



**PHOTO BY CHUCK HOVEN**  
Sunday, December 5, 2021, Celebration of Bill Merriman's retirement as the Chairperson of the Franklin Clinton Block Club and his new role as Chair Emeritus, Church Avenue: Bill Merriman thanks his neighbors for coming together for this surprise celebration on the day before his 78<sup>th</sup> birthday.

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# Plain Press

Cleveland's Near Westside Newspaper

## National Coalition for the Homeless plans to open a regional office in City of Cleveland

by Bruce Checefsky

The National Coalition for the Homeless (NCH) plans to open its first field office in its 40-year history in Cleveland, Ohio this coming summer. Brian Davis, who served for many years as the director of the Northeast Ohio Coalition for the Homeless, will staff the field office. As part of the celebration of the plans for the new office, the NCH held a November 23rd forum in Cleveland titled "Racial

Equity Issues within the Homeless Sector and Possible Solutions." The forum was conducted by NCH Executive Director Donald Whitehead. Homelessness is all too common in our cities. Each year at least 2.5 to 3.5 million Americans sleep in shelters, transitional housing, and public places not meant for human habitation, National Law Center on Homelessness & Poverty currently estimates at least an additional 7.4 million have lost their

own homes and are doubled-up with others due to economic necessity. The fallout from the pandemic will cause chronic homelessness to climb 49% nationwide. The homelessness crisis will peak in 2023, with an additional 603,000 American adults without a permanent roof over their heads. The current definitions of homelessness vary depending on which agency defines the problem.

The U.S. Department of Housing and Urban Development (HUD) creates four broad categories of homelessness: homeless, imminently homeless, homeless under federal statutes, and victims of domestic violence. If a person meets one of these categories, they are eligible for HUD funding.

Homelessness includes school-aged children who lack a fixed, regular, and adequate nighttime residence, according to the McKinney-Vento Homeless Assistance Act, a federal legislative response to homelessness. Families unable to stay together in the



**PHOTO BY DEBBIE SADLON**  
Saturday, December 11, 2021; Open House and Holiday Market, Pivot Center for Art, Dance & Expression, 2937 W. 25<sup>th</sup> Street: Stephanie Kluk works on a silkscreen project. Kluk is the owner of Future Ink Graphics, a maker space for graphic design, digital art and silkscreen, that celebrated its grand opening in the Pivot Center on December 10<sup>th</sup>.



**PHOTO BY DEBBIE SADLON**  
Saturday, December 11, 2021; Open House and Holiday Market, Pivot Center for Art, Dance & Expression, 2937 W. 25<sup>th</sup> Street: Gene Sardon, age 9, is creating a lantern at the Cleveland Museum of Art's Community Arts Center located in the Pivot Center.

## Cleveland Board of Education meeting features a plethora of public comments

by Chuck Hoven

The Cleveland Board of Education meeting at Garrett Morgan High School on December 14<sup>th</sup> featured several highlight events: including a proclamation and farewell video in honor of Mayor Frank Jackson's 16 years of service to the school district; a proclamation of thanks to Dr. Monyka Price, the Mayor's Chief of Education for her 14 years at the job; Chief Executive Officer (CEO) Eric Gordon's report of the state of the school district; and a lively public comment session which included comments by students, teachers, schools safety staff, and other community members.

The plethora of public comments were particularly notable because they were punctuated by a comment by CEO Eric Gordon that the Board of Education had decided to not only present in their minutes the questions raised by the public, but also plans to include the Cleveland Metropolitan School District's and the Board of Education's responses

to the issues raised at the Board of Education meeting. This is a new development welcomed by many of the activists and citizens who have brought questions and concerns to the Board of Education over the years. It signals that the Board of Education and the school district will work to respond to the concerns brought to their attention.

### Honored guests

Board of Education Chairperson Anne Bingham began the meeting with the presentation of a proclamation and a playing of video honoring Mayor Frank Jackson for his 16 years of service to the School District. School Board members thanked Jackson for appointing them and for the many accomplishments during his tenure as mayor – accomplishments that included the approval of the Cleveland Plan, support for Pre-4-CLE preschool program, the higher education compact, the creation of the Trans-

continued on page 6

## Twenty groups protest anti-protest efforts that are happening locally and statewide

Defending Democracy and Dissent, along with 20 other organizations, held a protest on Saturday, December 4<sup>th</sup>, that began on Public Square and ended in front of the Justice Center. The protest highlighted recent efforts to criminalize peaceful protesting in Cuyahoga County and the State of Ohio.

### NEWS ANALYSIS

The protest highlighted the following:

#### Bogus Felony charges

Felony charges that never should have been brought against Sydney Yahner. Sydney Yahner had been charged with felonious assault by County Prosecutor Michael O'Malley, punishable up to 15

years in prison, as a result of yelling through a megaphone at a peaceful protest in July 2020 outside the Town Hall Restaurant. She allegedly caused permanent hearing loss to a Town Hall Restaurant hostess who was inside the restaurant. The charges were dropped a few days before Sydney's trial on November,

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**PHOTO BY GREG ROSENBERG**  
Saturday, December 11, 2021; Snow Day in Detroit Shoreway festival: A family roasts marshmallows for their smores on a cold and windy Snow Day celebration.





