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Thursday, February 25, 2016

Justice Department Reaches Agreement with the City of Miami and the Miami Police Department to Implement Reforms on Officer-Involved Shootings

The Justice Department has reached a comprehensive settlement agreement with the city of Miami and the Miami Police Department (MPD) resolving the Justice Department's investigation of officer-involved shootings by MPD officers, announced Principal Deputy Assistant Attorney General Vanita Gupta, head of the Justice Department's Civil Rights Division and U.S. Attorney Wifredo A. Ferrer of the Southern District of Florida.

The settlement, which was approved by Miami's city commission today and will go into effect when the agreement is signed by all parties, resolves claims stemming from the Justice Department's investigation into officer-involved shootings by MPD officers, which was conducted under the Violent Crime Control and Law Enforcement Act of 1994. The investigation's findings, issued in July 2013, identified a pattern or practice of excessive use of force through officer-involved shootings in violation of the Fourth Amendment of the Constitution.

The city's compliance with the settlement will be monitored by an independent reviewer, former Tampa, Florida, Police Chief Jane Castor. Under the settlement agreement, the city will implement comprehensive reforms to ensure constitutional policing and support public trust. The settlement agreement is designed to minimize officer-involved shootings and to more effectively and quickly investigate officer-involved shootings that do occur, through measures that include:

- enhanced supervision of first-line officers;
- enhanced training, including de-escalation training;
- improvements to internal investigations of officer-involved shootings;
- a more stringent mechanism under which a shooting officer's return to work is authorized; and
- a mechanism to ensure community participation in the monitoring process.

"This settlement represents a renewed commitment by the city of Miami and Chief Rodolfo Llanes to provide constitutional policing for Miami residents and to protect public safety through sustainable reform," said Principal Deputy Assistant Attorney General Gupta. "The agreement will

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help to strengthen the relationship between the MPD and the communities they serve by improving accountability for officers who fire their weapons unlawfully, and provides for community participation in the enforcement of this agreement.”

“Today’s agreement is the result of a joint effort between the Department of Justice and the City of Miami to ensure that the Miami Police Department continues its efforts to make our community safe while protecting the sacred Constitutional rights of all of our citizens,” said U.S. Attorney Ferrer. “Through oversight and communication, the agreement seeks to make permanent the positive changes that former Chief Orosa and Chief Llanes have made, and we applaud the City Commission’s vote.”

The settlement agreement builds upon important reforms implemented by the city since the Justice Department issued its findings, including:

- transfer of responsibility for criminal investigations of officer involved shootings from the MPD Homicide Unit to the Florida Department of Law Enforcement;
- downsizing of the Tactical Operations Section, which included some of the more aggressive specialized units; and
- creation of High-Liability Review Board to review problematic incidents.

The investigation was conducted by attorneys and staff from the Civil Rights Division’s Special Litigation Section and the Civil Division of the U. S. Attorney’s Office of the Southern District of Florida.

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