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# 16<sup>th</sup> Semiannual Report

Written by:  
The Independent Monitoring Team

APRIL 2025

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## I. Letter from the Monitor

The time period covered by this 16<sup>th</sup> Semiannual Report is June 1, 2024 through December 31, 2024. This letter will also touch on issues that have arisen after the December 31, 2024 time frame, as they foreshadow potential opportunities and challenges for the City going forward.

As to the instant reporting period, the City deserves credit for achieving 15 upgrades. These upgrades occurred in several areas, including continued progress in Community and Problem-Oriented Policing ("CPOP"), Crisis Intervention Training, ("CIT"), and Use of Force. Progress in these areas is noteworthy given that CIT and Use of Force are currently undergoing a full-scale assessment, and CPOP's continued improvement is a precursor to it being the subject of a full assessment in the near future. The Monitoring Team also highlights a series of upgrades the City has achieved in Transparency and Oversight. The upgrades are the result of the City's hiring of an Inspector General ("IG"), who possesses significant experience in law enforcement practices and civil rights law. Notably, the City sought and received the Community Police Commission's ("CPC") input in developing the qualifications for the position. With an IG now in place, another important check and balance mandated by the Consent Decree can now take effect. The Monitoring Team looks forward to working with the IG in the months ahead.

The Monitoring Team notes the City's significant disagreement with three (3) downgrades in this Semiannual Report related to the independence of the Office of Professional Standards ("OPS"). In this regard, the Monitor has been impressed with the strategic focus of OPS on reducing its backlog of complaints. Similarly, OPS has retained skilled investigators and has devoted substantial time and energy building out its community engagement function, effectively communicating its mission to the public. Unfortunately, the Monitoring Team has witnessed clashes between the City and former OPS Administrator, Marcus Perez. The heart of these disputes concern OPS's determination to build out its independent office without interference from City law. The Monitoring Team notes the former Administrator's consistent preference for a lawyer dedicated to OPS, rather than the attorneys from City law assigned to the agency. Similarly, OPS has credibly complained about the sufficiency of the budget it receives from the City.

OPS's concerns about being able to operate more independently are particularly acute given the City's recent shutdown of the agency, due to the City's purported concern that a new dashboard that OPS made available to the City and its elected officials, included certain law enforcement data that OPS should not have had access to and/or made available to those that it shared the dashboard with. OPS's independence has also been compromised by the confusion over whether former Administrator Perez resigned, as the City claims, or was fired.

Unfortunately, the City, through City Law and the Police Accountability Team ("PAT") has declined to respond in writing to the Monitoring team's detailed written questions



concerning the shutdown of OPS, as well as its claims regarding the dashboard. We urge the City to immediately respond to our questions, as the public and the Court deserve to understand why the City took action to close OPS down and whether it was justified.

The City's relationship with agencies that are required to operate independent of the City, such as OPS and CPC is critical to the transparent, oversight, and checks and balances required by the Consent Decree. Residents of Cleveland familiar with the City's history of unconstitutional policing and the objectives of the Consent Decree are rightly concerned at the City's failure to embrace oversight from independent agencies.

With respect to the CPC, the agency recently uncovered that the City may have failed to investigate complaints of misconduct filed by officers against their colleagues. We understand that complaints were noted by CDP, but sent to the City's Human Resources agency for investigation and resolution, resulting in significant delay and/or no action on these complaints. Paragraph 177 of the Consent Decree states that "Internal Affairs will conduct objective, comprehensive, and timely investigations of all internal allegations of officer misconduct." The Monitoring team is reviewing this matter, and notes its disagreement with CPC's publication of the names of the alleged victims and officers suspected of wrongdoing. Alleged victims and those accused merit due process before their identities are revealed.

We further note that the City moved slowly to replace outgoing CPC Commissioners. This left CPC, for far too long, with only four (4) Commissioners—not even quorum. More recently, the City and CPC have clashed in regards to the City's active role in the selection process for an Executive Director ("ED"). The Charter makes clear that it is the Commission, in the first instance, that is responsible for nominating the ED. After the nomination, it is the Mayor who appoints. We urge the City to afford the CPC the opportunity to conduct its due diligence and solely nominate an ED for the Mayor's approval.

Finally, since November 2024, the City has doubled down on its disputes with the Monitoring team regarding the reasonableness of the Monitor's bills and recently has taken issue with the methodology supporting the Monitor's ratings in the 16<sup>th</sup> Semiannual Report. The Court is evaluating the City's objections to the Monitor's bills, and it will likely issue rulings in the near future.

The City's attack on the Monitor's process for rating the City via Semiannual Reports is particularly troublesome. The City's argument runs counter to the well-established precedent since the 3rd Semiannual report was released nearly a decade ago. Moreover, methodologies that underpin a full blown assessment are the result of a collaborative process with the Parties over a period of months.

Put simply, the City's new protest about the process for arriving at ratings for the Semiannual Report seems to be part of its new strategy to focus on the work of the Monitor, rather than devote all resources on compliance. Indeed, the record of the





Monitoring team's ratings over the last two (2) years—which consist of far more upgrades than downgrades—together with the strategy of accelerating full blown assessments (that include rigorous methodologies designed and accepted by the Parties), persuasively demonstrates the Monitoring Team's commitment to call it like we see it, and do all we can to facilitate the City's advancement to substantial compliance.

It is our sincere hope that the City does that which the residents of Cleveland expect: focus solely on achieving compliance with the Consent Decree, rather than pursuing a strategy of litigation against this settlement. The community has consistently sought accountability for the City's lack of substantial compliance since the onset of the Consent Decree. Just as the Court's significant engagement with the Parties over the last 18 months was crucial in overcoming the delays associated with the City providing DOJ, the Monitor, CPC, and OPS with documents and databases to which each entity was entitled, the Court will need to remain fully engaged on redirecting the City's efforts to compliance and accountability.

Sincerely,

A handwritten signature in black ink, appearing to be "Karl Racine".

Karl Racine

## II. Understanding this Report

Since the 3<sup>rd</sup> Semiannual Report, the Monitoring Team has used its Semiannual Reports to present a summary of the status of the City’s compliance with each of the 340 paragraphs of the Consent Decree. Although providing “a paragraph-by-paragraph accounting of the general state of the City’s compliance runs the risk of being an oversimplification,” these summary representations remain useful indicators for viewing progress over time.<sup>1</sup>

Therefore, each section of the 16<sup>th</sup> Semiannual Report summarizes the Monitoring Team’s general conclusions about compliance status by describing the state of each paragraph listed as one of the following:

- **Non-Compliance:** The City and/or Cleveland Division of Police (“CDP”) has not yet complied with the relevant provision of the Consent Decree. This includes instances in which the City or CDP’s work or efforts have begun but cannot yet be certified by the Monitoring Team as compliant with a material component of the requirement.
- **Partial Compliance:** The City and/or CDP has made sufficient initial strides or sufficient partial progress toward a material number of key components of the provision of the Consent Decree—but has not achieved “Operational Compliance.” This includes instances where policies, processes, protocols, trainings, systems, or the like exist on paper but do not exist or function in day-to-day practice. It may capture a wide range of compliance states or performance, from the City or CDP having taken only very limited steps toward Operational Compliance to being nearly in Operational Compliance.
- **Operational Compliance:** The City and/or CDP has made notable progress to technically comply with the requirement and/or policy, process, procedure, protocol, training, system, or other mechanism of the Consent Decree such that it is in existence or practice operationally—but has not yet demonstrated, or has not yet been able to demonstrate, meaningful adherence to or effective implementation, including across time, cases, and/or incidents. This includes instances where a given reform is functioning but has not yet been shown, or an insufficient span of time or volume of incidents have transpired, to be effectively implemented in a systemic manner.
- **General Compliance:** The City and/or CDP has complied fully with the requirement and the requirement has been demonstrated to be meaningfully adhered to and/or effectively implemented across time, cases, and/or incidents. This includes instances where it can be shown that the City or CDP has effectively complied with a requirement fully and systemically.