PHOTO BY DEBBIE SADLON

**Saturday, December 11, 2021; Open House and Holiday Market, Pivot Center for Art, Dance & Expression, 2937 W. 25<sup>th</sup> Street: Evangelyn Sardon and her one-year-old son Emilio work together to create a lantern in one of the arts and crafts rooms in the Cleveland Museum of Art's Community Arts Center.**

#### ARTS

**STATION HOPE 2022:** Cleveland Public Theatre (CPT) requests proposals for Station Hope 2022. Deadline for submissions is on Monday, February 7, 2022. Cleveland Public Theatre is planning the ninth annual

STATION HOPE, a one-night event of entertainment and art inspired by the history of St. John's Church and the Underground Railroad, the repercussions of oppression, and contemporary struggles for social justice, on Saturday, May 28, 2022. To make the best proposal possible for Station Hope, CPT

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### City of Cleveland Department of Public Health COVID-19 Public Dashboard

On December 23, the City of Cleveland Department of Public Health reported there were 979 newly reported daily cases of COVID-19. That brings the total number of COVID-19 case reported in the City of Cleveland since the beginning of the pandemic to 63,797.

On December 23<sup>rd</sup> the Cleveland Department of Public Health reported that there were 519 hospitalizations of Cleveland residents in the past 30 days. This brings the total number of hospitalizations of Clevelanders to 4,080. In the 30 days prior to this report, 20 Cleveland residents died due to COVID-19. This

brings the total number of deaths of Cleveland residents attributed to the pandemic to 649.

The Cleveland Department of Public Health's COVID-19 Public Dashboard also lists data by zip code.

Zip Code 44113, with a total population of 20,310 people, reported 61 new COVID-19 cases on December 23. This brings the total number of cases in 44113 during the pandemic to 3,544, with 37 deaths attributed to COVID-19.

Zip Code 44111, with a total population of 42,278 people, reported 99 new COVID-19 cases on December

23. This brings the total number of cases in 44111 during the pandemic to 6,853, with 52 deaths attributed to COVID-19.

Zip Code 44109, with a total population of 40,056 people, reported 88 new COVID-19 cases on December 23. This brings the total number of cases in 44109 during the pandemic to 6,952, with 61 deaths attributed to COVID-19.

Zip Code 44102, with a total population of 45,906 people, reported 108 new COVID-19 cases on December 23. This brings the total number of cases in 44102 during the pandemic to 7,225, with 75 deaths attributed to COVID-19.



strongly recommend that interested artists and organizations attend the Station Hope informational meeting on Saturday, January 8<sup>th</sup> via Zoom, from 10am-11:30am. At this meeting we will discuss the history of Station Hope, how the event works and review the application process. The meeting is open to anyone considering a proposal for Station Hope but you must RSVP. Please RSVP by emailing CPT's Artistic Associate, India Nicole Burton, at [iburton@cptonline.org](mailto:iburton@cptonline.org).

#### CHILD TAX CREDIT

**CHILD TAX CREDIT:** Families with children who have not received the federal child tax credit monthly checks are urged to file a 2021 tax form listing your dependents – even if no taxes are owed. This should result in your family receiving the entire tax credit for 2021 (\$3,600 for each child under age six and \$3,000 for each child age 6 or older). Congress has failed thus far to pass the Build Back Better Bill, so the credit may not be available for the 2022 tax year.

#### ENERGY ASSISTANCE

**ENERGY ASSISTANCE:** To apply for the Winter Crisis Program (WCP), Home Energy Assistance Program (HEAP), or Home Weatherization Assistance Program visit [energyhelp.ohio.gov](http://energyhelp.ohio.gov) or download the Energy assistance Program Application. You can also call the Ohio Department of Development for an application at 800-282-0880. Call 711 for TDD services, for those who are hearing impaired.

**HOUSEWARMING PROGRAM:** CHN Housing Partners administers the Housewarming Program sponsored by Dominion Energy Ohio. The program provides weatherization assistance at no additional cost to

income eligible active Dominion Energy Ohio customers to help reduce their energy usage. The program may provide air leakage reduction, attic and sidewall insulation, heating system repairs or replacement, and energy conservation education methods to maintain your home and see cost savings. Income guidelines: Households with one person with annual income of \$25,700 or less; 2 persons with \$34,840 or less; 3 persons with \$43,920 or less; 4 persons with \$53,000 or less; 5 persons \$62,080 or less; 6 persons \$71,180 or less. Applications are available online at: [www.chnhousingpartners.org/energyservices](http://www.chnhousingpartners.org/energyservices) or can be picked up in person at: CHN Housing Partners, Energy Services, Suite 134, 2999 Payne Avenue, Cleveland, OH 44114. For more details call the information hotline at 216-325-1149.

#### HELP LINES

**UNITED WAY OF GREATER CLEVELAND'S 211:** United Way of Greater Cleveland's 211 experience is simple, friendly, free, and confidential. People in need of assistance dial 211 to connect with one of United Way of Greater Cleveland's 211 highly trained navigation specialists who asks a series of questions about the caller's circumstances. In one out of every three calls, United Way's 211 navigation specialists identify multiple areas of need where additional resources and assistance are provided. Once the caller understands how to access the resources they need, the call ends but United Way's 211 experience continues. Depending on the program, the United Way 211 navigation specialist follows up with the caller after a few hours or days to ensure the information provided was accurate and ac-

cessible — a logistical feat that United Way's 211 navigation specialists accomplish with more than 100,000 unique data checks and entries to the Community Resource Database each year. Those who wish to do so can also chat online with a United Way 211 navigation specialist by visiting <https://www.211oh.org/#>. **The top five overall needs for callers to United Way's 2-1-1 HelpLink throughout 2021 include:** **Housing**, including rent payment assistance and shelters; **Utility Assistance**, including help with electric, gas and water bill payments; **Income Support/ Assistance**, including employment and tax preparation services; **Health Care**, including vaccination information, prescription drug patient assistance programs, and coronavirus testing, and; **Legal, Consumer, and Public Safety Services**, including help with birth certificate fees.

**OHIO PROBLEM GAMBLING HELPLINE:** Problem gambling treatment is available at low or no cost to Ohioans. The Ohio Problem Gambling Helpline operates 24/7 at 1-800-589-9966 to provide resources to callers. Specialists can also connect callers with treatment options within 24 hours. You can also visit [GamblingHelpOhio.org](http://GamblingHelpOhio.org) to find gambling treatment in your area.

