

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.: 1:15-CV-01046
	)	
Plaintiff,	)	
	)	JUDGE SOLOMON OLIVER, JR.
vs.	)	
	)	
CITY OF CLEVELAND	)	<b>MEMORANDUM SUBMITTING</b>
	)	<b>UPDATED FIRST-YEAR MONITORING</b>
Defendant.	)	<b>PLAN</b>
	)	

The Court-approved First-Year Monitoring Plan (the “Monitoring Plan” or “Plan”), Dkt. 43-1, endeavored to “set[] aggressive but realistic goals, deadlines, and milestones for complying with the requirements” of the Consent Decree. Dkt. 43 at 1. In that Plan, “[t]he Consent Decree’s major requirements or objectives are broken down into a series of key results or milestones” and assigned “to an identified stakeholder for completion by express deadlines.” Dkt. 66 at 22.

The Monitor has previously observed that “[a]s work progresses in earnest toward accomplishing the tasks set forth in that Plan, the Parties and Monitor may, from time to time, agree that some adjustments to certain timelines are necessary . . . .” Dkt. 51. Indeed, the Monitoring Team’s First Semiannual Report, noted that “[a]s work on the Consent Decree continues, the Parties and Monitoring Team will need to continuously adapt or adjust the Monitoring Plan to real-world circumstances and operational realities” – balancing “formality

and flexibility” in service of ensuring full and effective implementation of Consent Decree requirements. Dkt. 66 at 23.

The Parties and Monitoring Team have worked to update the First-Year Monitoring Plan (the “Updated First-Year Monitoring Plan,” attached hereto as Exhibit A) to reflect the current state of progress and to prioritize focus on a number of key areas between now and the end of January 2017, which is the end of the year covered by the original Plan. These areas include, among others, the finalization of officer use of force policies, an operating manual for the Office of Professional Standards (“OPS”), and an operating manual for the Police Review Board (“PRB”). The Updated First-Year Monitoring Plan also calls for CPD and Consent Decree stakeholders to begin work on revised policies and procedures relating to internal investigations of officer performance. The Court will receive a new Second-Year Monitoring Plan no later than February 1, 2017 that will address the period of February 1, 2017 through January 31, 2017.

The Monitoring Team concludes that the Updated First-Year Monitoring Plan, attached hereto as Exhibit A, continues to “set[] aggressive but realistic goals, deadlines, and milestones for complying with the requirements” of the Consent Decree. Dkt. 43 at 1. The Monitor therefore respectfully requests that the Court approve the Updated First-Year Monitoring Plan and order its requirements and deadlines effective.

Respectfully submitted,

/s/ Matthew Barge

MATTHEW BARGE

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**CERTIFICATE OF SERVICE**

I hereby certify that on November 1, 2016, I served the foregoing document entitled Memorandum Submitting Updated First-Year Monitoring Plan via the court's ECF system to all counsel of record.

/s/ Matthew Barge  
MATTHEW BARGE



Cleveland  
Police  
Monitoring  
Team

**First-Year Monitoring Plan:**  
November 1, 2016 – January 31, 2017  
**UPDATE**

November 1, 2016

## Introduction

This document is an update of the draft of the Monitoring Team's plan for monitoring the Consent Decree between the United States and City of Cleveland, addressing the Cleveland Division of Police ("CPD"), during the first year of monitoring, from February 1, 2016 through January 30, 2017 (the "First-Year Monitoring Plan," "Monitoring Plan," or "Plan") that was originally approved by the Court on February 4, 2017. (Dkt. 44).

When the original First-Year Plan, constructed pursuant to broad community and stakeholder input, was filed, we noted:

Making core changes to any organization can be challenging. Implementing a consent decree with the clear and sustained involvement of disparate stakeholders – who may not always see eye to eye and disagree with one another from time to time – can be a daunting prospect and for any community. If well-intentioned stakeholders proceed on disparate or separate issues, coming up with divergent solutions, it will be far less possible for major changes to be implemented as effectively and efficiently as the Monitoring Team, City, and Department of Justice want and as the City of Cleveland deserves.

This Plan is intended to provide a clear, unified structure and framework for the day-to-day and week-to-week efforts that stakeholders from across the Cleveland community will need to undertake to ensure that the Decree is ensuring officer safety, public safety, and constitutional policing in a manner that is consistent with the values of Cleveland's diverse communities . . .

This Monitoring Plan is part project implementation plan and part agenda. This Plan outlines a framework – informed by the Team's experience with monitoring other decrees and our specific sense of the dynamics in Cleveland – for ensuring that progress is swift, reforms are real, and everyone involved understands what is being worked on, and when, as the upcoming year unfolds.

(Dkt. 44-1 at 2.)

Several months have now passed since Consent Decree reforms and work on new policies, procedures, processes, and training pursuant to the First-Year Monitoring Plan began. The progress made on some fronts, the real-world events – including the City of Cleveland and CPD's need to focus for much of May through July 2016 on the Republican National Convention, held in Cleveland in July 2016 – that have impacted the City and

CPD's capacity to focus on Consent Decree efforts, and the pace and quality of progress that has been managed in others now all warrant an update to the First-Year Monitoring Plan to reflect the current status of outstanding reforms and the priorities of the reform process between now and the end of January 2017.

In January 2017, the Monitoring Team will be proposing a Second-Year Monitoring Plan (to run from February 2017 through January 2018) and seeking community input and feedback on that plan for the second full year of monitoring.

In the meantime, this Updated First-Year Monitoring Plan is intended to clarify and solidify the agenda for Consent Decree stakeholders and the wider Cleveland community as work continues between now and the end of January 2017.

