

SUMMARY OF SETTLEMENT AGREEMENT WITH THE CITY OF CLEVELAND REGARDING THE CLEVELAND DIVISION OF POLICE

INTRODUCTION

The Department of Justice (DOJ) and the City of Cleveland (City) have reached a Settlement Agreement (Agreement) to reform the Cleveland Division of Police (CDP). The Agreement is intended to resolve DOJ's findings that CDP engages in a pattern or practice of using unreasonable force in violation of the Fourth Amendment.

PROVISIONS OF THE SETTLEMENT AGREEMENT

The Settlement Agreement contains the following important mechanisms:

Community engagement with CDP:

- Development of formal and informal mechanisms to ensure greater community engagement with CDP.
- Creation of a Community Police Commission that represents Cleveland's many communities. Provides input on CDP's policies, training, civilian oversight system and bias-free policing and community engagement strategies.
- Implementation of a comprehensive community and problem-oriented policing model to strengthen partnerships with the community and ensure collaborative problem-solving.

Search and seizure practices and bias-free policing:

- Revision of policies and training to ensure that all stops and searches are conducted in accordance with the Constitution and in a manner that takes into account community values.
- Significantly more supervision of officers' search and arrest practices.
- Development of a bias-free policing policy that makes clear that biased policing, including deciding to detain someone based solely on racial stereotypes, is prohibited. Includes training on cultural competency and implicit bias.
- Tracking and analysis of interactions between the police and residents, including the race, ethnicity, age and gender of people who are stopped and against whom force was used.
- Community input into comprehensive training related to bias-free policing.
- Development of a recruiting plan that will include specific strategies for attracting a diverse group of applicants.

Use of force:

- Revision of force policies and improved training and guidance on when and how officers may use force, including an emphasis on de-escalation of incidents.
- Strengthening of the systems for reviewing and investigating uses of force.
- Creation of a Force Review Board to review serious uses of force, including the circumstances leading up to the use of force, officers' tactical decisions, the adequacy of supervision and equipment and CDP's medical response.

Crisis intervention:

- Development of a Mental Health Response Advisory Committee to foster relationships and build support between police, the community and mental health providers.
- Development of a plan to ensure that specialized officers who have received advanced training in responding to individuals in crisis respond to calls related to those in mental-health crisis.

Accountability:

- Revised systems to ensure that all allegations of officer misconduct are investigated fully, fairly and efficiently, and that officers who engage in misconduct are held accountable.
- Placement of a civilian at the head of Internal Affairs and improved training of Internal Affairs investigators.
- Substantial changes to the Office of Professional Standards and the Police Review Board to ensure that all civilian complaints of police misconduct are thoroughly and effectively investigated.

Transparency and oversight:

- Creation of a civilian Police Inspector General to review policies and practices; analyze trends; review investigations conducted by the Office of Professional Standards; and review all discipline imposed.
- Broad data collection regarding many of CDP's activities, including its use of force and stop and search practices, and public reporting of that data.

Officer assistance and support:

- Implementation of an effective employee assistance program that provides officers ready access to the mental health and support resources.
- Development of a comprehensive equipment and resource study to assess current needs and priorities to perform the functions necessary for CDP to fulfill its mission, and submission of plan to the independent monitor.

Implementation and termination:

- Filed in federal court and operates as a federal court order once approved by a judge.
- Overseen by an independent monitor, chosen by the parties for an initial term of five years, to assess and report on whether the requirements of this Agreement have been implemented.
- Termination of the Agreement when the city has demonstrated to a judge that it has been in substantial and effective compliance for two consecutive years for most requirements of the Agreement, one year for the search and seizure requirements.