#### HEALTH

**VACCINATIONS:** Mondays at McCafferty Health Center from 9 a.m. to 3 p.m.: Flu shots, all brands and doses of COVID-19 vaccinations (including booster shots), and pediatric Pfizer vaccine. Call 664-2222 or visit [gettheshot.coronavirus.ohio.gov](http://gettheshot.coronavirus.ohio.gov) to schedule an appointment. Walk-ins are welcome.

#### LEAD SAFE

**FREE WATER LINES FOR CHILD-CARE CENTERS:** Childcare centers in buildings built before 1953 are likely to have lead water lines. A state funded program will replace both the city's section and building owners' lines for FREE. For more information call the City of Cleveland Water Department at 664-2639 or send an email to: [leadlookup@clevelandwater.com](mailto:leadlookup@clevelandwater.com). **LEAD SAFE CERTIFICATION FOR RENTAL PROPERTIES:** The City of Cleveland and its community partners offer several resources to help landlords make their rental property lead safe and obtain a lead safe certification. Some financial assistance for testing and repairs may be available for owners of properties that are current on property taxes and registered as rentals through the City's Rental Registration. For Financial assistance or guidance on preparing your property for inspection contact the Lead Safe Resource Center online at: [https://leadsafe-](https://leadsafe-continued on page 7)

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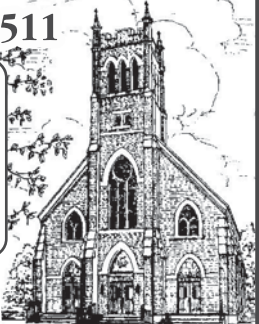
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# Domestic violence is more than physical abuse; help is available

**by Tonya Sams**

Many people think the label “domestic violence” applies only to violent acts against a lover, but it is much more than that.

Domestic violence describes regular, consistent acts of physical, emotional, verbal, and sexual abuse. It not only occurs in spousal and intimate partner relationships, but also in relationships with other family members, including those with children, live-in partners, or people who have children together and are no longer involved in an intimate relationship.

Perpetrators of domestic violence control the target or targets of their abuse through fear. If targets don’t comply with their initial tactics – which can be threats of harm, the withdraw of financial support, and/or verbal and emotional abuse – then the abuser resorts to physical and/or sexual abuse.

Domestic violence does not discriminate. People of all races, religions, sexual orientations, abili-

ties, and financial status can inflict or suffer from domestic violence.

Targets of domestic violence do not cause the abuse that is inflicted upon them. But abusers often try to convince them they have done something to cause the abusive response.

Abusers often isolate their targets by having them cut off communication from those that could help them, such as family and friends. Abusers also try to control every aspect of their target’s life. For targets, every decision becomes influenced by how it would make their abuser feel.

Targets of abuse may feel guilt, shame, and failure. They may find it difficult to break away from the relationship for several reasons, especially if they are financially dependent on the abuser (another tactic commonly used to maintain control).

There are resources available for those who are targets of domestic violence.

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**PHOTO BY DEBBIE SADLON**

Saturday, December 4, 2021; A protest against anti-protest efforts locally and statewide, Cleveland Public Square: Representatives of twenty local organizations joined together to protest “recent efforts to criminalize peaceful protesting in Cuyahoga County and the State of Ohio.”

## GROUPS PROTEST ANTI-PROTEST EFFORTS

**continued from page one**

2021, when it was discovered that the hostess suffered no hearing loss. Nevertheless, Sydney Yahner suffered traumatic and financial losses for a felony charge that should have never been brought.

**Criminalizing peaceful protest**

There are three bills --HB22, HB109 and SB41-- that are working their way through the Ohio General Assembly aimed at stifling and criminalizing peaceful protests. The provisions in one or more of these bills include the following: 1) Making it a 1st degree misdemeanor to do any form of civil disobedience or even to hold a protest without a permit. 2) Making it a 2nd degree felony for individuals who organize or provide other active support for protests that are deemed illegal. 3) Organizations that actively assist (funding, transportation, training, etc.) an illegal protest could have their assets seized or be forced to disband. 4) Making it a crime to divert

or obstruct an officer’s attention in a way that inhibits, deprives, or restricts the control of a detainee, e.g., yelling at a police officer or getting too close to a police officer when making an arrest. 5) Making it a felony for vandalism of public property including defacing public property using chalk or erasable magic markers.

Rally organizers want to see a restoration of the rights to peaceful protesting. “Following the mostly peaceful Black Lives Matter and Standing Rock protests, there has been an assault and criminalization of peaceful protests locally, statewide, and across the country that cannot exist in our democracy,” said Randy Cunningham, a Defending Democracy and Dissent leader.

Organizations Co-sponsoring the event included: Defending Democracy and Dissent, Organize! Ohio, Cleveland Jobs with Justice,

Serve The People Cleveland, Ohio Community Rights Network, Council Of Elders, Cuyahoga County Progressive Caucus, Cleveland End Poverty Now Coalition, Greater Cleveland Immigrant Support Network, Democratic Socialists of America, InterReligious Task Force on Central American, Black Spring Cleveland, Ohio Student Association, Utilities for All, Ohio Poor Peoples Campaign, Life Ripples Ministries Global Faith Community, Heights Christian Church, Clevelanders Against Federal Policing, Social Justice & Environmental Advocacy Ministry, Our Voices Together, and Unitarian Universalist Justice Ohio.

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## Canines at upscale doggie bar and park complain about homeless humans

**To the Editor,**

I have been a resident of the Near West Side of Cleveland for 25 years. Lately I have noticed there has been an increase in new canine residents in the neighborhood. It’s nice to know new dogs are so welcomed into the neighborhood.