### How to Read the Plan

This updated plan is formatted like the original plan approved by the Court. (Dkt. 44.) The Plan is divided into major substantive areas.

Primary objectives, reflected in bolded white type in the more darkly shaded rows, are the broader achievements or accomplishments that the Consent Decree requires. Below those objectives, in the plain-text and indented rows, are the key results or milestones that must be met during the year in service of each objective. In some instances, italicized notes explain or clarify details about the key results or milestone delineated immediately above it.

Each key result or milestone is associated with at least one "responsible stakeholder." That stakeholder, or set of stakeholders, are responsible for achieving the key result or reaching the milestone indicated. Accomplishing the result or milestone is achieved by providing the "deliverable" identified in each row by the deadline provided in the "date" column.

The Plan covers only the remainder of the first-year of monitoring. It is not a multi-year, comprehensive plan that details each and every step that CPD must take to get to where it needs to ultimately be under the Consent Decree. Instead, it covers the 3-to-4-month time period until a full, Second-Year Monitoring Plan is due to the Court.

Not all requirements and reforms of the Consent Decree are addressed by this Plan – only what the Team contemplates that stakeholders can focus on during the remaining months of the monitoring year.

*Cleveland Police Monitoring Team  
November 1, 2016*

General Note:

For all deadlines established below, the Monitor and Parties agree that the deadlines might, in some instances, need to be extended by a brief interval to allow or accommodate unforeseen circumstances or unexpected, minor delays. Accordingly, if and only if all of the Monitor, United States, and the City of Cleveland agree that an extension for any of the deadlines outlined below is warranted and acceptable, the deadline may be extended by an interval of seven (7) calendar days without petitioning the Court for an extension of the deadline. No deadline may be extended by more than seven (7) calendar days without approval of the Court. The extension of any specific deadline, or deadlines, will not change or otherwise affect any other deadline.

**I. Community and Problem-Oriented Policing**

	Milestone	Responsible Stakeholder(s)	Deliverable	Deadline
Community Police Commission	"On an ongoing basis," CPC will "assess CPD's community activities, and make recommendations for additional strategies for CPD to consider to increase community engagement with and community confidence in CPD." (¶ 17(c)).			
	CPC will complete a plan for conducting an assessment on community engagement and public confidence in CPD (the "Community Engagement Assessment Plan").			
	CPC will submit to CPD, the Parties, and the Monitor a draft Community Engagement Assessment Plan that outlines the process to conduct an assessment on an ongoing basis of CPD's community engagement and the community's confidence in CPD.	CPC	Submission of Draft Community Engagement Assessment Plan	November 30, 2016
	CPD, the Parties, and the Monitor will provide written and/or in-person feedback on the Community Engagement Assessment Plan.	CPD, City, Department of Justice, Monitoring Team	Submission of Feedback	December 30, 2016
	CPC will revise the Community Engagement Assessment Plan to reflect stakeholder feedback, where appropriate, and submit a Final Community Engagement Assessment Plan to the public, Parties, and Monitor.	CPC	Submission of Final Community Engagement Assessment Plan	January 27, 2017
	CPC will issue an Annual Report that summarizes "any recommendations for improvement, related to each activity that it undertakes " with respect to CPD. (¶ 20). The Annual Report will include a summary of CPC's progress toward implementing the Community Engagement Assessment Plan and the results of any assessment(s) conducted to date.			

	CPC will submit to CPD, the Parties, and the Monitor a draft Annual Report.	CPC	Submission of Draft Annual Report	November 29, 2016
	CPD, the Parties, and the Monitor will provide written and/or in-person feedback on the draft Annual Report.	CPD, City, Department of Justice, Monitoring Team	Submission of Feedback on Draft Annual Report	December 7, 2016
	CPC will revise the Annual Report to reflect stakeholder feedback, where appropriate, and submit a Final Draft of the Annual Report to the public, Parties, and Monitor.	CPC	Submission of Final Draft of Annual Report	December 23, 2016
	"The City will consider and timely respond in writing to the Commission's recommendations for improvements"; posting those responses to the City's website. (§ 21).	CPD	Submission of Written Responses to CPC Recs. in Annual Report	December 30, 2016
<b>Community and Problem-Oriented Policing</b> §§ 27-34	<b>"CPD will develop and implement a comprehensive and integrated community and problem-oriented policing model". (§ 27). The Plan will, among many other things, detail how the City and CPD will partner to address the Consent Decree requirements associated with the District Policing Committees. (§§ 24–26).</b>			
<b>CPD will develop a comprehensive Community and Problem-Oriented Policing Work Plan.</b>				
	The Monitoring Team will provide a Proposed Community and Problem-Oriented Policing Plan/Community Engagement Framework (the "Framework"). This Framework will set forth expectations for CPD's Community and Problem-Oriented Policing Work Plan and provide proposed mechanisms for community outreach and engagement on community and problem-oriented policing issues.  Issues to be addressed in the framework include, but are not limited to, the following: <ul style="list-style-type: none"> <li>(1) Community &amp; Problem-Oriented Policing, generally</li> <li>(2) Officer &amp; Supervisor Performance Metrics</li> <li>(3) Staffing &amp; Deployment</li> <li>(4) Equipment &amp; Resources</li> <li>(5) Recruitment &amp; Hiring</li> </ul>	Monitoring Team	Submission and/or Presentation of Framework to Consent Decree Stakeholders	November 29, 2016