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<sup>1</sup> 3<sup>rd</sup> Semiannual Report at 9.



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The same caveats that have previously applied to these summary categories remain applicable and are thus repeated here verbatim. First, “Non-Compliance” or “Partial Compliance” does not automatically mean that the City or CDP has not made good-faith efforts or commendable strides toward compliance. It might, instead, signify that initial work has either not yet begun or reached a sufficiently critical point where progress can be considered to have been made.

Second, “Partial Compliance” requires more than taking some limited, initial steps toward compliance with a requirement. It instead requires that the City or CDP have made “sufficient, material progress toward compliance” that “has graduated from the stages of initial work to more well-developed and advanced refinement of various reforms.”<sup>2</sup>

Third, these summary terms do not appear in the Consent Decree. The Monitoring Team employs them in order to synthesize and summarize the report’s conclusions. Relatedly, compliance with individual paragraphs of the Consent Decree is necessary for the larger, overall “Substantial and Effective Compliance” with the whole of the Consent Decree, but it is not the same thing. Ultimately, “Substantial and Effective Compliance” with the Consent Decree will be reached when “the City either has complied with *all* material requirements of this Agreement or has achieved sustained and continuing improvement in constitutional policing, as demonstrated pursuant to this Agreement’s outcome measures,”<sup>3</sup> “by a preponderance of the evidence.”<sup>4</sup>

Fourth, the charts within the appendix that summarize progress in each area also condense the requirements of each paragraph rather than reprinting the entire Consent Decree in the context of this report. Any imprecision or confusion created by these condensed or summarized requirements is unintended and, in any event, can be cured with reference to the original language of the Consent Decree itself.<sup>5</sup> Furthermore, the appendix charts primarily cover paragraphs 14 through 340 of the Consent Decree, but other paragraphs also contain requirements that the City must meet.<sup>6</sup>

Overall “compliance status” conclusions displayed in tables within the executive summary and the appendix herein do not replace the more rigorous and comprehensive quantitative and qualitative assessments of how CDP performs over time:

*[T]he Monitoring Team bases its assessments on its current understandings, knowledge, and information gained through ongoing work and discussion with CDP, the Parties, and other stakeholders. The assessments are informal to the extent that not all of them are necessarily informed by the type of exhaustive compliance and outcome measurements that are a critical component of the Consent Decree—and the summary determinations do not take the place of these more structured, systemic analyses. The intent is to provide a bottom-line sense of where CDP is on the road to compliance. Ongoing, rigorous quantitative and*

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<sup>2</sup> 3<sup>rd</sup> Semiannual Report at 10.

<sup>3</sup> Dkt. 413-1 ¶ 456 (emphasis added).

<sup>4</sup> *Id.* at ¶ 397.

<sup>5</sup> See *Id.*

<sup>6</sup> See 3<sup>rd</sup> Semiannual Report at 10.



*qualitative assessments will provide a more comprehensive picture as work under the Consent Decree proceeds.*<sup>7</sup>

The descriptions of progress contained below should be considered as a synthesis or bottom-line reporting of substantive discussions from each major Consent Decree area contained within this report.

An additional method for capturing progress is the creation, utilization, and accountability to the Monitoring Plan, described in paragraph 369, which outlines the work to be done by the Parties within the year.

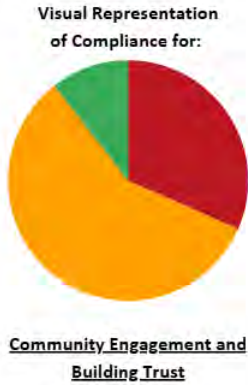
As is evidenced by the extensive and broad-reaching Consent Decree itself, the City of Cleveland's implementation of the Consent Decree and the many action items and projects it encompasses, is a substantial task. Many areas of the Consent Decree require multiple reporting periods for the City to achieve—and for the Monitoring Team to confirm and consequently report on—these major milestones. Therefore, at times this Semiannual Report, as with previous Semiannual Reports, reprints content from prior Semiannual Reports in instances where there has not been enough material progress to warrant an update. In such cases, the Monitoring Team is not citing to prior Semiannual Reports in the interest of readability.

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<sup>7</sup> *Id.* at 11.

### III. Executive Summary

#### Community Engagement and Building Trust



CDP, through the ongoing presence of its community outreach officers from each District, continues to be involved in community-led events and participate in the planning and staffing of some events. The Monitoring Team has received community feedback and observed firsthand, mixed progress from DPCs, which it hopes to focus on in the months ahead. Finally, the City delayed swearing-in the new Community Police Commission (“CPC”) members, which resulted in the CPC lacking a sufficient number of members to carry out its important work.

| Non-Compliance                        | Partial Compliance  | Operational Compliance | General Compliance |
|---------------------------------------|---|------------------------|--------------------|
| ¶ 17a, ¶ 17c, ¶ 18b, ¶ 20, ¶ 21, ¶ 24 | ¶ 14, ¶ 16, ¶ 17b, ¶ 18a, ¶ 17d, ¶ 18a, ¶ 18c, ¶ 19, ¶ 23, ¶ 25, ¶ 26 |                        | ¶ 15, ¶ 22         |

\*\*\* No modifications have been made since the 15<sup>th</sup> Semiannual Report.

#### Community and Problem-Oriented Policing



The training on community engagement and problem solving has a new and comprehensive curriculum that has made a difference with improved oversight and emphasis on instructional accountability. This led to a return to Partial Compliance for the training paragraph of the Consent Decree.

| Non-Compliance | Partial Compliance                       | Operational Compliance | General Compliance |
|----------------|--|------------------------|--------------------|
| ¶ 34           | ¶ 27, ¶ 28, ¶ 29, ¶ 30, ¶ 31, ¶ 32, ¶ 33 |                        |                    |

\*\*\* Paragraph 30 has been upgraded since the 15<sup>th</sup> Semiannual Report.