**LETTER**

They must have great jobs to be able to afford the high rents for the luxury houses and apartments proliferating on nearly every street. I’ve even heard they have their own bar and park called Taps & Tails where they can run around and play with their pals.

Sadly, I’ve also heard the dogs there are complaining about unsheltered people living across the street. They say they are bothering them. Now I have been by this area and wouldn’t even know anyone is staying there. It’s just bad luck that some people need to live outside I guess or maybe they can’t afford the high rents like the dogs can.

I wonder what the homeless dogs living next door at the APL think about the dogs at the bar complaining about homeless humans? Would they ask them to roll over to gentrifying dogs, or say unhoused humans have a right to sit and stay?

*Paula Miller*  
Near West Side resident

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The Plain Press Community Guide will be published in our March Issue.

The guide offers free listings of names and phone numbers – additional information can be placed in the guide by purchasing a square in the guide.  
For more information contact **Ed Tishel** at **plainpressads@yahoo.com**

**Plain Press Community Guide**  
**Be There!**  
**Buy a Square!**

## Eastman Branch of Cleveland Public Library closes for renovations

The Eastman Branch of the Cleveland Public Library, located at 11602 Lorain Avenue, has closed for renovations. Branch Manager Jamie Lauver says, “We are scheduled to reopen in January 2023.”

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PHOTO BY DEBBIE SADLON  
Saturday, December 11, 2021; Open House and Holiday Market, Pivot Center for Art, Dance & Expression, 2937 W. 25<sup>th</sup> Street: The Greater Cleveland Regional Transit Authority (GCRTA) joins in the holiday celebration with this decorated trolley.

NATIONAL COALITION FOR THE HOMELESS

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same place, children doubled up with more than one family in a household

due to loss of housing or economic hardship, and children living in cars, parks, public spaces, abandoned

buildings, or other substandard housing.

Donald Whitehead, Executive Director of the National Coalition for the Homeless (NCH), believes he knows why there are so many homeless people in the United States. Whitehead offered his views in a recent forum on Racial Equity in the Area of Housing and Homelessness held in Cleveland.

“The structural or systemic levels of racism cause homelessness. The intentional advantages provided for white people to the disadvantage of people of color causes homelessness. Federal and local policies that make it hard for a person of color to make a living,” he said. “Racism is at the core of homelessness.”

Whitehead used the George Floyd case as an example of structural racism that led to institutional and interpersonal racism. Floyd died after being handcuffed and pinned to the ground by former Minneapolis police officer Derek Chauvin in an episode captured on video, starting a nationwide protest. The officer used institutional policy and racial bias to put his knee on Floyd’s neck. People will not want to talk about race, he said. But racism and poverty cause homelessness. People of color face

poverty at a much higher rate than the white population.

“African Americans are disproportionately homeless at a rate of 3-to-1, compared to the general population,” Whitehead said. “African Americans make up 13% of the general population and 40% of the homeless population.”

Based on Census Data and the Department of Education definition of homelessness, Northeast Ohio Coalition for the Homeless (NEOCH) estimates 23,000 people experienced homelessness in 2018 in Cuyahoga County. The Office of Homeless Services estimated that only 7,000 of these people entered a shelter for housing. Over 80% were people of color.

Poverty is not an indicator of homelessness, said Whitehead. Racism is.

Brian Davis, Director of Grassroots Organizing and board member of National Coalition for the Homeless (NCH) from 2001 - 2017, stressed how important it was for NCH to set up a midwestern regional office in Cleveland, one of five regional offices in the United States. For more information: <https://nationalhomeless.org>

“Cleveland has a strong history of people with lived experiences to help set the advocacy agenda and attend city council meetings,” Davis said. “We are trying to mobilize our experiences to help other midwestern cities.”

The Bring America Home Now Campaign, a grassroots campaign to end homelessness led by NCH and people who have experienced homelessness, will focus on the passage of federal legislation. They aim to address the interconnected solutions to the decades-long epidemic of homelessness. The goal, according to Whitehead, is not to sanction encampments or build shelters for the homeless but to examine structural issues that affect social change. NCH is more interested in political policy change on the local and federal levels, not handing out bus vouchers. For more information: <https://nationalhomeless.org/campaigns/bring-america-home-now/>

Whitehead worked on the Biden campaign where Section 8 housing was a promised entitlement. Even if everybody eligible for Section 8 housing gets it, the problem will not go away, he said.

“Lifting the minimum wage to a livable wage, addressing structural racism by changing the fair market rent, and making it illegal to discriminate against people because of the source of their funding for housing, are a few examples of structural change. Passing the voting rights bill is essential for a level playing field.”

Andrea Wilson, Chair of the Housing Committee of the Cleveland Branch of the NAACP, said that housing is a basic necessity. It provides stability in a neighborhood. Stable housing provides an individual with growth opportunities. For many years, the black community did not have as many business opportunities as the white community. Home equity, a luxury for some families, is not available to many blacks. Teaching people about the importance of homeownership will build a strong community.

“When the housing market crashed in 2008, it brought an influx of foreign investors with very little community investment,” said Wilson. “Bad landlords added to the destruction of our communities.”

Cuyahoga Metropolitan Housing Authority (CMHA) provides a few emergency resources for the homeless or near homeless. That is not always the case, she added. As of June 2021, Akron Housing Authority had 22,000 people on their waiting list. Individuals and families with children in need of housing are placed on a waiting list. CMHA has 19,000 people on the waiting list with only 15,000 housing vouchers. On average, it takes more than three years for an individual or family to get assistance. Many people on the list either have moved, or their contact information has changed, losing their place in line.

“Housing vouchers are a short-term solution,” Wilson said. “Some families use housing vouchers for generations. Education is needed to teach people to transition off the vouchers. In the black community especially, people suffer many obstacles, including racism.