<p>The Consent Decree stakeholders will work with the Monitoring Team to refine the Framework, and the stakeholders will agree to the extent possible on an overall Framework approach. The Monitoring Team will ultimately review and recommend approval of disapproval of the final Framework, either in whole or in part, to the Court.</p>	<p>City, CPC, CPD, Department of Justice, Monitoring Team</p>	<p>Final Draft of Framework</p>	<p>January 26, 2016</p>
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II. Use of Force-Related Policies

	Milestone	Responsible Stakeholder(s)	Deliverable	Deadline
<p><b>Use of Force Investigations</b> ¶¶ 47, 75, 93–101, 110–123</p>	<p>CPD will concurrently develop two (2) individual policies, including any sub-policies and/or related policy manuals, addressing: (i) chain of command investigations of lower-level Level 1 and Level 2 force (the "Chain of Command Investigations Policy"; and (ii) Force Investigation Team ("FIT") investigations of Level 3 and other uses of force outlined in ¶ 111 of the Agreement (the "FIT Investigations Policy"). These sets of policies will include a revision or replacement of current portions of General Police Orders 2.1.01–06 that relate to the investigation of use of force; the creation, revision, or replacement of any operative policies or manual related to FIT (¶ 123); and any Memorandum of Understanding or equivalent agreement established between CPD and any outside agency to conduct criminal investigations of uses of force (¶ 110).</p>			
	<p>CPD will submit, or re-submit, a first draft of both (i) the Chain of Command Investigations Policy and (ii) the FIT Investigations Policy. Both must be responsive to the requirements of the Agreement, and to the CPC Use of Force Work Product and the CPD Officer Use of Force Work Product (the "First Draft"), where appropriate.</p>	<p>CPD</p>	<p>Submission of First Draft</p>	<p>November 4, 2016</p>
	<p>CPD revises the First Draft to incorporate the feedback and expectations of the Monitor and Parties, where appropriate. In consultation with the Monitor and Parties, CPD produces a Proposed Final Draft of both (i) the Chain of Command Investigations Policy and (ii) the FIT Investigations Policy ("Proposed Final Draft") that adequately incorporates the feedback of the Parties and the Monitor. CPD submits its Proposed Final Draft to the Parties, Monitor, and CPC.</p>	<p>CPD</p>	<p>Submission of Proposed Final Draft</p>	<p>January 31, 2017</p>
	<p>The Monitor recommends approval or disapproval of the Final Draft of the Chain of Command Investigations Policy and the FIT Investigations Policy to the Court, either in whole or in part. The determination will be based on the extent to which the policies adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.</p> <p><i>Note: When approved, the Chain of Command does not become effective, and officers are neither expected to conform to their requirements or be subject to discipline or any employment action pursuant to them, until the Parties and Monitor have certified that training on the policies and their core concepts have been sufficiently completed by appropriate personnel. Similarly, the FIT Investigation policies do not become effective until FIT Team members have been identified and trained.</i></p>	<p>Monitoring Team</p>	<p>Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft</p>	<p>TBD (Second-Year Monitoring Plan)</p>
<p><b>Use of Force Review</b> ¶¶ 101–09, 124–30</p>	<p>CPD will concurrently develop a policy related to the review of use of force. This will include (1) review of chain of command investigations of lower-level Level 1 and Level 2 force as well as (2) consideration of force incidents by the Force Review Board ("FRB"). The FRB (a) policy, and (b) Manual will include a description of the composition of the Board and the process that it uses to analyze force investigations.</p>			
	<p>CPD will submit a first draft of policies addressing both (i) chain of command review of lower-level force and (ii) review of force by the Force Review Board. Both must be responsive to the requirements of the Agreement, and to the CPC Use of Force Work Product and the CPD Officer Use of Force Work Product (the "First Draft"), where appropriate.</p>	<p>CPD</p>	<p>Submission of First Draft</p>	<p>January 27, 2017</p>

<p>CPD revises the First Draft to incorporate the feedback and expectations of the Monitor and Parties, where appropriate. In consultation with the Monitor and Parties, CPD produces a Proposed Final Draft of both (i) Chain of Command Force Review Policy and (ii) the FRB (a) Policy and (b) Manual (“Proposed Final Draft”) that adequately incorporates the feedback of the Parties and the Monitor. CPD submits its Proposed Final Draft to the Parties, Monitor, and CPC.</p>	<p>CPD</p>	<p>Submission of Final Draft</p>	<p>TBD (Second-Year Monitoring Plan)</p>
<p>The Monitor recommends approval or disapproval of the Final Draft of Use of Force Review Policy to the Court, either in whole or in part. The determination will be based on the extent to which the policy adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.</p>	<p>CPD</p>	<p>Submission of Proposed Final Draft</p>	<p>TBD (Second-Year Monitoring Plan)</p>