**Bias-Free Policing**

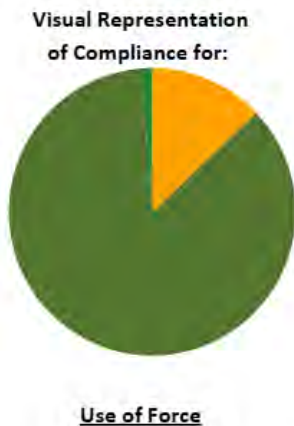


Notable progress was made during this reporting period in the area of Bias-Free Policing. Specially, 16-hours of in-service Continuing Professional Training (“CPT”) Session II was provided during this reporting period. In addition, the Monitoring Team received, reviewed, and approved CDP’s Bias-Free Policing Supervisor Training curriculum. The Monitoring Team anticipates receipt of further evidence of progress in this area throughout 2025.

| Non-Compliance | Partial Compliance                | Operational Compliance | General Compliance |
|----------------|-----------------------------------|------------------------|--------------------|
| ¶ 43           | ¶ 35, ¶ 36, ¶ 37, ¶ 41 ¶ 42, ¶ 44 | ¶ 38, ¶ 39, ¶ 40       |                    |

\*\*\* No modifications have been made since the 15<sup>th</sup> Semiannual Report.

**Use of Force**

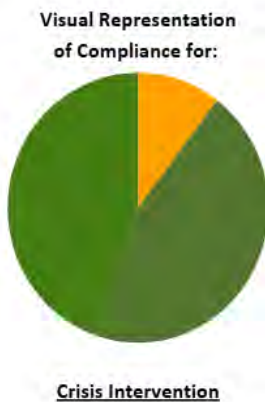


The Monitoring Team continues the rolling review and assessment of 2024 Level 1 and Level 2 use of force cases, including the force itself, the supervisory response at the scene and review, and the chain of command review. The Monitoring Team also continues to observe and assess all Force Review Board meetings in person or remotely. The Monitoring Team will be coordinating a comprehensive assessment during the calendar year 2025 on all use of force related provisions contained in paragraphs 45-130.

| Non-Compliance | Partial Compliance  | Operational Compliance  | General Compliance |
|----------------|---|---|--------------------|
|                | ¶ 46, ¶ 47, ¶ 111,<br>¶ 116, ¶ 118, ¶ 120,<br>¶ 121, ¶ 122 ¶ 125,<br>¶ 126, ¶ 129 | ¶ 45, ¶ 48, ¶ 49,<br>¶ 50, ¶ 51, ¶ 52,<br>¶ 53, ¶ 54, ¶ 55,<br>¶ 56, ¶ 57, ¶ 58,<br>¶ 59, ¶ 60, ¶ 61,<br>¶ 62, ¶ 63, ¶ 64,<br>¶ 65, ¶ 66, ¶ 67,<br>¶ 68, ¶ 69, ¶ 70,<br>¶ 71, ¶ 72, ¶ 73,<br>¶ 74, ¶ 75, ¶ 76,<br>¶ 77, ¶ 78, ¶ 79,<br>¶ 80, ¶ 81, ¶ 82,<br>¶ 83, ¶ 84, ¶ 85,<br>¶ 86, ¶ 88, ¶ 89,<br>¶ 90, ¶ 91, ¶ 92,<br>¶ 93, ¶ 94, ¶ 95,<br>¶ 96, ¶ 97, ¶ 98,<br>¶ 99, ¶ 100, ¶ 101,<br>¶ 102, ¶ 103, ¶ 104,<br>¶ 105, ¶ 106, ¶ 107,<br>¶ 108, ¶ 109, ¶ 110,<br>¶ 112, ¶ 113, ¶ 114,<br>¶ 115, ¶ 117, ¶ 123,<br>¶ 124, ¶ 127, ¶ 128,<br>¶ 130 | ¶ 87               |

\*\*\* Paragraphs 122 and 128 have been upgraded since the 15<sup>th</sup> Semiannual Report.

### Crisis Intervention



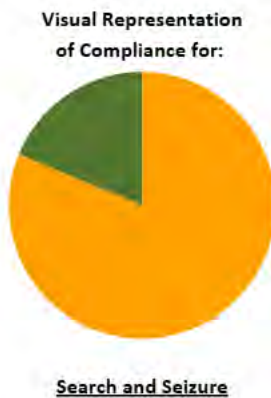
The 15<sup>th</sup> Semiannual Report reported on the cooperative work to develop a compliance assessment methodology. The spirit of cooperation shown by the Parties involved was noted. This same level of cooperation extends to the community and inter-agency work on curriculum development and training this year. CDP has conducted training sessions on Trauma Informed assessments, 911 operators and dispatchers behavioral health strategies, and Crisis Intervention Training (“CIT”) specialized behavioral health topics. Next year, topics will focus on geriatric behavioral health issues and officer wellness. The Monitoring Team began the compliance assessment process this period. However, the first phase of work indicated that additional work was needed on the assessment instrument in order to obtain an adequate level of reliability. The Monitoring Team is now

completing the assessment process and expects to have the data collection completed by the end of this upcoming Semiannual period.

| Non-Compliance | Partial Compliance   | Operational Compliance   | General Compliance   |
|----------------|----------------------|--|--|
|                | ¶ 141, ¶ 151, ¶ 156, | ¶ 131, ¶ 135, ¶140,<br>¶ 142, ¶ 145, ¶ 147,<br>¶ 148, ¶ 149, ¶ 150,<br>¶ 152, ¶ 157, ¶ 158,<br>¶ 159 | ¶ 132, ¶ 133, ¶ 134,<br>¶ 136, ¶137, ¶ 138,<br>¶ 139, ¶ 143, ¶ 144,<br>¶ 146, ¶ 153, ¶ 154,<br>¶ 155 |

\*\*\* Paragraph 135 has been upgraded since the 15<sup>th</sup> Semiannual Report.

**Search and Seizure**



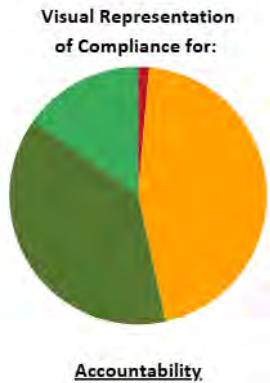
As reported in the 15<sup>th</sup> Semiannual Report it was anticipated, “assuming no further disruptions,” that the Search and Seizure assessment would officially commence during this reporting period. Although it has since been initiated, it did not occur within the second quarter of 2024. This was due to several unexpected delays in receiving clarification on relevant information and additional questions raised regarding the administering and assessment of Probable Cause and Warrantless Arrests Affidavits.

| Non-Compliance | Partial Compliance  | Operational Compliance | General Compliance |
|----------------|---|------------------------|--------------------|
|                | ¶ 160, ¶ 161, ¶ 162,<br>¶ 163, ¶ 164, ¶ 165,<br>¶ 166, ¶ 167, ¶ 168,<br>¶ 169, ¶ 170, ¶ 171,<br>¶ 172 | ¶ 173, ¶ 174, ¶ 175    |                    |

\*\*\* No changes recommended since the 15<sup>th</sup> Semiannual Report.



**Accountability**



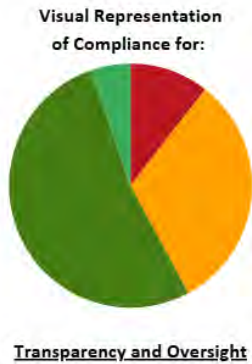
Internal Affairs (“IA”) continued to make strides towards achieving compliance goals despite personnel changes that resulted in Non-Compliance with paragraph 178. During this rating period, then-IA Superintendent Viland vacated the position. Captain Simon acted as the interim Superintendent. In November 2024, Superintendent Meyer was hired as the IA Superintendent. The IA team worked with the Department of Justice (“DOJ”) and the Monitoring Team to finalize the IA Supervisor Training, ensuring each update aligned with the Consent Decree.