“Blacks represent 80% of the homeless population in Cuyahoga County. It happened by design. Even today, the black community is dealing with low denials for home loans even when they are proven creditworthy,” Wilson said. “Low appraisals add to the home equity issues. Home values on the East side of Cleveland are much lower than on the West side. Zoning is a legal way to discriminate with restrictions on a multifamily apartment and lack of affordable housing.”

The NAACP has partnered with NID Housing (NID), a HUD-certified housing counseling agency, to offer rental and homelessness assistance, foreclosure prevention, budgets, and people experiencing discrimination in housing. Wilson suggests more funding for affordable housing and partnerships with agencies across the board. HUD needs to work more closely with the housing authority and homeless organizations to assist people and reexamine the voucher program. For more information: <https://clevelandnaacp.org>

Brian Mallory, a resident at Riverview Tower since 2018 and a member of the Steering Committee of the Cuyahoga County Jail Coalition, knows how it is to deal with CMHA and HUD. CMHA is decentralizing its process, privatizing services, making it harder to get simple repairs done, for example, which is a problem as a tenant.

“I wanted to organize a rent strike in my building. Our housing authority has so little regard for our basic rights,” said Mallory. “I reject that the system is overworked. It takes CMHA forever to make a simple decision. They are not a credible partner.”

Wilson agreed that the HUD system remains broken. It should help people get off housing vouchers, not depend on them. The majority of people using housing vouchers need help. The program does not offer that kind of assistance, she said. The political will to add funding for education is not there.

“More education,” Mallory added. “We are tired as poor folks of having experts tell us what we need.”

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# Issue 24: What’s next?

by Cleveland Documenters

As the new year approaches, *Cleveland Documenters* are wondering what’s next regarding Issue 24, the amendments to the City’s charter that aim to strengthen civilian oversight of police discipline in cases of alleged misconduct.

Here’s what we know. The charter amendments officially took effect on Nov. 22. The Cuyahoga County Board of Elections certified the election results in a meeting that day, as noted by Documenter Robyn Heard. The first required step for implementing Issue 24 deals with the **Consent Decree**, a 2015 agreement between the U.S. Department of Justice (DOJ) and the City of Cleveland.

The Consent Decree followed a DOJ investigation that found the Cleveland Division of Police (CDP) had a pattern of using unconstitutional excessive force. The decree was designed to ensure constitutional policing and improve officers’ relationships with community members.

The decree also created the **Community Police Commission** (CPC), a 13-member body that recommends police protocols and boosts transparency by reporting police reforms to the public. Issue 24 gives the CPC more power and ensures it will exist even if the decree ends.

Issue 24 requires the City’s law director to ask the U.S. District Court to change the Consent Decree to include the new and amended sections of the charter.

Here’s the text of that requirement from Issue 24: **(p) Consent Decree modification.** *Upon the effective date of this Section and other police-reform-related Charter sections amended or adopted with it, the Director of Law will move the U.S. District Court to modify the*

*federal Consent Decree in United States v. City of Cleveland to incorporate the amended and new sections and ensure that the voters’ intentions are given full effect. If the Director of Law does not file such a motion within 30 days after this Section is adopted, then any City taxpayer is authorized and has standing to do so without making further demand upon the Director of Law as may otherwise be required by the Charter or Ohio law. Until the Decree is modified to incorporate the amended and new sections, the Commission will prioritize fulfilling duties required under the Decree over the additional duties this Section establishes.*

Law Director Barbara Langhenry filed a **motion** Dec. 2. But rather than ask the court to modify the Consent Decree, the law director noted numerous examples in which Issue 24 differs from the decree, the charter, police-union contracts, and other legal documents.

The City didn’t explicitly ask the court to do anything but said the legal conflicts must be resolved if the court orders the decree to be changed.

That motion left us wondering if the City met its initial requirement under Issue 24. Subodh Chandra, a civil-rights lawyer who helped write the charter amendments, doesn’t think so. Chandra said, “The Charter Amendment requires that the law director move the federal court to incorporate the terms of the Charter Amendment into the Consent Decree. You will see that nowhere in that document does the City Administration actually do that.”

Langhenry wrote in the motion that the requirement is at odds with the decree, adding that the decree says any new laws affecting it must be consistent with it. Here’s what the decree says: *This Agreement is binding upon all Parties hereto, by and through their*

*officials, agents, employees, and successors. If the City establishes or reorganizes a government agency or entity whose function includes overseeing, regulating, accrediting, investigating, or otherwise reviewing the operations of the CDP or any aspect thereof, the City agrees to ensure that these functions and entities are consistent with the terms of this Agreement and will incorporate the terms of this Agreement into the oversight, regulatory, accreditation, investigation or review functions of the government agency or entity as necessary to ensure consistency.*

The decree says the City and the DOJ can agree to modify it if they believe it isn’t achieving its goals. But it also says the City and DOJ must agree to defend the terms, including in collective bargaining, where the City and police unions negotiate their contracts.

Here is what the Consent Decree says:

**398.** *The City and DOJ may jointly agree to make changes, modifications, and amendments to this Agreement which will be effective if approved by the Court. Such changes, modifications, and amendments to this Agreement will be encouraged when the Parties agree, or where the Monitor’s reviews, assessments, and/or audits demonstrate that an Agreement provision as drafted is not furthering the purpose of this Agreement or that there is a preferable alternative that will achieve the same purpose. Where the Parties or the Monitor are uncertain whether a change to this Agreement is advisable, the Parties may agree to suspend the current Agreement requirement for a time period agreed upon at the outset of the suspension. During this suspension, the Parties may agree to temporarily utilize*

**continued on page 7**



PHOTO BY DEBBIE SADLON  
Saturday, December 11, 2021; Open House and Holiday Market, Pivot Center for Art, Dance & Expression, 2937 W. 25<sup>th</sup> Street: Greater Cleveland Regional Transit Authority’s holiday trolley car features Santa (GCRTA Transit Police Officer Sir Robert Cummings) and an Elf (GCRTA Trolley Driver Gary White) offering gifts of cookies, hats and gloves for children visiting the Open House and Holiday Market.

