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Justice Department Releases Investigative Findings on the City of Miami Police Department and Officer-involved Shootings

Following a comprehensive investigation, the Justice Department today released its letter of findings determining that the city of Miami Police Department (MPD) has engaged in a pattern or practice of excessive use of force through officer-involved shootings in violation of the Fourth Amendment of the Constitution. Between 2008 and 2011, officers intentionally shot at individuals on 33 separate occasions, three of which MPD itself found unjustified. The department found that a number of MPD practices, including deficient tactics, improper actions by specialized units, as well as egregious delays and substantive deficiencies in deadly force investigations, contributed to the pattern or practice of excessive force.

The department's findings noted that MPD did not provide close supervision or hold individuals accountable for their actions by failing to complete thorough, objective and timely investigations of officer-involved shootings. For a significant number of the shootings, including one that occurred in 2008, MPD has not reached a conclusion internally as to whether or not the officer's firearm discharge was lawful and within policy. The Justice Department found that MPD's failure to complete timely and thorough investigations of officer-involved shootings undermined accountability and exposed MPD officers and the community to unreasonable risks that might have been addressed through prompt corrective action, noting that several investigations remained open for more than three years. Significantly, a small number of officers were involved in a disproportionate number of shootings, while the investigations into their shootings continued to be egregiously delayed. The findings released today mark the conclusion of the department's second investigation of MPD in recent years. The department noted that similar deficiencies were found in its previous investigation that began in 2002.

"Although MPD appeared to correct course after our first investigation, many of the systemic problems that we previously identified returned to root deeply in MPD's practices. Our findings should serve as a catalyst to help MPD and the city of Miami restore the community's confidence in

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fair, effective and accountable law enforcement,” said Roy L. Austin Jr, Deputy Assistant Attorney General for the Civil Rights Division. “We look forward to collaborating with Chief Orosa, Mayor Regalado and the people of Miami to create and implement a comprehensive, court-enforceable plan to ensure sustainable reform.”

Wifredo Ferrer, U.S. Attorney for the Southern District of Florida stated, “In November 2011, the Civil Rights Division of the Department of Justice began a formal investigation to determine whether the city of Miami Police Department had engaged in a pattern or practice of excessive use of deadly force by firearms. After a careful and thorough review of the facts and circumstances surrounding a series of police-involved shootings, the Civil Rights Division found that the police department in fact engaged in such prohibited conduct. Today, we are releasing the detailed findings of the investigation, with the dual goal of shining a light on past wrongs and – more importantly – setting a clear course for the future that will assure the residents of the city of Miami that this type of behavior will not be repeated in our city. We commend Chief Orosa for recognizing some of the problems the Civil Rights Division found and for pursuing initiatives to address them. We are confident that the findings and recommendations will be heeded, and will result in institutional long-term reform that will make our city and police force better than ever.”

The department’s investigation involved an in-depth review of thousands of documents, including written policies and procedures, training materials, and internal reports, photographs, video and audio recordings and investigative files. The review benefited from productive dialogue with MPD supervisors and officers, city of Miami officials, the Office of the State Attorney, the Civilian Investigative Panel, and members of the Miami community. The Justice Department provided feedback to MPD during the investigation and commends Chief Manuel Orosa for taking steps to address some of the deficiencies identified since the investigation began.

The investigation was conducted by the Special Litigation Section of the Department of Justice’s Civil Rights Division and the U.S. Attorney’s Office for the Southern District of Florida, with the assistance of an experienced law enforcement expert, pursuant to the pattern or practice provision of the Violent Crime Control and Law Enforcement Act of 1994. The findings letter will be available on the department’s website at <http://www.justice.gov/crt/about/spl/> . The department welcomes comments or concerns from the community via email at community.miamipd@usdoj.gov .

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Civil Rights Division

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