The Office of Professional Standards (“OPS”) Administrator has been able to sustain all the positive changes over the last year, while introducing a new community engagement specialist and continuing to expedite the timelines for both older cases and current ones. Due to limitations on spending out of the approved budget and the absence of an independent attorney, there are downgrades for paragraphs 198, 199, and 232.

| Non-Compliance | Partial Compliance   | Operational Compliance  | General Compliance  |
|----------------|--|---|---|
| ¶ 198          | ¶ 176, ¶ 177, ¶ 179, ¶ 180, ¶ 181, ¶ 182, ¶ 183, ¶ 184, ¶ 185, ¶ 186, ¶ 187, ¶ 188, ¶ 192, ¶ 194 ¶ 199, ¶ 200, ¶201, ¶ 204, ¶ 214, ¶ 215, ¶ 218, ¶ 219, ¶222, ¶ 223, ¶ 226, ¶ 227, ¶ 232, ¶ 233, ¶ 234, ¶ 239, ¶ 241, ¶ 245, ¶ 249 | ¶ 178, ¶ 189, ¶ 190, ¶ 191, ¶ 193, ¶ 195, ¶ 196, ¶203 ¶ 205, ¶ 206, ¶ 208, ¶ 209, ¶ 210, ¶ 211, ¶ 212, ¶ 213, ¶ 216, ¶ 217, ¶ 220, ¶ 224, ¶ 228, ¶ 229, ¶ 237, ¶ 238, ¶242, ¶ 243, ¶ 246, ¶ 248 | ¶ 197, ¶ 202, ¶ 207, ¶ 221, ¶ 225, ¶ 230, ¶ 231, ¶ 235, ¶ 236, ¶ 240, ¶ 247 |

\*\*\* Paragraphs 198, 199, and 232 have been downgraded and paragraphs 203 and 237 has been upgraded since the 15<sup>th</sup> Semiannual Report.

**Transparency and Oversight**



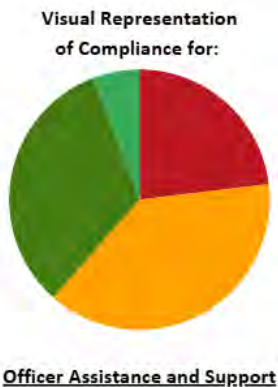
On December 6, 2024, the City announced that it had hired Shayleen Agarwal to the position of Inspector General (“IG”). IG Agarwal reports to the Director of Public Safety. This elevates the ratings for paragraphs 250-254 to Operational Compliance.

The Open Data Portal on the City’s website continues to be an impressive source of information in real time. It remains a challenge to find required information on either the City’s or CDP’s websites.

| Non-Compliance | Partial Compliance                       | Operational Compliance  | General Compliance |
|----------------|--|---|--------------------|
| ¶ 256, ¶ 265   | ¶ 255, ¶ 261, ¶ 264, ¶ 266, ¶ 267, ¶ 268 | ¶ 250 ¶ 251, ¶ 252, ¶ 253, ¶ 254, ¶ 257 ¶ 258, ¶ 260, ¶ 262 ¶ 263 | ¶ 259              |

\*\*\* Paragraphs 250, 251, 252, 253, and 254 have been upgraded since the 15<sup>th</sup> Semiannual Report.

**Officer Assistance and Support**



The Training Commander continues to lead the unit with enthusiasm and creativity. In the last period, the Recruitment Team, which was previously headquartered and operationally part of the Department of Public Safety, became assigned to the Commander of Administrative Services at the CDP and is now part of that Bureau. The City provided a timeline to research and create a promotional process that should have been completed by the end of 2024 based on the proposed timeline. The Monitoring Team would welcome the opportunity to be a part of the working group and offer technical assistance. The hope is to have this process operational in Quarter four (4) of 2025. There is nothing to report, despite efforts by the Monitoring Team to establish working groups or regular meetings on any activities to address the promotional process. Each of these topical areas within Officer Assistance and Support are poised and preparing for an assessment by

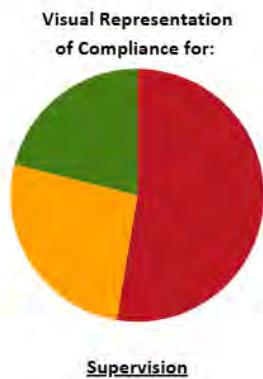
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the Monitoring Team over this calendar year. We hope that the process will jump start areas that have not received much attention and allow for collaborative engagement to improve the entire process of the assessments.

| Non-Compliance  | Partial Compliance   | Operational Compliance   | General Compliance  |
|---|--|--|---------------------|
| ¶ 282, ¶ 283, ¶ 285,<br>¶ 286, ¶ 287, ¶ 312,<br>¶ 313, ¶ 314, ¶ 315,<br>¶ 316, ¶ 317, ¶ 318 | ¶ 269, ¶ 275, ¶ 276,<br>¶ 277, ¶ 279, ¶ 280,<br>¶ 281, ¶ 284, ¶ 288,<br>¶ 290, ¶ 291, ¶ 294,<br>¶ 299, ¶ 304, ¶ 305,<br>¶ 306, ¶ 309, ¶ 311,<br>¶ 320, ¶ 321 | ¶ 270, ¶ 271, ¶ 272,<br>¶ 273, ¶ 274, ¶ 289,<br>¶ 293, ¶ 295, ¶ 296,<br>¶ 297, ¶ 298, ¶ 300,<br>¶ 302, ¶ 303, ¶ 307,<br>¶ 310, ¶ 319 | ¶ 292, ¶ 301, ¶ 308 |

\*\*\* Paragraphs 271 and 284 have been upgraded since the 15<sup>th</sup> Semiannual Report.

### Supervision



On scene supervision continues to improve, particularly in use of force incidents. The City continues its progress in the development of the Officer Intervention Plan (“OIP”) by working closely with their vendor, Benchmark Analytics, to develop a computerized relational database that will be used to collect, maintain, integrate, and retrieve data department-wide and for each CDP officer.

The CDP revised their Wearable Camera System (WCS) policies to address issues regarding supervisory audits of WCS. The Monitoring Team for this report has reviewed the logs provided by the City regarding these supervisory and command level audits and found them to be compliant with the policy and requirements of paragraph 339.

| Non-Compliance  | Partial Compliance                   | Operational Compliance       | General Compliance |
|---|--------------------------------------|------------------------------|--------------------|
| ¶ 327, ¶ 328, ¶ 329,<br>¶ 330, ¶ 331, ¶ 332,<br>¶ 333, ¶ 334, ¶ 335,<br>¶ 336 | ¶ 322, ¶ 323, ¶ 324,<br>¶ 325, ¶ 326 | ¶ 337, ¶ 338, ¶ 339<br>¶ 340 |                    |



*\*\*\* Paragraphs 326 and 339 have been upgraded since the 15<sup>th</sup> Semiannual Report.*

## IV. Complete Findings

### 1. Community Engagement and Building Trust

#### Areas of Progress

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Community Engagement: CDP, through the ongoing presence of its community outreach officers from each District, continues to be involved in community-led events and, participate in the planning and staffing of some events. Newly recruited CDP officers report attending neighborhood “coffee with a cop” gatherings, block club meetings, and other neighborhood meetings where they can interact with Cleveland residents and build stronger relationships on their “beat.”