## DOMESTIC VIOLENCE

**continued from page 3**

OhioLegalHelp.org has a new, web-based domestic violence reporting tool. The tool (which was created through a partnership with The Legal Aid Society of Cleveland, Ohio Domestic Violence Network and Ohio Supreme Court’s Advisory Committee on Domestic Violence) allows users to fill out and save their forms if they cannot complete them all at once. The site can be accessed on any mobile device.

Help is also available through Le-

gal Aid’s Family Law Group. A Legal Aid attorney can help you file civil protection and temporary protection orders and connect you to other community resources available to people escaping abusive relationships, such as Journey Center for Safety and Healing and the Ohio Domestic Violence Network. Apply for Legal Aid help online 24/7 ([las-clev.org/contact](https://las-clev.org/contact)) or call 216-687-1900 during normal business hours. **Editor’s Note:** Tonya Sams is a Development and Communications Assistant at The Legal Aid Society of Cleveland.

# Have you had a stroke or mini-stroke?

Researchers at University Hospitals are seeking participants for a research project designed to help African-American men learn about stroke risk factors and how to best take care of their health after a stroke.

If you are an African-American man 18 years of age or older, and you’ve suffered a stroke or mini-stroke within the last five years, you may be eligible for this study.

Participants will be compensated, and virtual intervention sessions will be available.



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PHOTO BY DEBBIE SADLON  
Saturday, December 11, 2021; Open House and Holiday Market, Pivot Center for Art, Dance & Expression, 2937 W. 25<sup>th</sup> Street: The work of Iranian artist Kubra Alhilali titled Blue, mixed media on canvas, is among the artwork on display at the new Future Ink Graphics's Community Gallery in the Pivot Center. The curator of the show is Yana Mikho-Misho, Future Ink Graphic's Art Director.

## BOARD OF EDUCATION MEETING

continued from page one

formation Alliance, and the Say Yes to Education scholarship program.

In responding to the proclamation and the video, Mayor Jackson spoke to the audience as representatives of the public at the meeting. Mayor Jackson spoke of the public's support of education during his tenure that included the passage of three operating levies – each with a higher vote margin than the preceding levy, and also the voter passage of a capital levy for the school district. Jackson said, "Everything we have asked for, you have given us... We have a responsibility to give you what you expect from the Board for your children."

Dr. Monyka Price thanked the Board of Education for a gift of a framed plaque for her new office as a staff member of College Now. She said she would be continuing her journey in the educational space and helping young people to realize their potential.

The presentations to the Mayor and Dr. Price were followed by CEO Eric Gordon's report to the Board of Education.

### CEO Report

CEO Gordon spoke of a severe staffing shortage for all positions in

the schools. CEO Gordon explained the term "calamity days" which he said resulted in closing schools on short notice because of the lack of enough staffing and no available substitute teachers. He said such days are coded against the number of days needed for a complete school year. He said they are treated like a snow day. He contrasted the short notice "calamity days" with planned stay at home remote learning which allows more time to give notice to all parties involved. (Editor's note: On the Friday (December 17) following the Board of Education meeting Cleveland Public Radio reported that 13 Cleveland Metropolitan School District schools were closed with a "calamity day" designation. It was part of a story of the impact of the latest surge in COVID-19 cases in Cuyahoga County.)

To help properly assign available substitutes to buildings, Gordon stressed the need for staff to properly report absences to the Smart Time Express System the district has in place to record absences and redeploy staff to cover positions that are unfilled each day.

Gordon outlined some actions to help the district cope with the trials and tribulations caused by

COVID-19. "We need to take care of people – kids, teachers, and school-based staff," he said. He urged all to be self-aware of their actions and to care for others. Gordon said he has met with the Student Advisory Committee to learn about students' ideas on why students are missing school so often. Students on the committee believe the number one reason students are missing school is stress. One recommendation that came out of those meetings is that the school district should create a tool kit of resources for schools to use to help individuals cope with stress.

The CMSD is having trouble ordering enough water bottles to supply all the schools, said Gordon. The water fountains in the schools have been shut down due to concerns about spreading COVID-19.

The CEO also told the Board of Education about damage incurred to the Board of Education's Welcome Center at 1111 Superior when 10 pane glass windows were shot out on the Sunday prior to the board meeting. Gordon said he anticipated some supply chain problems in finding matching replacement windows.

Gordon said efforts to manage COVID-19 included vaccine clinics in the schools.

Highlighting some of the academic accomplishments by students, Gordon spoke of the Cleveland School of the Arts production of a play called *Say His Name* which is about the killing of an unarmed black man by a white police officer. The play, he said, tackled complex issues from every point of view.

Another highlight Gordon spoke of was the beginning of livestreaming of Senate games which can be viewed at [senatelive.com](http://senatelive.com).

Cleveland School Board member Sara Elaqaad asked about disability accommodations for students suffering from long term COVID-19. CEO Gordon said, because of privacy issues with medical data, the district doesn't know why students may be on disability. Gordon says he suspects the stress and increased number of deaths can be indirectly correlated with the manifestation of physical symptoms.

### Public Comments

School Board Chair Anne Bingham announced the beginning of the public comment section of the meeting where members of the public address the Board of Education. Each person is allowed up to three minutes to speak.

