

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

United States of America,)	
)	
Plaintiff,)	No. _____
)	
v.)	COMPLAINT
)	
City of Warren, Ohio and)	
Warren Police Department,)	
)	
Defendants.)	
_____)	

Plaintiff, the United States of America, by its undersigned attorneys, brings this civil action for declaratory and injunctive relief, and alleges as follows:

1. The United States, on information and belief, brings this action under 42 U.S.C. § 14141 to remedy a pattern or practice of conduct by law enforcement officers of the Warren Police Department (“WPD”) that deprives persons of rights, privileges, or immunities secured or protected by the Constitution and other laws of the United States. The United States has reasonable cause to believe that WPD has engaged in a pattern or practice of subjecting individuals to excessive force in violation of the Fourth Amendment. Accordingly, the United States seeks a judgment granting injunctive and declaratory relief for the defendants’ violations of law.

DEFENDANTS

2. The Defendant City of Warren, Ohio (“City”) is a chartered municipal corporation in the State of Ohio.

3. The Defendant WPD is a law enforcement agency operated by the City.

JURISDICTION AND VENUE

4. This Court has jurisdiction of this action under 28 U.S.C. §§ 1331 and 1345.

5. The United States is authorized to initiate this action pursuant to the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141.

6. Declaratory and injunctive relief is sought as authorized by 42 U.S.C. § 14141(b) and 42 U.S.C. § 3789d(c)(3).

7. Venue is proper in the Northern District of Ohio pursuant to 28 U.S.C. § 1391. Defendants reside in Ohio, and a substantial part of the events or omissions giving rise to this claim occurred in Ohio.

FACTUAL ALLEGATIONS

8. The defendants, through their acts or omissions, have engaged in a pattern or practice of conduct by WPD officers of using excessive force against persons in the City.

9. The defendants are, through their acts or omissions, engaging in a pattern or practice of systemic deficiencies that has resulted in the pattern or practice by WPD officers of uses of excessive force, described in paragraph 8 above. These systemic deficiencies include, but are not limited to:

a. failing to implement policies, procedures, and practices regarding use of force that appropriately guide and monitor the actions of individual WPD officers;

b. failing to train WPD officers adequately to prevent the occurrence of misconduct;

c. failing to supervise WPD officers adequately to prevent the occurrence of misconduct;

- d. failing to monitor adequately WPD officers who engage in or may be likely to engage in misconduct;
- e. failing to implement policies and procedures whereby complaints and other allegations of WPD officer misconduct are adequately received and investigated;
- f. failing to investigate adequately incidents in which an WPD officer uses force;
- g. failing to fairly and adequately adjudicate or review citizen complaints, and incidents in which an WPD officer uses force; and
- h. failing to discipline adequately WPD officers who engage in misconduct.

CAUSE OF ACTION

10. Through the actions described in paragraphs 8-9 above, the defendants have engaged in and continue to engage in a pattern or practice of conduct by WPD officers that deprives persons of rights, privileges, or immunities secured or protected by the Constitution (including the Fourth and Fourteenth Amendments) or the laws of the United States, in violation of 42 U.S.C. § 14141.

PRAYER FOR RELIEF

11. The Attorney General is authorized under 42 U.S.C. § 14141 to seek declaratory and equitable relief to eliminate a pattern or practice of law enforcement officer conduct that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States.

WHEREFORE, the United States prays that the Court:

a. declare that defendants have engaged in a pattern or practice of conduct by WPD officers that deprives persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, as described in paragraphs 8-9 above;

b. order the defendants, their officers, agents, and employees to refrain from engaging in any of the predicate acts forming the basis of the pattern or practice of conduct as described in paragraphs 8-9 above;

c. order the defendants, their officers, agents, and employees to adopt and implement policies and procedures to remedy the pattern or practice of conduct described in paragraphs 8-9 above, and to prevent WPD officers from depriving persons of rights, privileges, or immunities secured or protected by the Constitution or laws of the United States; and

d. order such other appropriate relief as the interests of justice may require.

Respectfully submitted,


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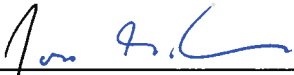
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