The Monitoring Team has received positive reports of officers spending more time listening to community complaints and understanding their problems or engaging with Cleveland youth.

An important development that occurred in the latest reporting period, is that the Parties began to discuss plans for the Monitoring Team to conduct a community survey, as required by paragraphs 361-366 of the Consent Decree. While many more discussions are required before the community survey can be executed, conducting a reliable, comprehensive, and representative survey of members of the Cleveland community regarding their experiences with and perceptions of CDP and of public safety will go a long way in informing the Monitoring Team of the City’s progress in community engagement.

Community Police Commission: Encompassed within the community engagement section of the Consent Decree is the Community Police Commission (CPC). The 13-member CPC was established under Section 115 of the City’s Charter, which was amended in November 2021 following an electoral process. Those amendments do not conflict in any way with the Consent Decree; rather, they impact how the City carries out its responsibilities under the Consent Decree.

In December 2024 (the end of the reporting period), the 13-member CPC was reduced to four (4) Commissioners. Six (6) Commissioners left due to their 2-year term expiring and three (3) Commissioners vacated their 4-year terms early. As such, the CPC was faced with its first official transition and application process since its initial Commissioners were sworn in. As with any new process, there were valuable lessons learned and there were notable areas where the City adapted quickly to ensure a successful application process. For example, some residents expressed concerns that the application period was insufficient in encouraging a strong and diverse pool of applicants. The City was responsive to these concerns, and extended the application deadline to provide ample time for residents to complete the application process. Further, City leadership and CPC leadership worked diligently—through newsletters, conversations with community groups, and press interviews—to inform the public of commissioner vacancies and encourage community members to apply.

District Policing Committees: CDP has five (5) District Policing Committees (DPC), one (1) operating in each District. DPC's are one of the essential ways CDP seeks to communicate with and engage the residents across the community.

DPCs have begun to acknowledge the need to diversify community participation and increase outreach efforts to younger residents in their respective areas. The Monitoring Team has seen recommendations set forth by CDP to rotate meeting locations and/or dates to attract new participation. This kind of creative thinking and problem solving with an eye towards broader engagement is a step in the right direction towards fulfilling paragraphs 23-26.

The Monitoring Team, through its attendance at DPC's meetings, has learned about the many mechanisms through which DPCs are engaging in community events or contributing to the Community and Problem-Oriented Policing ("CPOP") related efforts. The Monitoring Team is encouraged by this. For example, the FUSUS program – a camera sharing access program which allows CDP to access the cameras of private civilians and area businesses for crime detection and investigations – appears to be contributing to improved cooperation between police, residents, and local area businesses.

Importantly, the Community Relations Board, which works closely with DPCs, met with the Monitoring Team during this reporting period to share about their challenges and efforts towards advancing the Consent Decree. The Monitoring Team looks forward to deepening this collaboration, as the CRB has a critical role to play in fulfilling multiple paragraphs of the Consent Decree related to both Community Engagement and CPOP.

### Challenges Ahead

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Community Engagement: While efforts are being made to improve relationships with younger residents in each District, establishing meaningful relationships with this population continues to be challenging. Youth and young adults generally do not have regular interactions with police other than enforcement activities.

The Community Survey discussed above will be a critical milestone for the Community Engagement section of the Consent Decree. It will also require time and resources from all Parties—DOJ, the City, and the Monitoring Team. Being collaborative, decisive, and creative will be critical to ensuring the Community Survey moves forward swiftly. The Monitoring Team is eager to work with the Parties on this.

Community Police Commission: As mentioned earlier, the CPC experienced its first official transition and application process since the initial Commissioners were sworn in. As with any new process, there were important lessons learned. While there were areas where the City responded quickly and took proactive steps to ensure a successful application process, there were also instances where implementation could have been improved. For example, the inaugural group of Commissioners were interviewed by one (1) City Representative and three (3) Community Leaders. This most recent interview process, however, included three (3) City Representatives and reduced the Community



representation down to two (2) (one (1) Community Leader and one (1) sitting Commissioner). To ensure that the CPC is “representative of Cleveland’s diverse communities,” consistent with paragraph 16, the City should, in the future, strive to have a more balanced interview panel that can incorporate additional community voices.

Importantly, there also appeared to be instances where progress was hindered due to gaps in cooperation and communication between City leadership. As a result, the appointment and swearing-in of Commissioners was delayed, preventing them from fulfilling their responsibilities under the Consent Decree. As the Monitoring Team has noted previously, creating an independent, community-driven CPC that reflects the voices of Cleveland residents is a complex task. Achieving success will require time, resources, and a collaborative effort from all involved, including the Commissioners, the community, and City leaders. New Commissioners, upon being selected, seated, and trained, will face a number of challenges:

- Forming a cohesive group which is able to work together to solve problems;
- Becoming familiar with their responsibilities under the Consent Decree and setting goals, objectives, and priorities towards that end;
- Building trust with the community, CDP, City Council, and other City stakeholders;
- Selecting a new Executive Director of the Commission; and
- Preparing to hear cases of police misconduct and make disciplinary rulings.

While the work that lies ahead is significant, the Monitoring Team is encouraged by the resilience of the four (4) incumbent commissioners. It is vital that new commissioners remain singularly focused on the work at hand.

District Policing Committees: The Monitoring Team has received community feedback and observed firsthand, mixed progress from DPCs. While DPCs recognize the need to reach a broader audience, some community groups have reported that their requests for DPC meetings to occur at alternative dates, times, or locations has been met with inflexibility. Additionally, some DPCs appear to struggle from a lack of cohesion and collaboration, and general confusion around division of responsibilities.

The Monitoring Team sees this as an opportunity for the Parties—the City, DOJ, and the Monitor—to redouble their efforts on ensuring that where some DPCs are seeing successes, that those are replicated across DPCs where challenges persist.