Joined by fellow classmates at the microphone, a Civics 2.0 student from John F. Kennedy High School,

was the first to speak. (Editor's Note: *Civics 2.0 is a free and politically neutral website. It was designed by civically minded educators for the sole purpose of helping people get and stay involved in our democracy.*) The student shared several problems that Civics 2.0 students had identified at their school and offered solutions for the Board to undertake. He said students were smoking marijuana in the restroom and this was causing headaches for the teacher in the classroom next door. He suggested increasing the offense from a level one to a level two in the school's disciplinary manual would help to contain the problem.

Another problem he addressed is the presence of weapons in the school. He suggested increased security at the building would address the problem.

A third issue addressed by the students was the issue of hall walkers. The suggested solution was using a student court to administer justice.

Trash in the hallways was another concern brought to the attention of the Board of Education. The suggested solution was to make trash cans more accessible in the building.

A Civics 2.0 student from Collinwood High School was next up at the microphone. She was also supported by her fellow classmates at the microphone. She testified that "violence in our school and community is very real and scary." She noted that occasional fights or altercations can escalate and violence inside the school can translate to outside the school. She spoke of multiple fights across the street from the school. She spoke of threats via social media and the involvement of guns. She noted that two people were shot at the gas station next to the school. The student said, "It will take the whole community to fix these problems." She urged the Board of Education to come to Collinwood to help initiate the solution.

Two students from New Tech High School were up next. The young man and young woman brought up two issues. They called for the district to use permanent bus passes for students rather than depending on shuttle buses to go between schools.

The other issue they addressed was the school district's policy of banning students from wearing hoodies. They said that most students only have sweatshirts with hoods. They noted the comfort of being warm on cold days and that students could keep the hoods off while in school. They said students were being suspended because of having hoods on their sweatshirts and urged the Board of Education to review the policy and make changes.

A middle school teacher came to the microphone to speak of the shortage of substitute teachers and security guards. The teacher said because of the lack of substitute teachers he had to teach the entire middle school – sixth, seventh and eighth grade students in one large group. He found himself trying to teach three grades of students in multiple subject areas – English Language, Social Studies, Science and Math. He noted that the day after the school board meeting – another teacher is out, and he will have to teach the entire middle school again.

The teacher also called attention to the lack of security. He told the board that without security, lives in the school are being put on the line. Schools face the possibility of getting shot up because there are no security guards. He said to the Board of Education, "You have the power to stop this from happening now."

A teacher from Campus International School said she was coming to the Board of Education for the

third time to bring up the same issues. The teacher said that while her experience at Campus International and that of her students is joyful and adventurous, the same cannot be said for the experience of students and teachers in many other district schools. She said the terrible conditions in some of the schools where her colleagues work "takes the life out of students and staff." She talked about the failure to maintain clean buildings, lack of substitute teachers and lack of security staff. She urged the Board of Education to get together with the Cleveland Teacher's Union to develop improved Memorandums of Understanding (MOUs) concerning compensation for substitute teachers. She urged using bonuses and federal money to properly compensate security personnel to keep them on the job.

The teacher urged board members to go to visit schools and see for themselves what is happening. She then turned on an Instagram video of a violent confrontation at East Tech High School on her tablet and walked around to show it to Board of Education members. She asked board members "Would you want your child at this school?" She urged the Board of Education to "Please step up and take action."

Don Freeman asked CEO Eric Gordon if he had conferred with incoming Mayor Justin Bibb. Gordon said a sit-down with Mayor Elect Justin Bibb had to be rescheduled, so he had not yet met one on one with him. Gordon noted that Bibb had conferred with the full Board of Education.

Gene Tracy asked the Board of Education and the Mayor Elect to apologize to the Civic 2.0 students that came to a previous Board of Education meeting with plans to speak to the Board and the Mayor Elect directly. Tracy said he witnessed the sad faces of the three students that were ready to speak to the Mayor Elect and the Board of Education when, after a number of adults spoke, the Mayor Elect got up to leave before the students' time to speak.

Tracy also urged the Board of Education to find classroom help for the teachers and needed security help. He urged the use of federal funds and Memorandums of Understanding with the Cleveland Teachers Union to rectify the current situation.

Tracy reminded CEO Gordon of his promise to talk to the Mayor Elect about restoring the full \$2 million per year promised by the City of Cleveland to fund after school programs in compensation for the tax exemption given to the Cleveland Browns' Stadium.

Tracy then urged the Board of Education to create a school dedicated to preparing students to address climate change. He cited the changes in the climate that increased the intensity of storms, forest fires and potentially would unlock diseases long dormant beneath the frozen tundra.

Elizabeth Coles said she was proud of the students that spoke to the Board of Education that evening. She also said she was proud of the Board of Education members because she could hear in their language their depth of concern for children.

Coles then urged the Board of Education to bring back its committees so they can engage with the public and work to form policy for the school district. She urged the students in attendance and other citizens to become members of the Citizen Advisory Council, help form corporate partnerships for the school district, volunteer at the schools and attend school board meetings. She urged activism with the aim of creating written policy changes for the school district.

Coles also challenged the Board

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COMMUNITY BOARD  
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BOARD OF EDUCATION  
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of Education to recognize academic achievement of individual students at its monthly meetings.

Greg Leimkuehler, whose family owns Leimkuehler Incorporated at 4625 Detroit Avenue, right across the street from the new Garrett Morgan High School Campus, came to speak about problems on Detroit Avenue. He said school buses loading and unloading on Detroit Avenue are blocking all the lanes on the street. Parents picking up and dropping off students are parking in bike lanes and doing U-turns in front of his office. Parents are also parking in the handicapped spaces in front of his office reserved for patients coming to the company to have their prosthetic and orthotic needs addressed.

Leimkuehler stressed he has had no problems with the students at the school, but it is the parents and the location chosen for the buses that cause problems. He said he is especially concerned that someone is going to get hit by cars doing U-turns on Detroit Avenue. Leimkuehler urged the school district to have the buses and parents go to the rear of the building to pick up and drop off students and not use Detroit Avenue, a main thoroughfare.