III. Officer Training

Milestone	Responsible Stakeholder(s)	Deliverable	Deadline
<p><b>General Note:</b></p> <p>Consistent with the Agreement (¶¶ 271(d), 280), CPD will construct all training provided on topics covered by and related to the Settlement Agreement utilizing a standard Instructional Systems Design Model ("ISDM"), or an equivalent format that the Parties and Monitor agree address the same requirements, that, among other things, sets forth: (1) the goals for each training element; (2) the learner characteristics that should receive attention during planning; (3) the content and task components that are related to the stated goals; (4) the instructional objectives for the learner; (5) a description of how content will be logically structured and sequenced; (6) a description of the instructional strategies employed and how they are geared toward officers mastering the training's objectives; (7) a detailed and exhaustive description of instructor techniques, messaging, content, and delivery methods; (8) an evaluation instrument for assessing whether the objectives of the training were met; and (9) a description of resources that are supporting or instructing the learning activities. See Jerold Kemp, <i>Instructional Design: A Plan for Unit and Course Development</i> (1977); G.R. Morrison, et al, <i>Designing Effective Instruction</i> (4th ed. 2004); Kent Gustafson &amp; Robert Branch, <i>Instructional Design Models</i> (1997).</p>			
<p>Review of In-Service Training Instructor Policy</p> <p>¶ 269, 277, 280, 281</p>	<p>CPD will revise General Patrol Order 1.1.35, Section I to include express, minimum, standard qualifications for in-service training instructors.</p>		
<p>CPD, and its Training Review Committee, will submit a Revised Draft In-Service Training Instructor Policy ("First Draft") that is responsive to the requirements of the Agreement and, where appropriate, the Monitoring Team's feedback. The final form of the In-Service Training Instructor Policy must be a numbered General Police Order that is made a permanent part of CPD's General Police Order Manual.</p>	<p>CPD</p>	<p>Submission of Revised Draft</p>	<p>November 11, 2016</p>
<p>Consent Decree stakeholders collaborate on producing a Proposed Final Draft In-Service Instructor Policy that adequately incorporates the feedback of the Parties and the Monitor. CPD submits its Final Draft to the Parties and the Monitor.</p>	<p>CPD</p>	<p>Submission of Proposed Final Draft to Monitoring Team</p>	<p>December 16, 2016</p>
<p>The Monitor recommends approval or disapproval of the Final Draft of In-Service Training Instructor Policy to the Court, either in whole or in part. The determination will be based on the extent to which the policy adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.</p>	<p>Monitoring Team</p>	<p>Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft</p>	<p>January 5, 2016</p>

<p><b>Training Plan: In-Service Training</b> ¶¶ 269–281</p>	<p>The Training Review Committee will develop a written training plan for CPD's in-service training. (¶ 271.)</p>			
<p>CPD will develop a Training Plan that will address how CPD will be implementing and adhering to the requirements of the Consent Decree from March 1, 2017 through December 31, 2017 (the "2017 Training Plan").</p>				
<p>The Training Review Committee will submit a written, First Draft of the In-Service Training Plan for March 1, 2017 through December 31, 2017 that addresses the requirements of the Agreement (¶ 271) and this Monitoring Plan to the Parties and the Monitor.</p>		<p>CPD</p>	<p>Submission of First Draft In-Service Training Plan to DOJ and Monitoring Team</p>	<p>December 15, 2016</p>
<p>Consent Decree stakeholders will work together toward a finalized In-Service Training Plan consistent with the Consent Decree and consistent with the anticipated the Monitoring Plan for the second year of monitoring (February 2017 – January 2018).</p>		<p>CPD</p>	<p>Submission of Final Draft Revised In-Service Training Plan</p>	<p>January 23, 2016</p>
<p>The Monitoring Team will either recommend approval or disapproval of the In-Service Training Plan, either in whole or in part, with the Court.</p>		<p>Monitoring Team</p>	<p>I Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft</p>	<p>January 31, 2017</p>
<p><b>Training Plan: Recruit Academy &amp; Probationary Field Training</b> ¶¶ 271, 273, 282–287</p>	<p>The Training Review Committee will develop a written training plan for CPD's recruit academy and probationary field training . (¶¶ 271, 277, 282–287.) The Training Plan should address how CPD will be implementing and adhering to the requirements of the Consent Decree through December 31, 2017.</p>			
<p>The Monitoring Team will outline its plan for evaluating the sufficiency and efficacy of CPD recruit participation in the Ohio State Patrol Academy, as well as the training provided to Academy recruits by the Division.</p>		<p>Monitoring Team</p>	<p>Submission of Plan to Evaluate Current Recruit Training</p>	<p>January 5, 2016</p>
<p>The Monitoring Team will provide the Parties and CPD with a report on its findings regarding the sufficiency and efficacy of CPD recruit participation in the Ohio State Patrol Academy and the training provided to Academy recruits by the Division.</p>		<p>Monitoring Team</p>	<p>Submission of Recruit Academy Report</p>	<p>February 17, 2017</p>
<p><b>Training re: Officer Use of Force Policy</b> ¶¶ 84-86, 269–281</p>	<p>CPD will design training on the revised Officer Use of Force Policy, along with force-instrument-specific sub-policies (the "Officer Use of Force Policy ISDM").</p>			

