



Department of Justice

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JUSTICE DEPARTMENT AND CITY OF CLEVELAND AGREE TO REFORM DIVISION OF POLICE AFTER FINDING A PATTERN OR PRACTICE OF EXCESSIVE FORCE

WASHINGTON – Attorney General Eric Holder announced today that the Justice Department’s civil rights investigation into the use of force by the Cleveland Division of Police has found a pattern or practice of unreasonable and unnecessary use of force. To address these findings the Justice Department and the city of Cleveland have signed a statement of principles committing them to develop a court enforceable consent decree that will include a requirement for an independent monitor who will oversee and ensure necessary reforms.

“Accountability and legitimacy are essential for communities to trust their police departments, and for there to be genuine collaboration between police and the citizens they serve,” said Attorney General Eric Holder. “Although the issues in Cleveland are complex, and the problems longstanding, we have seen in city after city where we have been engaged that meaningful change is possible. There are real, practical and concrete measures that can be taken to ensure not only that police services are delivered in a constitutional manner, but that promote public safety, officer safety, confidence and collaboration, transparency, and legitimacy.”

The investigation, launched in March, 2013, assessed use of force practices of the Cleveland Division of Police following a number of high profile use of force incidents and requests from the community and local government to investigate the division. The investigation concluded that there is 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 includes:

- 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.

After determining that a pattern or practice of unconstitutional conduct exists, the investigation assessed the causes for the pattern and developed recommended remedial action. The investigation concluded that Cleveland officers are not provided with adequate training, policy guidance, support, and supervision. Additionally, systems of review that would identify problems and correct institutional weaknesses and provide individual accountability are seriously deficient. The investigation found that division fails to:

- Adequately review and investigate officers' uses of force;
- Fully and objectively investigate all allegations of misconduct;
- Identify and respond to patterns of at-risk behavior;
- Provide its officers with the support, training, supervision, and equipment needed to allow them to do their jobs safely and effectively;
- Adopt and enforce appropriate policies; and
- Implement effective community policing strategies.

The investigation also found that this pattern of excessive force has eroded public confidence in the police. The trust between the Cleveland Division of Police and many of the communities it serves is broken. As a result, public safety suffers and the job of delivering police services is more difficult and more dangerous. Throughout the investigation, the Department of Justice provided its observations and concerns to the city, and in response, the division has begun to implement a number of remedial measures, however much more work is needed. This afternoon Attorney General Eric Holder, Acting Assistant Attorney General Vanita Gupta and U.S. Attorney Steven Dettelbach will host a joint meeting with community leaders, law enforcement officials and elected officials to discuss how to improve their working relationship and address the problems and challenges identified by the Department of Justice.

“We look forward to working together with the city of Cleveland, members of the Cleveland community and Cleveland police officers to address the deficiencies that have led to this pattern of unnecessary and excessive force,” said Acting Assistant Attorney General Gupta. “Together, we can build confidence in the division that will ensure compliance with the Constitution, improve public safety and make the job of delivering police services safer and more effective.”

“Our independent investigation, conducted at the request of the Mayor and others, revealed troubling patterns of the use of force in the Cleveland Division of Police,” said U.S. Attorney Dettelbach. “We applaud the division and the city for beginning to implement necessary reforms and are pleased that the city has entered into a statement of principles agreeing to negotiate a consent decree with outside monitoring that will guide the development of a

sustainable blueprint for reform. It will take a joint effort by all stakeholders to ensure that this critical initiative is a success.”

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. The investigation involved an in-depth review of thousands of pages of documents, including written policies and procedures, training materials, and internal reports, data, video footage and investigative files. Department of Justice attorneys and investigators also conducted interviews with officers, supervisors and command staff, and city officials; and spoke with hundreds of community members and local advocates. This investigation was separate from any criminal investigation of any specific incident of alleged misconduct.

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