## 2. Community and Problem-Oriented Policing

### Areas of Progress

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In the previous Semiannual Report, the Monitoring Team noted that ongoing technical assistance CDP received through the DOJ's Office of Community Oriented Policing Services ("COPS"), is showing signs of positive change within CDP. CPOP coordinators in the Districts are receiving reports expressing appreciation by business/schools who have struggled with long-term unresolved issues. CPOP teams in their District are developing strategies and implementing them in ways that are making a positive and visible difference, for example decreasing crime around Edna House and the Constellation Old Brooklyn School. Nearly all Districts have a CPOP Coordinator and we expect that each District will have one by the conclusion of the next reporting period. To the City's credit, the Commander overseeing implementation of CPOP along with the Police Accountability Team's ("PAT") Executive Director and other representatives, visited Baltimore twice to study and learn from Baltimore's community policing efforts. The job description of the CPOP Coordinators is comprehensive and supports many of the CPOP related sections of the Consent Decree. CDP's revised CPOP training curriculum was approved by the Monitoring Team in July 2024 and we are eager to observe delivery of this training in the next reporting period. The Monitoring Team will be looking for a quality delivery, appropriate classroom management, positive classroom engagement, and positive reports from participants. Accomplishing these goals holds great potential for upgrading the compliance level for paragraph 30. Under paragraph 34 of the Consent Decree, the CDP will publish a report that presents the results of community policing efforts in each District. This report received in July 2024 contained a deeper analysis than prior years' reports, including both summary data as well as analytics on causation and responses. The Monitoring Team acknowledges an improvement in having a single command structure in place to grow and develop CPOP, and looks forward to working with the CPOP team to grow this philosophy agency-wide. A full assessment of CPOP will begin in the following Semiannual reporting period following work on methodology throughout this reporting period.

### Challenges Ahead

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While CPOP is showing significant growth in implementation through the CPOP Coordinators and District-based CPOP officers, CDP must institutionalize the philosophy of CPOP within every employee to reach compliance. The Monitoring Team will begin a full assessment of CPOP in the second half of 2025. Once the majority of District-based patrol officers and supervisors regularly engage in CPOP, the agency moves closer to compliance.

## 3. Bias-Free Policing

### Areas of Progress

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During this reporting period, CDP provided officers throughout the Division CPT Session II in-service training, which included modules and principle on Bias-Free Policing. CDP

also provided the Monitoring Team and DOJ a four (4) hour, in-person, interactive scenario-based training curriculum for review and approval. The training received approval from the full CPC in November 2024. The training utilizes the Legal, Administrative, Tactical, Ethical, and Social (“LATES”) analytical frame to examine supervisor’s decision-making relative to complaint investigations, community engagement and to create a unit-level and organizational culture of Bias-free policing. The training curriculum includes practical steps to help supervisors address and reduce bias, such as fostering cultural sensitivity and using data to monitor disparities.

### Challenges Ahead

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While the Supervisor Training curriculum provides a solid foundation for promoting Bias-free Policing, particularly through its substantive analytical framework and interactive, reality-based videos, the current version of the curriculum frequently suggests issuing formal apologies to the impacted communities. This risks being perceived as performative unless tied to actionable changes, such as policy revisions and officer accountability measures. In addition, although the training emphasizes the need for supervisors to periodically review investigatory stop, arrest, use of force and complaint data for patterns of bias, specific guidance on the frequency of the review of data are needed, rather than leaving it solely to supervisors’ discretion.

Moreover, as noted in previous Semiannual Reports, the Monitoring Team awaits the publication and receipt of a comprehensive annual report reflecting the analysis of data relative to the unbiased administration of all CDP activities in accordance with paragraph 265 of the Consent Decree.

## 4. Use of Force

### Areas of Progress

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The reviews of use of force cases and the Force Review Board generally shows that policies are being followed and the chain of command is able to identify and remedy any issues when they occur. There are very few policy violations, and indeed, supervisors catch the issues. This is the sort of accountability the Consent Decree expects and the policies of the CDP demand. With a new superintendent in IA, CDP seems well poised for a second assessment on the investigations conducted by the Force Investigation Team (“FIT”), *i.e.*, all Level 3 cases.

IA has provided an excel to illustrate it is tracking timeline requirements required by paragraph 122, which warrants an upgrade to Partial Compliance. To achieve Operational Compliance, an assessment of the underlying documentation will need to be performed.

Based on the Monitoring Team’s observations at the Force Review Board, the Force Review Board has assessed “the quality of the investigations” and identified and documented “any deficiencies that indicate a need for corrective action” as required in paragraph 128, resulting in an upgrade to Operational Compliance. A further assessment in the future will be required to assess the findings themselves pursuant to paragraph 126.

On a regular basis, the Monitoring Team meets with both CDP personnel and the DOJ to share any observations from the reviews it conducts. Chief Todd actively participates in those meetings and reports that she shares any observations from the Monitoring Team, typically on tactics that should be reviewed to ensure greater safety for officers, with area commanders for review. This action is an illustration of the learning and follow up that Chief Todd deems important and helpful for continuous improvement.

## Challenges Ahead

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The Monitoring Team still anticipates receiving and reviewing the updated Force Review Board (“FRB”) training. The revisions are grossly overdue.

## 5. Crisis Intervention

### Areas of Progress

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The 15th Semiannual Report concluded that while the path to full compliance with the Consent Decree will involve a series of graduated steps, the work to develop a formal methodology for crisis intervention assessment was an important milestone for the community of Cleveland and the Parties to the Consent Decree. As the Monitoring Team completed the first phase of the compliance assessment process, the ability to reliably determine the outcomes for improved intervention strategies during crisis events was complex and required additional refinement of the assessment tool itself. The City and the DOJ readily agreed to the changes and their positive approach is highly appreciated. The Monitoring Team’s remaining work on the compliance assessment is now underway and the rest of the evaluation work is set to be completed during the current Semiannual period.

This continued spirit of cooperation has been notable. A new system of review and approval that includes the entire range of police behavioral health training is working well. CDP worked with the ADAMHS Board training staff and community volunteers to present an in-service training for all officers on Trauma Informed Interventions, training for 911 call takers and dispatchers on Behavioral Health and Disabilities, CIT officer in-service training on specialized behavioral health issues, and the ongoing 40hour CIT Training which takes place three (3) times each year. The CDP training for officers is extensive and has the community involved in the curriculum and instruction at every level.

Next year’s plan is to continue with the ongoing CIT and Communications training. The MHRAC Training Subcommittee and CDP will take the lead on developing a curriculum involving the geriatric population and officer wellness. Without the leadership and support from PAT, the City’s Health Department, the CDP (and its Training Section), the Mental Health Response Advisory Committee (MHRAC), the CPC (and its Training Committee), the DOJ, and the Monitoring Team, this level of quality training would not be possible.

CDP continues to receive valuable community assistance from MHRAC. The Data and Growth Subcommittee has identified the topic for Continuous Quality Improvement. This topic will focus on the most frequent locations for CDP behavioral crisis calls. As a result,

meetings have been held with the leadership from the agencies involved to develop prevention strategies. Additionally, this subcommittee is working to review factors involved in assuring CIT officers are assigned to CDP behavioral crisis calls. The Data and Growth Subcommittee has assisted in taking on the challenge of reassuring the public that CDP has been able to form a self-correcting capacity to identify and change practices that are in need of improvement. The subcommittee's work with CDP will likely have an important impact on public perception of the department's Crisis Intervention strategies.

MHRAC's work related to youth also deserves attention. The Youth Subcommittee is working with CDP to examine the types of crisis calls involving youth. An initial finding is that domestic violence is a major contributor to youth-involved calls. The subcommittee is expanding the scope of its work to include work with parents and caregivers and City-based programs such as those found at the recreation centers. This work also holds great promise and the PAT team has noted that the Youth Subcommittee has helped support a broader set of processes and work with the Consent Decree.