CPD and Consent Decree stakeholders will collaborate on drafts of an Officer Use of Force training, a 16-hour, in-class training that will reasonably reflect mainstream principles and approaches of adult professional learning. Among other things, the training will: (i) introduce officers to the core concepts and objectives of the Officer Use of Force, Intermediate Weapons, De-Escalation, and Use of Force Definitions GPOs; (ii) introduce officers to what they can expect regarding obligations and duties to report force under the Use of Force: Reporting Force policy.	CPD	Submission of Final Draft for CPC & Community Input	November 18, 2016
The Monitor, working wherever possible with CPD, will engage in an affirmative, intensive effort to obtain CPC, community, officer, and other stakeholder input and comment to the Proposed Final Draft. The Monitor will provide CPD and the Parties with such input and highlight recurring issues or concerns, and CPD will incorporate such recommendations where appropriate before submitting a Proposed Final Draft Training on the Officer Use of Force Policy.	CPD	Submission of Proposed Final Draft	December 5, 2016
The Monitor recommends approval or disapproval of the Final Draft of the Officer Use of Force Training Policy to the Court, either in whole or in part. The determination will be based on the extent to which the policy adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.	Monitoring Team	Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft	December 19, 2016
<b>CPD will conduct training on the revised Officer Use of Force Policy according to the approved ISDM.</b>			
CPD will conduct and complete introductory "train-the-trainer" events that provide in-service instructors with (1) the opportunity to complete the relevant in-service and/or electronic-based training, from start to finish and (2) specific instructional content on providing the course per the ISDM.	CPD	Completion of "Train-the-Trainer" Sessions	January 13, 2017
CPD will begin to provide all relevant personnel with training on the Officer Use of Force ISDM. The parameters of "relevant personnel" will have been an express part of the Officer Use of Force Policy Training ISDM.	CPD	Training Sessions Begin	January 17, 2017
CPD will provide the Parties and the Monitor with weekly updates on the numbers and percentage of individual officers who have completed the Officer Use of Force training.	CPD	Weekly Submission of Training Update to Parties, Monitoring Team	January 17, 2017 – March 31, 2017
CPD will complete the training of all relevant CPD personnel on the Officer Use of Force training.	CPD	Training Sessions End	March 31, 2017

<p>The City will certify to the Court that all CPD officers have completed the Officer Use of Force training.</p>	<p>City, CPD</p>	<p>Filing of Certification with Court re: Completion of Officer Use of Force Training</p>	<p>March 31, 2017</p>
<p><b>Training Documentation Plan</b>  ¶¶ 288-290</p>	<p>CPD will develop a plan for "implement[ing] a system that will allow the Training Section to electronically track, maintain, and produce complete and accurate records of current curricula, lesson plans, training delivered, and other training materials in a centralized electronic file system" (the "Training Documentation Plan") (¶ 289).</p>		
<p>CPD will work with the Consent Decree stakeholders and Monitoring Team on a plan to ensure that (i) which officers receive what training is rigorously, accurately, and timely recorded; (ii) real-time and long-term evaluation mechanisms to gauge the efficacy of officer training, and officer satisfaction with such training, are implemented.</p>	<p>CPD</p>	<p>Submission of Final Training Documentation Plan</p>	<p>November 14, 2016</p>
<p>The Monitor recommends approval or disapproval of the Final Draft Training Documentation Policy to the Court, either in whole or in part. The determination will be based on the extent to which the policy adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.</p>	<p>Monitoring Team</p>	<p>Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft</p>	<p>November 23, 2016</p>

**IV. Crisis Intervention**

	<b>Milestone</b>	<b>Responsible Stakeholder(s)</b>	<b>Deliverable</b>	<b>Deadlines</b>
<b>Crisis Intervention Policies</b> ¶¶ 153-159	<b>CPD will revise its policies and procedures related to responding to individuals experiencing a behavioral crisis. The outcomes of the Needs Assessment will be utilized in the revision process.</b>			
	The Mental Health Advisory Committee and CPD, along with the Parties and Monitoring Team, will finalize Proposed Final Draft Crisis Intervention Policies. The City, CPD, and Mental Health Advisory Committee will make them publicly available in coordination with other Consent Decree stakeholders.	CPD, Mental Health Response Advisory Committee	Submission and Distribution of Proposed Final Draft Crisis Intervention Policies	November 11, 2016
	The Mental Health Advisory Committee, working wherever possible with CPD, will engage in an affirmative, intensive effort to obtain community, officer, and other stakeholder input and comment to the Proposed Final Draft. The Committee will provide the Consent Decree stakeholders with such input and highlight recurring issues or concerns.	Mental Health Advisory Committee	Written and/or In-Person Summary of Community Comment	December 21, 2016
	CPD and the Mental Health Response Advisory Committee revise the Proposed Final Draft to incorporate the feedback and expectations of the Monitor, Parties, and community stakeholders and members. In consultation with the Monitor and Parties, CPD submits a Final Draft that adequately incorporates the feedback of the Parties and the Monitor.	CPD, Mental Health Response Advisory Committee	Submission of Final Draft to Monitoring Team	January 18, 2017
	The Monitor recommends approval or disapproval of the Crisis Intervention Policies to the Court, either in whole or in part. The determination will be based on the extent to which the policy adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.	Monitoring Team	Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft	February 10, 2017
<b>Crisis Intervention Training: General (a/k/a “8-Hour Training”)</b> ¶ 143	<b>CPD will provide training, approved by the Mental Health Advisory Committee and the Monitor, to all of its officers according to the requirements of paragraph 143 of the Agreement.</b>			

