

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 CDP SESSION</u></b>
CITY OF CLEVELAND	)	<b><u>III IN-SERVICE</u></b>
	)	<b><u>TRAINING CURRICULA</u></b>
Defendant.	)	
	)	
	)	

Pursuant to Paragraph 86 of the Consent Decree and the 2022 Monitoring Plan in the above-captioned matter, the Cleveland Division of Police (“CDP” or “Division”), submitted a Proposed Session III In-Service Training Curriculum to the Monitoring Team, consisting of four parts: 1) Subject Control Concepts Training; 2) Impact Weapons; 3) QPR Officer Wellness with Scenario; and 4) ABLE Focus on Officer Wellness.

The Monitoring Team has carefully reviewed the Proposed Training Curricula. The Team has determined that it provides sufficient guidance for CDP officers to understand the Division’s Use of Force policies and Officer Wellness services through effective adult learning techniques, particularly through guided scenarios that allow officers to better understand policy and legal requirements that can often can be difficult to learn and put into practice.

The Monitoring Team therefore recommends that the Court approve CDP's Session III In-Service Training Curricula.

## **I. STANDARD OF REVIEW**

The Monitoring Team's role is to "assess and report whether the requirements" of the Consent Decree "have been implemented." Dkt. 413-1, Exhibit A at ¶ 351; Dkt. 416; *accord id.* ¶ at 352 (requiring the Monitor to "review . . . policies, procedures, practices, training curricula, and programs developed and implemented under" the Decree). The task of the Monitoring Team here is to determine whether the Proposed Session III In-Service Training Curricula complies with the Consent Decree's requirements.

## **II. SUMMARY OF TRAINING**

The Proposed Session III In-Service Training Curricula submitted to the Monitoring Team are designed to provide annual in-service training to officers on the topics of use of force, duty to intervene, and officer wellness. In-service training aims to provide annual updates on the respective subject areas each year following the initial comprehensive training.

### **A. SUBJECT CONTROL AND IMPACT WEAPONS TRAINING**

Paragraph 86 of the Consent Decree requires that the City "will provide all officers with annual use of force in-service that is adequate in quality, quantity, type, and scope."<sup>1</sup> CDP submitted proposed training on the topics of subject control and impact weapons with its Session III In-Service Training Curriculum.

CDP developed a two-hour in-service training for its officers on the topic of Subject Control. (Exhibit A). The training plan includes a number of learning objectives to provide definitional framing and explanatory guidelines on the type of angles, postures, and movements

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<sup>1</sup> Dkt. 413-1, Exhibit A at ¶86 ; Dkt. 416.

that are useful in physically controlling subjects. The curriculum requires training officers to demonstrate several maneuvers for officers.

CDP also submitted proposed two-hour in-service curriculum on the use of less-than-lethal impact weapons and oleoresin capsicum (OC) spray. (Exhibit B). The lesson plan includes a review of the three levels of resistance essential to understanding in the determination of the appropriate level of force. It also contains training on the use of ASP Baton/Impact Weapons. Finally, the lesson plan covers the proper use of OC spray and other relevant considerations relevant to its use, including pain, injury, and medical treatment.

## **B. OFFICER WELLNESS**

The Division's proposed curriculum also includes two separate trainings from third-party vendors on officer wellness. Each training is two hours in length and is accompanied by role-play scenarios. The first is developed by QPR Institute. It includes a slide presentation on suicide intervention. (Exhibit C). It also includes a set of scenarios for officers to role-play with each other. (Exhibit D). Finally, the curriculum includes training developed by Active Bystandership for Law Enforcement (ABLE) at Georgetown Law. (Exhibit E) It includes a brief refresher on the purposes and benefits of officer intervention. The bulk of the training is devoted to providing officers with peer intervention training and techniques.

## **III. ANALYSIS OF SESSION III IN-SERVICE TRAINING**

The Division's Proposed Session III In-Service Training Curriculum is a four-hour block of in-service training designed to refresh all CDP officers on key areas germane to the use of force policy and officer wellness. The curriculum is composed of Subject Control Concepts techniques, use of Impact Weapons including OC Spray, ABLE Focus on Officer Wellness training, and a

slide presentation along with a set of two scenarios on suicide prevention.

The Subject Control Concepts training curriculum submitted to the Monitoring Team reiterates to officers use of force considerations regarding de-escalation, proportionality, and objective reasonableness. This training, along with the Impact Weapons training, serves to “assess officers’ decision making under stress in a highly critical area.”<sup>2</sup> The competencies essential to an officer making sound decisions relative to the appropriate use of force relative to the amount of resistance and threat posed by subjects are integral to constitutional policing. The four hours of training time devoted to these concepts complements and completes the Reality Based Use of Force and Taser training received by officers during Session II.

The curriculum devoted to suicide prevention and officer wellness covered through trainings developed by QPR Institute and ABLE. QPR Institute’s “Question, Persuade and Respond” curriculum includes a slide presentation that cogently walked trainees through suicide clues and warning signs. It explores various types of clues including direct, indirect, behavioral, and situational. Using QPR’s 3-Step Intervention Plan, the training provides officers with: 1) an understanding of the urgency to pose appropriate questions when concerned that someone may be contemplating suicide, 2) tips on how to persuade someone to stay alive; and 3) information on how to refer them to a qualified professional. This training curriculum is supplemented with two scenarios for officers to role-play using the information shared during the training. The ABLE Focus on Officer Wellness training provides officers with comprehensive training on how to notice when a fellow officer needs help, how to make decisions on the best way to help, and then carry out the plan to actually provide the help. The four hours of training provided on officer health and wellness serve the important functions of ensuring the personal mental/emotional needs of CDP officers are met while also reminding officers are aware that unmet mental health needs can lead

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<sup>2</sup> Dkt. 421-1 at 13.

to negative outcomes for the communities served by officers.

#### **IV. CONCLUSION**

The task of the Monitoring Team is to duly consider whether the City's submitted Proposed Training Curriculum satisfies the terms of the Consent Decree. The Monitoring Team concludes that the Proposed Training Curriculum meets the terms of the Consent Decree. Accordingly, the Monitoring Team approves of CDP's Session III In-Service Proposed Training Curriculum for Use of Force and Officer Wellness in its entirety and requests that this Court order it effective immediately.

Respectfully submitted,

/s/ Hassan Aden

HASSAN ADEN

Monitor

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 9, 2022 I served the foregoing document entitled **Notice Submitting CDP Session III In-Service Training Curricula** via the court's ECF system to all counsel of record.

/s/ Ayesha Bell Hardaway  
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AYESHA BELL HARDAWAY







