

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.)	
)	<u>NOTICE SUBMITTING FORCE</u>
CITY OF CLEVELAND)	<u>INVESTIGATION TEAM TRAINING</u>
)	<u>CURICULUM</u>
Defendant.)	
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I. INTRODUCTION

Pursuant to Paragraph 113 of the Consent Decree and the Fourth Year Monitoring Plan in the above-captioned matter, the City of Cleveland (the “City”), on behalf of the Cleveland Division of Police (“CDP” or “Division”), submitted its Force Investigation Team (“FIT”) Training Curriculum, attached hereto as Exhibit A. This curriculum provides training on the review of the most serious (Level 3) uses of force by FIT, and supports the FIT General Police Order (“GPO”), the Force Investigation Team Manual, and the Memorandum of Understanding Between the Cleveland Division of Police and the Cuyahoga County Sheriff’s Department to Conduct Independent Criminal Investigations of Uses of Force by Cleveland Police That Result in the

Actual or Anticipated Death of a Person (“MOU”), all of which were previously submitted (Dkt. No. 309) and subsequently approved by the Court (Dkt. No. 311).

II. FIT TRAINING CURRICULUM ANALYSIS

The Consent Decree states that:

FIT members will receive FIT-specific training that is adequate in quality, quantity, scope, and type, including FIT procedures, including callout and investigative protocols; the differences between administrative and criminal investigations and how each should be conducted; investigations of officer-involved shootings; investigative equipment and techniques; and proper roles of the following: on-scene counterparts, such as crime scene technicians; the Monitor; any outside investigating agency; the prosecutor’s office; and OPS. The training also will address techniques for objective fact-gathering and evaluation and the factors to consider when evaluating credibility. FIT investigators also will receive annual in-service training that is adequate in quantity, quality, type, and scope. ¶113.

The Monitoring Team has carefully reviewed the training curriculum. The Team has determined that it provides appropriate guidance on the thorough and complete investigation of uses of force by FIT. The training provides a refresher on the different types of force and levels of subject resistance, sets forth the purpose, scope and structure of FIT, the qualifications for selection, the roles and responsibilities of investigators assigned to FIT. Importantly, the curriculum explains the number of FIT personnel assigned to a call-out, how a call-out is initiated, and how on-scene management occurs. Finally, the training details methods of objective investigation, the processes to ensure investigative integrity, strategies to reduce the impact of bias, and how to manage bifurcated criminal and administrative investigations. In sum, the training covers a wide expanse – from the form and content of FIT to the details on how to conduct an unbiased, thorough, and procedurally fair investigation at a granular level.

III. CONCLUSION

The Monitoring Team's role is to "assess and report whether the requirements" of the Consent Decree "have been implemented." Dkt. 7-1 at ¶ 351; *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 FIT Training Curriculum complies with the Consent Decree's requirements and having reviewed the training and discussed it in depth with the parties to this matter, finds that it does. Accordingly, the Monitor approves the training curriculum and requests that this Court order it effective immediately.

Respectfully submitted,

/s/ Hassan Aden

HASSAN ADEN
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CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2021, I served the foregoing document entitled **NOTICE**
SUBMITTING FORCE INVESTIGATION TEAM TRAINING CURICULUUM via the
Court's ECF system to all counsel of record.

/s/ Ayesha Hardaway _____
AYESHA HARDAWAY