The City and CDP have continued to work on improving the CIT officer on-scene response. The number of officers who are CIT trained is now past 125 and will continue to improve since additional CIT trainings are scheduled. Additionally, CDP has identified Districts where CIT officer on-scene response is the lowest and have improved CIT officer recruitment from those Districts. Work to improve the CIT officer scene includes a focus by the MHRAC Data and Growth Subcommittee on police communications to dispatch officers to behavioral health calls. This will likely improve the CIT response rate going forward.

### Challenges Ahead

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The Monitoring Team is working to complete the City and CDP crisis intervention assessment by the end of the next Semiannual period. The team expects upward shifts in compliance status in this area following the completion of this formal assessment. However, as discussed in the last Semiannual Report, the first evaluation can also be a learning process that can make a difference in future outcomes.

The approach the City and CDP are taking to Crisis Intervention work is cooperative, community oriented, and has shown initial results in a very low rate of arrest and use of force for those experiencing a behavioral crisis. The same is true for the injury rate for both civilians and officers involved. Additionally, changes in CDP policies in this area have led to an improved relationship with EMS and resulted in improved transportation options for those in a behavioral crisis event. This impressive work will eventually lead to full compliance with the terms of the Consent Decree and will continue to improve the lives of those in the Cleveland community.

The challenge of making the public aware of the improvements can be difficult as the work closes in on the remaining requirements of the Consent Decree. Obtaining community trust in the crisis intervention program will take time. Continued success in the

outcomes of behavioral crisis events will eventually focus attention on the City's and CDP's hard work and commitment on behalf of the community.

## 6. Search and Seizure

### Areas of Progress

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A Search and Seizure working group meeting was held during the July Site Visit at the request of the City to discuss comments provided by the Monitoring Team and DOJ to the CDP's 2022 Stop Report. The Monitoring Team provided the Parties formal notice detailing its plans for the Search and Seizure assessment during the reporting period, and the PAT and CDP Data Team met with the Monitor's assessment team to discuss the specific variables in the Search and Seizure dataset provided. CDP provided the Monitoring Team subject matter expert reviewers walkthroughs of the Search and Seizure survey instrument, and demonstrated how to access the LERMS data system and locate the relevant information and reports the reviewers will utilize to complete the Search and Seizure assessment.

The Monitor Team subsequently assigned its seven (7) subject matter experts files containing approximately 54 traffic and 37 investigatory stops each (n= 631 total sample), for which they are to complete their assessment of in 90-days. In addition, the Monitor Team initiated a pilot of eight (8) test cases, which included both traffic stops and investigatory stops, with one (1) case involving multiple individuals and another involving an arrest for review. A debrief was held with the Monitoring assessment team and the subject matter expert reviewers to make adjustments to streamline and enhance the efficiency of the survey instrument. The modifications, which did not include any substantive changes to the survey instrument, were shared with the Parties.

### Challenges Ahead

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The Search and Seizure assessment did not commence during this reporting period as projected. This was due to a number of unanticipated delays. These included issues identified during the discussions of the Search and Seizure dataset and the survey instrument walkthrough held during the reporting period, previously unforeseen complications with access to some systems, and the time required to coordinate and schedule relevant meetings between the City and the Monitoring Team. In particular, the need for a revised dataset containing complete narrative data on the disposition of stops identified as "Other;" the subjects' first and last name, and the need for the additional variable "eSubjectArrested." During testing, each of these data fields were identified as critical to our review and not available as needed. This data was requested by and provided to the Monitoring Team in a follow-up request. The additional data required the Search and Seizure data sample to be redrawn and the reviewer cases resorted for assignment.

In addition, as the Monitoring Team awaited clarification on specific instances where the reviewers would need to request data pertaining to the supervisor and command level reviews during the assessment, a member of the PAT raised an issue related to Probable



Cause and Warrantless Arrest Affidavits (CDP GPO 3.04.1), which introduced another layer of complexity. After some deliberation on the matter between the City and the Monitoring Team, CDP ultimately determined there is a gap that exists in the data collected for supervisory approval that the Field Based Reporting (“FBR”) system does not currently capture. The FBR only captures supervisory information for incidents with a warrantless arrest.

For the purposes of the Search and Seizure assessment, CDP will have to coordinate with its internal IT unit to provide the Monitoring Team screenshots of the FBR history for incidents involving a warrantless arrest. This information is not currently available for the other incidents involving a warrant arrest. In order to address this data limitation, the CDP will need to implement changes that allow for the collection of the supervisory approval data for all stops with an arrest. As of this report, this issue has not been resolved. All of this is relevant to the ability of the Monitoring Team to conduct its assessments in a timely manner.

## 7. Accountability

### Areas of Progress

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Internal Affairs: The IA team applies a systematic approach to each case to ensure that implemented processes are consistently followed. The IA team utilizes a Final Report that outlines the required information for a complete investigation. Additionally, the IA team is focused on showing its success related to paragraphs 183, 184, and 186-187 through its Monthly Internal Affairs Status Report. This monthly status report provides updates by citing specific case investigations needed to achieve compliance in each paragraph. In monthly reporting, IA has indicated that under paragraph 185, it has completed administrative investigations within 30 days from the completion of the criminal investigation. Under paragraph 183, it has identified violations of department policies that were discovered during the investigation and forwarded for disciplinary review.

The IA team has finalized the training curriculum which includes both online and in-person training. The curriculum was completed in partnership with an outside vendor. As per paragraph 180, this curriculum is to ensure all IA investigators have received adequate initial training. The training curriculum went through the required approval process. During the next rating period, the IA team will work on training all current members.

Ultimately, the Monitoring Team will need to assess the entire process of IA’s work to be able to determine moving toward Operational Compliance in paragraphs 183, 184, 186, 187, and 188.

During this period, the City produced a document related to paragraph 179 outlining the steps taken to achieve compliance with paragraph 179 by citing the process for selecting IA investigators. After reviewing the documents, the Monitoring Team requested additional documentation to accurately assess the City’s compliance. The Monitoring Team was provided with responsive documents. The review of the responsive documents related to paragraph 179 showed that since 2022, IA has held three (3) hiring processes

for the unit. As part of the hiring processes, a Divisional Notice was posted. The applicants were vetted to ensure they did not have any sustained history of civilian complaints and have not been disciplined for excessive use of force, discrimination, or dishonesty, causing them to be ineligible for an IA assignment. Additionally, the responsive documents provided interview questions. IA indicated the interview questions were created to assist in determining if the investigators possessed excellent investigation skills and if they can be fair and objective in determining whether an officer committed misconduct.

Office of Professional Standards: OPS has been provided access to CDP data to improve their ability to conduct timely and complete investigations of complaints. The hiring of a community engagement position in OPS holds promise, and the Monitoring Team will be eagerly watching progress in this area.

Civilian Police Review Board: Having reviewed Civilian Police Review Board (“CPRB”)’s minutes from August 2024 through December 2024, its findings consistently reflect decisions based on a preponderance of the evidence. Thus, paragraph 237 is being upgraded to Operational Compliance. To reach General Compliance, the documentation received by the Monitoring Team must contain more detail explaining the rationale for the findings.

