

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'S FOURTH QUARTER USE OF</u>
)	<u>FORCE COMPLIANCE ASSESSMENT</u>
)	
Defendant.)	
)	
)	

The Monitoring Team respectfully notifies the Court of the attached fourth quarter assessment into the Cleveland Division of Police (“CDP” or “the Division”) use of force practices. This report is submitted in order to ensure that the intent of the specific reforms detailed in Paragraphs 46-83, 87-92, and 93-109 of the Consent Decree are met.¹

This assessment follows a preliminary review of use of force cases in which a select team of Monitoring Team members reviewed CDP use of force incidents that occurred between 2018 and 2019 to determine whether officers were applying force in a manner that complies with the Division’s new policies and terms of the Consent Decree.

This quarterly report found that the uses of force reviewed were generally within policy, in most cases the chain of command reviews appropriately identified and addressed problematic uses of force by referring cases to Internal Affairs or the Training Section and supervisors on

¹ Dkt. 413

scene engaged with officers in accordance with enumerated procedures. Still, the Monitoring Team's preliminary review revealed several deficiencies in tactics and the ability to deescalate, both of which at times created the need for more force. Further, the Monitoring Team concluded that the Division needed to create processes and structures for issues identified during use of force events, such as inadequate de-escalation or problematic tactics, to be addressed in training.

The Monitoring Team was also concerned by the duration of the use of force reviews by the chain of command, which took several months. In the time since the review was conducted and filed, Police 2.01.06, which dictates that "each level in the chain of command shall review the [use of force] report within three tours of duty" was enacted.

The attached assessment ("Exhibit A") contains the Monitoring Team's assessment methodology, results, a detailed background of select cases, and the Monitoring Team's conclusions for this quarterly review.

Respectfully submitted,

/s/ Karl A. Racine

KARL A. RACINE
Independent Monitor
Hogan Lovells LLC
555 Thirteenth Street, NW
Washington, DC 20004-1109
Tel: (202) 637-5861
Email: karl.racine@hoganlovells.com

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2023, I served the foregoing document entitled **Notice Submitting Monitoring Team's Force Fourth Quarter Use of Force Compliance Assessment** via the court's ECF system to all counsel of record.

/s/ Karl A. Racine _____
KARL A. RACINE