

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 MONITORING</u>
CITY OF CLEVELAND)	<u>TEAM PRELIMINARY ASSESSMENT</u>
)	<u>OF THE OFFICE OF PROFESSIONAL</u>
Defendant.)	<u>STANDARDS and THE CIVILIAN</u>
)	<u>POLICE REVIEW BOARD</u>
)	

The Monitoring Team respectfully submits its preliminary assessment of the Office of Professional Standards (“OPS”) and the Civilian Police Review Board (“CPRB”). (Exhibit A). The Consent Decree requires the Monitoring Team to “conduct reviews and audits as necessary to determine whether the City and CDP have complied with the requirements of this Agreement.”¹ The Monitoring Team has an ongoing obligation to assess the City of Cleveland’s progress and compliance with terms of the Consent Decree. As such, the Monitoring Team completed a preliminary assessment of the progress of OPS and CPRB toward compliance with Consent Decree—and specifically Paragraphs 193 through 239 of the Consent Decree. The goal of this initial assessment was to provide OPS and CPRB with a better understanding of where each department stands in regards to overall compliance. It was fully anticipated that the Monitoring

¹ Dkt. 7-1 at ¶360.

Team would identify areas where challenges still exist and that OPS would use the feedback contained within this assessment to achieve full and effective compliance in a future, more comprehensive assessment.

In order to complete the preliminary assessment, the Monitoring Team developed an assessment tool and methodology for reviewing citizen complaint investigations sustained by the CPRB. The draft tool was reviewed by the DOJ, the OPS Administrator and the former CDP Inspector General. After conferral with these stakeholders, the online tool and methodology were finalized. This assessment is limited to only those cases received by the OPS after June 1, 2019, where at least one sustained finding was made by the CPRB and where a pre-disciplinary hearing was conducted by CDP Chief of Police before December 31, 2020. The assessment evaluated OPS and CPRB performance across several areas as detailed in Paragraphs 200, 216, 218-221, 223-228, 236-239, 241-242, 244, and 247 of the Consent Decree.

The attached review details the findings from the preliminary assessment. It identifies several areas of improvement as it relates to the thoroughness and timeliness of investigations, document keeping and communication, and timeliness of preparation of cases by the Chief's office. The report highlights a significant concern in the increase of OPS complaints. The City must act quickly and provide additional resources to the OPS in order to attend to this significant increase in workload. This unacceptable workload will negatively impact the OPS' ability to achieve full and effective compliance with the Consent Decree. It is also important to highlight the recent departure of former OPS Administrator Roger Smith who left to become the Director of the Office of Accountability and Transparency for the City of Phoenix. It is hoped that the newly appointed OPS Administrator will use this assessment to further improve the work of the OPS and

bring the program into full and effective compliance with the Consent Decree. The Monitoring Team will provide the Court with future updates on all additional assessments of OPS and CPRB.

Respectfully submitted,

/s/ Hassan Aden

HASSAN ADEN

Monitor

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CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2022, I served the foregoing document entitled **Notice Submitting Monitoring Team Preliminary Assessment of The Office of Professional Standards and The Civilian Police Review Board** via the court's ECF system to all counsel of record.

/s/ Ayesha B. Hardaway _____
AYESHA B. HARDAWAY