<p>The Mental Health Advisory Committee and CPD, along with the Parties and Monitoring Team, will finalize the Crisis Intervention Training: General (a/k/a the “8-Hour Training”). The City, CPD, and Mental Health Advisory Committee will make them publicly available in coordination with other Consent Decree stakeholders.</p>	<p>CPD</p>	<p>Submission of Proposed Final Draft</p>	<p>November 11, 2016</p>
<p>The Mental Health Advisory Committee, working wherever possible with CPD, will engage in an affirmative, intensive effort to obtain community, officer, and other stakeholder input and comment to the Crisis Intervention Training: General. The Committee will provide the Consent Decree stakeholders with such input and highlight recurring issues or concerns.</p>	<p>Mental Health Advisory Committee</p>	<p>Written and/or In-Person Summary of Community Comment</p>	<p>December 21, 2016</p>
<p>CPD and the Mental Health Response Advisory Committee revise the Proposed Final Draft to incorporate the feedback and expectations of the Monitor, Parties, and community stakeholders and members. In consultation with the Monitor and Parties, CPD submits a Final Draft of the Crisis Intervention Training: General that adequately incorporates the feedback of the Parties and the Monitor.</p>	<p>CPD, Mental Health Response Advisory Committee</p>	<p>Submission of Final Draft to Monitoring Team</p>	<p>January 18, 2017</p>
<p>The Monitor recommends approval or disapproval of the Final Draft of the Crisis Intervention: General Training to the Court, either in whole or in part. The determination will be based on the extent to which the policy adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.</p>	<p>Monitoring Team</p>	<p>Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft</p>	<p>February 10, 2017</p>
<p><b>Annual Crisis Intervention Analysis</b>  ¶ 135</p>	<p><b>The Mental Health Response Advisory Committee will conduct an analysis of crisis intervention incidents to determine whether CPD has a sufficient number of specialized CIT officers, whether they are deployed effectively, and whether officers and dispatchers are appropriately responding to people in crisis – and to recommend changes to policies, procedures, and training regarding the same.</b></p>		
<p>The Mental Health Response Advisory Committee will submit to CPD, the Parties, and the Monitor a draft Annual Crisis Intervention Analysis.</p>	<p>Mental Health Response Advisory Committee</p>	<p>Submission of Draft Annual Report</p>	<p>December 16, 2016</p>



<p>CPD, the Parties, and the Monitor will provide written and/or in-person feedback on the draft Annual Crisis Intervention Analysis.</p>	<p>CPD, City, Department of Justice, Monitor</p>	<p>Submission of Feedback on Draft Annual Report</p>	<p>January 6, 2017</p>
<p>The Mental Health Response Advisory Committee will revise the Annual Crisis Intervention Analysis Report to reflect stakeholder feedback, where appropriate, and submit the final report to the public, Parties, and Monitor.</p>	<p>Mental Health Response Advisory Committee</p>	<p>Submission of Final Draft of Annual Report to Public, Parties, and Monitor</p>	<p>January 27, 2017</p>

**V. Accountability**

	<b>Milestone</b>	<b>Responsible Stakeholder(s)</b>	<b>Deliverable</b>	<b>Deadline</b>
<b>Internal Affairs</b> ¶ 178	<b>CPD will select a civilian head of the Department's Internal Affairs division.</b>			
	The candidate selected to lead Internal Affairs will commence work in the position.	CPD	Selected Head of Internal Affairs Begins Work	January 31, 2017
<b>Internal Affairs Policy Manual</b> ¶¶ 176–192	<b>CPD will update its Internal Affairs policy manual (currently called the "Internal Affairs Policies and Procedures" document dated January 2014), Inspections Unit manual, and any implicated General Police Orders, including policies on CPD employees reporting misconduct and on preventing retaliation against CPD employees who report misconduct (¶¶ 189–92), to reflect the requirements of paragraphs 176–192.</b>			
	The Monitoring Team will provide the Parties and CPD with a presentation regarding benchmarks and expectations concerning investigations of officer misconduct.	Monitoring Team	Presentation of Benchmarks & Expectations	October 28, 2016
	CPD will submit a first draft of the Internal Affairs Policy Manual, and related policies on anti-retaliation and reporting misconduct, that is responsive to the requirements of the Agreement an to the Parties and the Monitor.	CPD	Submission of First Draft	November 7, 2016
	The Parties, Monitor, and CPD will work together to ensure that the First Draft of the Internal Affairs Policy Manual adequately addresses the requirements and objectives of the Settlement Agreement. In consultation with the Monitor and Parties, CPD produces a Proposed Final Draft that adequately incorporates the feedback of the Parties and the Monitor. CPD submits its Proposed Final Draft to the Parties, Monitor, and CPC.	CPD	Submission of Final Draft	February 3, 2017
	The Monitor recommends approval or disapproval of the Final Draft of the Internal Affairs Policy Manual, and policies related to anti-retaliation and reporting misconduct, to the Court, either in whole or in part. The determination will be based on the extent to which the manual adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.	Monitoring Team	Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft	February 28, 2017

<p>Office of Professional Standards (OPS) ¶¶ 193–229</p>	<p>“The City and CDP will ensure that all allegations of officer misconduct, whether internally discovered or alleged by a civilian, are fully, fairly, and efficiently investigated; that all investigative findings are supported by a preponderance of the evidence and documented in writing; and that all officers who commit misconduct are held accountable pursuant to a disciplinary system that is fair, consistent, and provides due process.” (¶ 176.)</p>			
<p>OPS will develop a revised operations manual. (¶ 200).</p>				
<p>CPC receives the Draft OPS Manual and provides comments, feedback, and edits. The City, OPS, and Consent Decree stakeholders will revise the Draft OPS Manual, where appropriate, consistent with these recommendations. The City will submit a Final Draft OPS Manual to the Monitoring Team.</p>		<p>City, DOJ, OPS</p>	<p>Submission of Final Draft Manual to Monitoring Team</p>	<p>November 21, 2016</p>
<p>The Monitor recommends approval or disapproval of the Final Draft OPS Manual, either in whole or in part. The determination will be based on the extent to which the policies adequately comply with the requirements of the Agreement, incorporate feedback of the Parties, and reflect the values and specific input of community and Division stakeholders.</p>		<p>Monitoring Team</p>	<p>Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft</p>	<p>November 28, 2016</p>
<p>CPD will revise or create policies necessary to strengthen CPD's cooperation with the OPS and Internal Affairs processes including: (a) policies governing the submission and receipt of civilian complaints (¶¶ 201 –209); (b) policies governing mandatory cooperation with OPS and Internal Affairs investigations (¶¶ 219, 221–222, 240); and (c) policies governing the submission of relevant evidence to Internal Affairs or OPS Investigators and PRB (¶ 219, 221–222, 240).</p>				
<p>The Monitoring Team will provide an assessment of the rules, procedures, and protocols that currently implicate necessary cooperation between OPS and Internal Affairs.</p>		<p>Monitoring Team</p>	<p>Provision of Assessment of Scope of Policies</p>	<p>November 17, 2016</p>
<p>CPD, working with Consent Decree stakeholders, will submit draft of the policies governing submission and receipt of civilian complaints that is responsive to the requirements of the Agreement and the input of the Monitoring Team.</p>		<p>CPD</p>	<p>Submission of First Draft</p>	<p>December 12, 2016</p>

