanoff decided to quit.

In a three-sentence statement, Mayor Charlie Luken welcomed the resignation.

"I'm glad that Dr. Kalmanoff has decided to leave the position," Luken said. "I have been urging him to do it for three weeks. I'm looking forward to the meeting next week, when we can discuss the next steps."

The Justice Department was less than thrilled with council's behavior.

"Over the past several weeks, numerous city officials have publicly criticized the independent monitor, advocated that the city refuse to pay

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