A citizen who works in safety and security said she was aware of the shortage of security staff in the Cleveland Municipal School District. She said security personnel are charged with responding to emergencies, weapons being brought into schools and multiple fights. She said security staff serve as surrogate moms, dads, counselors,

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and everything in between. Paying security officers only \$25,000 a year is a slap in the face, she said. She urged the CMSD Board to step up and pay for security. She asked, why would people engage in such a demanding security job, when they could flip burgers for the same wages?

ISSUE 24: WHAT'S NEXT?

**continued from page 5**  
*an alternative requirement. The Monitor will assess whether the suspension of the requirement, and the use of any alternative provision, is as effective, or more effective at achieving the purpose as was the original/current Agreement requirement, and the Parties will consider this assessment in determining whether to jointly stipulate to make the suggested change, modification, or amendment. The Parties agree to defend the provisions of this Agreement including in collective bargaining. The Parties will notify each other of any court, union, or administrative challenge to this Agreement. In the event any provision of this Agreement is challenged in any city or state court, the parties will seek removal to Federal Court.*

The requirement to modify the Consent Decree was included in Issue 24 out of “an abundance of caution,” according to Chandra, who added that a federal order can override a lot, including arguments that may come from police unions.

Jeff Follmer, president of the Cleveland Police Patrolmen’s Association (CPPA), told **Cleveland Documenters** the union will challenge Issue 24 once the contract is violated — that is, once a police officer is disciplined by a body that they believe doesn’t have authority to do so. Follmer said, “It is our position (that) the only people that



PHOTO BY DEBBIE SADLON  
**Saturday, December 11, 2021; Open House and Holiday Market, Pivot Center for Art, Dance & Expression, 2937 W. 25<sup>th</sup> Street: Gian Sardon, age 6, builds his lantern in one of the Cleveland Museum of Art’s arts and crafts rooms in their Community Arts Center inside the Pivot Center.**

can discipline us (are) the safety director and the chief of police. So, any discipline coming outside of that (will lead to) a grievance arbitration (or) possibly court.”

While the police chief and safety director previously had final say over discipline, Issue 24 would give that authority to the CPC.

The CPPA’s contract with the city expires March 31, 2022.

So, how will this all shake out? The truth is, we don’t know yet.

U.S. District Judge Solomon Oliver Jr. oversees the decree. He could make a decision in response to the City’s motion, or he could wait to see what Mayor-elect Justin Bibb’s administration does after he’s sworn in on Jan. 3. The DOJ also filed a motion Dec. 15 asking the court to give the DOJ and the City until Feb. 18 to work on modifying the decree, as **noted** by Ideastream reporter Matthew Richmond.

Bibb gave this statement: “As expected, the City of Cleveland filed the required motion. I look forward to working with Judge Oliver to continue executing the consent decree alongside the charter amendment. We can and must do both to ensure we have community-oriented policing in Cleveland.”

Eden Giagnorio, communications manager for Bibb’s transition team, added that their Safety Task Force is gathering more information and will have more to say in January about their plan for implementing Issue 24.

A City of Cleveland taxpayer could also file their own motion after Dec. 22, as Issue 24 gives them authority to do so if the law director doesn’t within 30 days of the charter amendments taking

effect. Judge Oliver would determine if a taxpayer’s motion has standing, according to Chandra. Chandra added that he doesn’t think a taxpayer will have to step in, as he expects the Bibb administration to address the issue of modifying the decree.

If the Consent Decree is modified to reflect Issue 24, next steps include an open-application process for any vacancies on the Civilian Police Review Board (CPRB) and Community Police Commission (CPC).

Issue 24 says existing CPRB members may finish out their terms. The expectation is that current CPC members who meet the new qualifications would have an opportunity to seek re-appointment to the commission, according to Chandra.

Until the Consent Decree is modified, the CPC will prioritize its work as currently outlined in the decree, placing its new duties — such as judging if police discipline is sufficient — on the back burner.

For now, the CPRB is still operating as it did before voters passed Issue 24. In fact, Cleveland City Council appointed a new member — Sherall E. Hardy — to the board last week, as **noted** by Documenter Lauren Hakim. The CPRB expects only one vacancy heading into 2022, as Board Member Mary Clark finishes her term this month, according to CPRB Private Secretary LeeAnn Hanlon.

**Editor’s Note:** This article was produced and provided to the *Plain Press* by *Cleveland Documenters*. *Cleveland Documenters* is in partnership with Chicago-based civic journalism lab City Bureau and made possible with support from the Cleveland Foundation and the Visible Voice Charitable Fund of the Cleveland Foundation. Visit [www.documenters.org](http://www.documenters.org) for more information about *Cleveland Documenters*. Want to obtain some more context on Issue 24? Check out this **pre-election fact check** that *Cleveland Documenters* team members Paul Rochford and Rachel Dissell did for *The Cleveland Observer* at [clevelandobserver.com](http://clevelandobserver.com). And take a look at more **reporting** from Matthew Richmond about the City’s motion at [ideastream.org](http://ideastream.org).

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extracurricular activities like  
dance, flag football, band,  
ceramics and e-sports

*more* technology

*more* career planning

*more* hands-on projects  
with students in control of  
their own learning

*more* after-school  
programs

**HIGH SCHOOL**  
*Choice Events*  
Save the Date!

2022-2023

**WEDNESDAY, JANUARY 26**  
5:30 - 7:30pm  
East Side Community Fair  
East Professional Center  
1349 E 79th St, Cleveland, OH 44103

**WEDNESDAY, FEBRUARY 2**  
5:30 - 7:30pm  
West Side Community Fair  
John Marshall Campus  
3952 W 140th St, Cleveland, OH 44111

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