<p>CPD, working with Consent Decree stakeholders, will submit a Final Draft of the policies governing submission and receipt of civilian complaints that is responsive to the requirements of the Agreement and the input of the Parties and Monitoring Team.</p>	<p>CPD</p>	<p>Submission of Final Draft</p>	<p>January 20, 2017</p>
<p>The Monitor recommends approval or disapproval of the Final Draft of policies governing submission and receipt of civilian complaints to the Court, either in whole or in part. The determination will be based on the extent to which the policies adequately comply with the requirements of the Agreement, incorporate feedback of the Parties, and reflect the values and specific input of community and Division stakeholders.</p>	<p>Monitoring Team</p>	<p>Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft</p>	<p>February 3, 2017</p>
<p><b>"The Monitor will analyze OPS's budget and advise the Parties and the Court as to whether it affords sufficient independence and resources, including sufficient staff and training to meet the terms of this Agreement." (¶ 199).</b></p>			
<p>OPS and the City will submit the budget for OPS for the calendar year 2017 to Parties &amp; Monitoring Team for review.</p>	<p>OPS, City</p>	<p>Submission of PRB Budget to Parties &amp; Monitoring Team</p>	<p>November 5, 2016</p>
<p>The Monitor will recommend approval or disapproval as to whether the contemplated PRB budget for 2017 is sufficient to meet the terms of the Agreement, either in whole in part, of the proposed OPS budget.</p>	<p>Monitoring Team</p>	<p>Submission of Written Analysis re: PRB Budget</p>	<p>December 1, 2016</p>
<p><b>Police Review Board</b>  <b>¶¶ 230–239, 244</b></p>	<p><b>"The Monitor will analyze PRB's budget and advise the Parties and the Court as to whether it affords sufficient independence and resources, including sufficient staff and training to meet the terms of this Agreement." (¶ 232).</b></p>		
<p>PRB and the City will submit the budget for PRB for the calendar year 2017 to Parties &amp; Monitoring Team for review.</p>	<p>OPS, City</p>	<p>Submission of PRB Budget to Parties &amp; Monitoring Team</p>	<p>November 5, 2016</p>

<p>The Monitor will recommend approval or disapproval as to whether the contemplated PRB budget for 2017 is sufficient to meet the terms of the Agreement, either in whole in part, of the proposed PRB budget.</p>	<p>Monitoring Team</p>	<p>Submission of Written Analysis re: PRB Budget</p>	<p>December 1, 2016</p>
<p><b>PRB will ensure that its standard operating procedures conform to the requirements of the Consent Decree (§§ 230–39).</b></p>			
<p>CPC receives the Draft PRB Manual and provides comments, feedback, and edits. The City, OPS, and Consent Decree stakeholders will revise the Draft OPS Manual, where appropriate, consistent with these recommendations. The City will submit a Final Draft PRB Manual to the Monitoring Team.</p>	<p>City, DOJ, PRB</p>	<p>Submission of Final Draft Manual to Monitoring Team</p>	<p>November 21, 2016</p>
<p>The Monitor recommends approval or disapproval of the Final Draft PRB Manual, either in whole or in part. The determination will be based on the extent to which the policies adequately comply with the requirements of the Agreement, incorporate feedback of the Parties, and reflect the values and specific input of community and Division stakeholders.</p>	<p>Monitoring Team</p>	<p>Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft</p>	<p>November 28, 2016</p>
<p><b>Transparency § 268</b></p>	<p><b>CPD will post its policies and procedures, training plans, community policing initiatives, community meeting schedules, budgets, and internal audit reports on its website. (§ 268).</b></p>		
<p>CPD's identified personnel will post its current policies and procedures, training plans, community policing initiatives, community meeting schedules, budgets, and internal audit reports on its website. (§ 268). This includes all materials submitted to the Court by the Monitor as part of this Monitoring Plan. The manner of posting on the website will seek to make all information and documentation accessible, clear, and readily identifiable.</p>	<p>CPD</p>	<p>Initial Posting of Current Information and Documents on Website</p>	<p>Ongoing</p>
<p>CPD's identified personnel will post revisions, changes, updates, or new information and documents as they are approved to take effect. (§ 268). This includes all materials submitted to the Court by the Monitor as part of this Monitoring Plan. The manner of posting on the website will seek to make all information and documentation accessible, clear, and readily identifiable.</p>	<p>CPD</p>	<p>Maintenance of Current Information and Documents on Website</p>	<p>Ongoing</p>

