

JUSTICE NEWS

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Justice Department Reaches Agreement with City of Cleveland to Reform Cleveland Division of Police Following the Finding of a Pattern or Practice of Excessive Force

The United States Department of Justice and the City of Cleveland announced today that they have entered into a court enforceable agreement to address the department's findings that the Cleveland Division of Police (CDP) engages in a pattern or practice of using excessive force in violation of the Fourth Amendment. The agreement will create widespread reforms and changes within the CDP. The changes focus on building community trust, creating a culture of community and problem-oriented policing, officer safety and training, officer accountability and technological upgrades. Under the agreement, the parties will jointly select an independent monitor to assess and report whether the requirements of the agreement have been implemented for a term of at least five years.

"The Department of Justice is committed to ensuring that every American benefits from a police force that protects and serves all members of the community," said Attorney General Loretta E. Lynch. "The agreement we have reached with the city of Cleveland is the result of the hard work and dedication of the entire Cleveland community, and looks to address serious concerns, rebuild trust, and maintain the highest standards of professionalism and integrity. I am pleased to have the full cooperation of law enforcement and city officials in this effort. And I look forward to working with the entire community to build a stronger, safer Cleveland for residents and officers alike."

The comprehensive agreement calls for:

- The creation of Community Police Commission, made up of ten representatives from across the community, and one representative each from the Cleveland Police Patrolmen's Association, the Fraternal Order of Police and the Black Shield.
- CDP to reform use of force policies, including requirements for the use of de-escalation techniques whenever possible and appropriate, a prohibition on retaliatory force, mandatory reporting and investigation standards following use of force, and medical care for the subjects of force.
- CDP to integrate bias-free policing principles into all levels of the organization, including comprehensive training of officers and supervisors, which is to be developed with community input.
- CDP to create a Mental Health Response Advisory Committee and provide all officers with sufficient training to identify and appropriately respond to situations involving individuals in crisis. CDP will develop a plan to ensure these specialized officers are always available to respond to calls related to those in mental-health crisis.
- CDP to improve officer training by ensuring that it reflects the needs of officers and that it is effective.
- CDP to improve equipment and resources available to officers following a comprehensive equipment and resource study to assess its current needs and priorities, including providing officers with

functioning, up-to-date technology in their zone cars that allows them to access necessary information; safe zone cars; and first aid equipment.

- CDP to develop a recruiting policy and strategic recruitment plan that includes clear goals, objectives and action steps for attracting qualified applicants from a broad cross-section of the community. CDP will consult with the Community Police Commission and other stakeholders on strategies to attract a diverse pool of applicants.

"Today's agreement reflects a commitment by the city and the Division of Police to work with the Department of Justice and the Cleveland community to transform this police agency into a model of community-oriented policing that will make both police officers and the people they serve safer," said the head of the Civil Rights Division, Principal Deputy Assistant Attorney General Vanita Gupta. "Constitutional policing is key to building trust between police departments and the communities they serve. Today, Cleveland demonstrates to the rest of the country that people can come together across perceived differences to realize a common vision of a safer, more just city."

"For the past days and months the nation has looked toward Cleveland as we have grappled with difficult issues involving police-community relations," said U.S. Attorney Steven M. Dettelbach of the Northern District of Ohio. "Today, the nation should look this city for an example of what true partnership and hard work can accomplish – a transformational blueprint for reform that can be a national model for any police department ready to escort a great city to the forefront of the 21st Century. But the hard work is just beginning, and we will need the committed partnership of this entire community to turn today's promise into tomorrow's reality."

The agreement addresses the conclusions announced in December 2014 of a comprehensive investigation into the CPD started in March 2013 which assessed use of force practices of the CDP. The investigation concluded that there was reasonable cause to believe that Cleveland police officers engage in a pattern or practice of unreasonable and in some cases unnecessary force in violation of the Fourth Amendment of the Constitution. That pattern or practice included the unnecessary and excessive use of deadly force, including shootings and head strikes with impact weapons; the unnecessary, excessive or retaliatory use of less lethal force including Tasers, chemical spray and fists; excessive force against persons who are mentally ill or in crisis, including in cases where the officers were called exclusively for a welfare check; and the employment of poor and dangerous tactics that place officers in situations where avoidable force becomes inevitable.

The investigation also found that this pattern of excessive force has eroded public confidence in the police. As a result, public safety suffers and the job of delivering police services was more difficult and more dangerous. The investigation was conducted jointly by the Civil Rights Division's Special Litigation Section and the U.S. Attorney's Office for the Northern District of Ohio.

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