

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.: 1:15-CV-01046
	)	
Plaintiff,	)	
	)	JUDGE SOLOMON OLIVER, JR.
vs.	)	
	)	<b><u>NOTICE SUBMITTING THE 2022</u></b>
CITY OF CLEVELAND	)	<b><u>MONITORING PLAN</u></b>
	)	
Defendant.	)	
	)	
	)	

Pursuant to Paragraph 369 of the Consent Decree between the City of Cleveland (the “City”) and the United States ordered by this Court on June 12, 2015, the Monitoring Team submits the 2022 Monitoring Plan, attached hereto as Exhibit A (the “Monitoring Plan,” “2022 Plan,” or “Plan”). The Monitoring Team took the lead on crafting the Plan, which is geared toward effectively and efficiently implementing the Decree’s requirements. The City, Cleveland Division of Police (“CDP” or the “Division”), and Department of Justice (“DOJ”) provided feedback and comment during a robust period of collaboration. The bulk of Divisional policy and plan revisions required under the Decree have been made and the City continues to implement those requirements. Though the 2022 Monitoring Plan includes some policy work, the Plan appropriately shifts much of the Parties’ and Monitoring Team’s attention to the assessment phase of the Consent Decree. The Plan also details a host of important officer training initiatives

necessary to reinforce new expectations and norms across all CDP members. Finally, the Plan also includes deliverables related to the selection and onboarding of key positions essential for the City to carry out its obligations under the Decree. The 2022 Plan is designed to be the guiding document for all Consent Decree related work. Strict adherence to the agreed upon deadlines, absent extraordinary circumstances, will be essential to making demonstrable progress toward implementation. Accordingly, the Monitoring Team and Parties respectfully request that the Court approve the 2022 Monitoring Plan.

## **I. OVERVIEW OF THE MONITORING PLAN**

The 2022 Monitoring is intended to provide a structure for the day-to-day and week-to-week efforts that the City, DOJ and Monitoring Team need to undertake to ensure that the Consent Decree is implemented in a manner aimed at “ensuring . . . police services in Cleveland” are “constitutional, effective, and consistent with community values, while preserving officer and public safety.”<sup>1</sup> This Memorandum provides some highlights of the major deliverables set forth in the 2022 Monitoring Plan in order to give the Court and the public insight into the objectives that the Parties, the Division of Police, and the Monitoring Team expect to focus on during this calendar year. The Plan covers the period of March 1, 2022 through January 31, 2023, with a limited number of deadlines occurring on dates yet to be determined in 2023.

## **II. MAJOR MILESTONES ANTICIPATED UNDER THE PLAN**

This current year of Consent Decree activities represents a noteworthy shift from prior years. As the Division continues to operationalize existing policies, procedures, and

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<sup>1</sup> Dkt. 7-1 at 6.

expectations, the Parties will focus on assessing how the City executes organizational changes and training across key pillars of the Decree including community and problem-oriented policing (“CPOP”), use of force, accountability, and data collection. Under the 2022 Plan, the City will, among other milestones, provide District Neighborhood Awareness Training to all officers, develop a plan for how officer proficiency of CPOP principles will be incorporated into evaluation and promotion considerations, and will work to improve the efforts of its DPCs by increasing awareness of their existence and presenting any of their strategies and recommendations. (Exhibit A. at 1-2)

The Division will also complete significant training initiatives during the current calendar year, all of which will require Court approval. Recommendations from the Training Review Committee will be instrumental to CDP’s development of its Field Training Officer program. (Ex. A at 4) The City has also agreed to hire a third party to provide appropriate training – in terms of quality, quantity, type and scope – to Internal Affairs investigators and the Force Investigation Team on how to conduct investigations. (Id. at 6-7) Throughout the year, officers and supervisors are scheduled to receive in-service training on a host of topics including use of force, search and seizure, CPOP, bias-free policing, and crisis intervention. (Id. at 4-5)

The Parties and Monitoring Team are moving into the assessment phase in an effort to have qualitative and quantitative data regarding whether the City is operating in a manner consistent with the Consent Decree’s mandated reforms. Assessments of the City’s implementation progress will continue throughout the calendar year. They include Monitoring Team assessment of the Division’s quarterly Force Review Board sessions to evaluate the utility and effectiveness of that board as required under the Consent Decree. (Id. at 17) The Monitoring Team and DOJ will also assess the 40-hour enhanced training provided to select specialized

crisis intervention team officers – including Field Training Officers. (Id. at 7) A compliance review of disciplinary hearings will be conducted to assess of Chief of Police’s disciplinary decisions to ensure fair and consistent application of discipline. (Id. at 17) The Monitoring Team will also continue to assess use of force. (Id. at 16) It will also assess CDP’s data, practices and implementation regarding stops, searches and seizures to ensure compliance with the mandates of the Consent Decree. (Id. at 17) As a follow-up to the recent review of the Division’s lateral hiring, the Monitoring Team will complete a full assessment of CDP’s hiring practices – including background investigations – for two recruit classes. (Id. at 17) In sum, the 2022 Monitoring Plan aptly reflects new priorities for the Decree’s ongoing implementation.

### **III. CONCLUSION**

The task of the Monitoring Team is to craft a plan for monitoring the City’s implementation of the Consent Decree and for the Monitoring Team to assess its progress during the current calendar year. Because the 2022 Monitoring Plan continues to set clear goals as the Parties enter a new phase of the Decree’s implementation, the Monitoring Team and Parties together respectfully request that the Court approve the 2022 Monitoring Plan and order it effective immediately.

Respectfully submitted,

/s/ Hassan Aden

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 9, 2022, I served the foregoing document entitled Notice Submitting the 2022 Monitoring Plan via the court's ECF system to all counsel of record.

/s/ Ayesha Bell Hardaway  
AYESHA Bell HARDAWAY