## VI. Equipment &amp; Resources

	Milestone	Responsible Stakeholder(s)	Deliverable	Deadline
<b>Equipment &amp; Resource Plan</b> ¶¶ 291–299	<b>CPD will complete an Equipment and Resource Plan (¶¶ 292, 295).</b>			
	CPD will submit to the Parties, Monitor, and Community Police Commission a Final Draft Equipment and Resource Plan that conforms to the objectives, discussions, and decisions of the discussions among Consent Decree stakeholders.	CPD	Submission of Draft Equipment and Resource Plan	November 18, 2016
	The Monitor "will assess the Final Draft Equipment and Resource Plan and report to the Parties whether it is appropriate, effective, and consistent with the requirements of the[e] Agreement." The Department of Justice will "independently review and assess whether the . . . Plan is appropriate, effective, and consistent with the requirements of the[e] Agreement." (¶ 295.)	Monitoring Team, Department of Justice	Filing of Approval or Disapproval of Final Draft Equipment and Resource Plan with Court	December 12, 2016
<b>Body-Worn Cameras</b> ¶¶ 337-340	<b>CPD "will provide clear guidance and training on the[] use [of body-worn cameras], and will implement protocols for testing equipment and preserve[ing] . . . Recordings to foster transparency, increase accountability, and build trust, while protecting the privacy rights of individuals." (¶ 337). To do so, CPD will codify a policy on the use of body cameras that conforms to the requirements of the Agreement and is sufficient to further the objectives of paragraph 337 of the Agreement.</b>			
	CPD revises the body-worn camera policies and practices to incorporate the prior feedback and expectations of the Monitor and Parties. In consultation with the Monitor and Parties, CPD produces a Proposed Final Draft that adequately incorporates the feedback of the Parties and the Monitor. CPD submits its Proposed Final Draft to the Parties and the Monitor.	CPD	Submission of Proposed Final Draft	October 31, 2016
	The Monitor recommends approval or disapproval of the Final Draft Body Worn Cameras Policy to the Court, either in whole or in part. The determination will be based on the extent to which the policy adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.	Monitoring Team	Filing of Memorandum to the Court re: Approval or Disapproval of Final Draft	December 12, 2016

## VII. Bias-Free Policing

	Milestone	Responsible Stakeholder(s)	Deliverable	Deadline
Bias-Free Policing Policy ¶ 38	CPD will develop a bias-free policing policy. (¶ 38.)			
	The Parties and Monitor will review CPD's Draft Bias-Free Policing Policy to determine whether it adequately addresses the requirements and objectives of the Settlement Agreement and whether the CPC Bias-Free Policing Report and CPD Officer Bias-Free Policing Work Product. The Parties and Monitor will provide written feedback, in-person feedback, or both.	Department of Justice, City, Monitoring Team	Written Feedback re: First Draft	January 9, 2017
	The Monitor, working wherever possible with CPD, will engage in an affirmative, intensive effort to obtain CPC, community, officer, and other stakeholder input and comment to the Proposed Final Draft. The Monitor will provide CPD with such input and highlight recurring issues or concerns.	CPD	Submission of Proposed Final Draft	January 31, 2017
	The Monitor recommends approval or disapproval of the Bias-Free Policing Policy to the Court. The determination will be based on the extent to which the policy adequately complies with the requirements of the Agreement, incorporates feedback of the Parties, and reflects the values and specific input of community and Division stakeholders.	Monitoring Team, CPD	Written and/or In-Person Summary of Community Comment	February 28, 2017

## VIII. Compliance and Outcome Assessments &amp; Reporting

	Milestone	Responsible Stakeholder(s)	Deliverable	Deadline
<b>City Status Reports</b>	<b>The City will file status reports with the Court every six months. (¶ 387).</b>			
	The City will file its third status report with the Court, providing a copy to the Department of Justice and the Monitor.	City	Submission of Second Status Report	January 17, 2016
<b>Semiannual Monitoring Reports</b>	<b>The Monitor will file with the Court, every six months, written, public reports according to the requirements of paragraphs 375–376.</b>			
	<b>The Monitoring Team will complete its Second Semiannual Report.</b>			
	The Monitoring Team will provide a copy of the Second Semiannual Report to the Parties in draft form.	Monitoring Team	Submission of Draft Report to Parties	December 14, 2016
	The Parties will informally comment on the draft report.	City, Department of Justice	Submission of Informal Comments on Draft Report	December 28, 2016
	The Monitor will consider the Parties' responses and make appropriate changes, if any, before filing the report with the Court and issuing the report publicly.	Monitoring Team	Filing of Final Report with Court	January 9, 2017
	The Monitor will discuss its report in public forums with community stakeholders, at town halls, before City Council whenever requested, and at a Press Roundtable.	Monitoring Team	Public Discussion Period Begins	January 10, 2017
<b>Second-Year Monitoring Plan</b>	<b>The Monitor will submit a monitoring plan for the second year of monitoring, covering February 1, 2017 to January 30, 2018 (the "Second-Year Monitoring Plan").</b>			
	The Monitor will provide a Draft Second-Year Monitoring Plan to the Parties, CPC, CPD, and other community stakeholders.	Monitoring Team	Submission of Draft Second-Year Monitoring Plan	December 28, 2016
	The Parties, CPC, CPD, and community stakeholders will provide comments and feedback on the Draft Second-Year Monitoring Plan.	City, CPC, CPD, Department of Justice	Submission of Feedback on Draft Second-Year Monitoring Plan	January 18, 2017



The Monitor will submit to the Court the Final Monitoring Plan for the Second Year.	Monitoring Team	Filing of Second-Year Monitoring Plan with the Court	February 1, 2017
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# Cleveland Police Monitoring Team

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Monitor

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Deputy Monitor

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Director of Implementation

**Charles R. See**  
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