Discipline: During the prior reporting period, CDP spent time collaborating with the Monitoring Team and DOJ on updating the Disciplinary Matrix policy which has a proposed title change to “Corrective Action Guidance.” During this reporting period, the collaboration continued. The Corrective Action Guidance was sent to the CPC for approval, and it was approved. However, upon review by the Monitoring Team, there were additional comments and updates that the CDP made to the policy. As part of the required process, the comments will be forwarded back to CDP for updating during the next reporting period. The updated Corrective Action Guidance policy will then need to be forwarded to CPC again for approval. With continued collaboration, the Monitoring Team continues to be optimistic that the Corrective Action Guidance policy will be approved and moved into the implementation phase in the next reporting period.

## Challenges Ahead

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Internal Affairs: Although IA submitted the requested documents to assess compliance with paragraph 179, the responsive documents were not enough to show Operational Compliance with paragraph 179’s many parts.

IA continues to be challenged with ensuring that its IAPro data is consistent as supervisors work to follow the procedures required for entering allegations correctly. IA continues its quarterly internal outreach to discuss trends in allegations. The outreach is driven based on data from the review of IA casework, allegations, and dispositions. During this period, outreach occurred in the First and Fifth Districts.

The City will be challenged with ensuring internal investigations that are delegated to other entities are completed consistently and in a timely fashion, consistent with

paragraphs 182-187 of the Consent Decree. During the reporting period, the IA team held meetings with the Human Resources Director and Assistant Director to address IA-monitored cases that were referred to Human Resources. This will assist in opening a line of communication between the two (2) entities so that outstanding Human Resources cases can be expedited.

IA has indicated that during the next reporting period, it will be posting a position for an Assistant Administrator to further the efficiency of its operations..

IA has indicated that it is securing a web-based training subscription that has been utilized in previous years and will allow IA leadership to assign targeted, web-based training to investigators, ensuring compliance with paragraph 181 of the Consent Decree. IA will need to have the training approved as indicated in prior reporting.

Office of Professional Standards and Civilian Police Review Board: There are some differences in interpreting paragraph 193 of the Consent Decree. OPS believes that every complaint filed by anyone that is non-criminal in nature should be investigated by OPS, while IA believes that if there is any potential for criminality in the complaint, it will be investigated by IA. With new leadership in place in IA and a change in leadership at OPS, a collaborative approach will lead to consensus on where specific cases should be routed. The competencies and quality of investigations in both OPS and IA support a collaborative approach.

A major challenge for OPS and CPRB is to secure support for spending authorization for the entirety of their approved budget to further advance their progress by investing in additional personnel and hiring an independent attorney, whom they do not share with OPS in order to avoid an actual or apparent conflict of interest from arising when an employee of City Law disagrees with his/her boss and yet cannot advocate against them on behalf of OPS/CPRB (paragraph 198).

Discipline: Monitoring Team members have spent substantial time this reporting period reviewing disposition letters from disciplinary hearings. Ultimately, the proper implementation of the proposed Corrective Action Guidance policy, assessing and observing a discipline hearing and a discipline assessment will allow the Monitoring Team to determine whether discipline is being applied consistently, fairly, and adheres to policy and procedures. Prior to initiating a future assessment, the Monitoring Team looks forward to meeting with Chief Todd and Public Safety Director Drummond to better understand their decision-making processes during the hearings and their understanding of how the new Corrective Action Guidance policy applies to their decisions and what strategy will be utilized to ensure the policy is implemented consistently among both decision makers.

The Monitoring Team has continuously objected to the use of “letter of re-instruction” for the lowest level of discipline; it is not disciplinary. This ultimately needs reconciliation for compliance with the Consent Decree.

## 8. Transparency and Oversight

### Areas of Progress

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On December 6, 2024, the City announced the hiring of Shayleen Agarwal to the position of Inspector General. Inspector General Agarwal's background as listed in the press release, meets all of the qualifications listed in paragraphs 250-252. The duties and responsibilities listed in paragraphs 253-254 are listed on the City's website as specific to the Inspector General position. The budget document published for the City for 2024-25 includes a separate line item for the Inspector General position pursuant to paragraph 255. In the last four (4) months, the CDP data team has engaged with the Monitoring Team and the City IT services in order to properly plan and begin the transition in software vendors used to collect all police data. This effort includes changing both how data is collected and how data is stored and made available to others for analysis and review. The CDP data team is working to improve data quality through training to CDP staff and by creating tools to monitor data quality over time. Furthermore, the CDP data team created an annual report on traffic stops and will continue to iterate and expand such annual reports to meet the requirements of paragraphs 264 and 265.

### Challenges Ahead

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Since the hiring of Inspector General Agarwal is very recent, it will take time for the Monitoring Team time to assess whether the Inspector General budget affords sufficient independence and resources to meet the requirements of paragraph 255 and to reach Operational Compliance. The Monitoring Team looks forward to working with the new Inspector General to bring all of the related paragraphs into full compliance with the Consent Decree.

Several of the paragraphs in this section that remain assessed as Con-Compliance or Partial Compliance could be upgraded without extraordinary effort. As stated in the last report, increased compliance can be achieved with paragraph 261 with demonstration of job requirements or a standard operating procedure for the Data Analysis and Collection Coordinator to conduct the routine tasks required by those paragraphs.

The annual report required under paragraph 265 has not been delivered by the City in this reporting period and the report required under paragraph 264 reviewed 2022 data; as such, assessment levels have not been changed.

As noted in the last Semiannual Report, additional work, or documentation of the work, is necessary for compliance scores for paragraphs 267 and 268 to change. These paragraphs require specific data to be shared with the public and expect that the CPC be engaged in that process. It remains a challenge for even those familiar with the City's website to locate specific policies as required by paragraph 268. In addition to requirements to post policies and procedures, the paragraph also requires posting and publication of training plans, community policing initiatives, community meeting schedules, and internal audit reports on its website. If these items are posted, the search tool does not locate them directly, and the navigation bars do not include language that

assists the user's search. Budgets, audits, and CDP information across all headings in the "Links & Publications" section are not current. There is no evidence of training plans, community policing initiatives, or community meetings on the City's website in accordance with paragraph 268. We have also not yet received the annual report required pursuant to paragraph 265 nor the report required pursuant to paragraph 264. Though not a requirement of the Consent Decree, many progressive police organizations across the nation are also sharing use of force data as well as stop data on their websites. The City should consider sharing such data in the future.

## 9. Officer Assistance and Support

### Areas of Progress

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Training: The annual in-service training schedule incorporates mandated training and skill maintenance for high-risk areas along with periodic training that reinforces desired culture change in the agency. Increasing the use of scenarios has helped students better understand the learning principles and develop improved skills. The Training Section has done the important and required work of integrating comments from the CPC into their planning. In preparation for the Semiannual Report, the City provided a lengthy narrative about the process for selection of Field Training Officers (FTO) and information about how the program operates. This demonstrates that progress is being made on the requirements of this paragraph. In the coming months, the Monitoring Team will be conducting a fulsome assessment of this paragraph as part of the Training assessment. Through that process, we will review a variety of documents and data to understand the level of compliance with all the requirements of the Consent Decree relative to the FTO program.

Equipment and Resources: There are several paragraphs where the work seems to be completed and as such, are rated as Operationally Compliance. Any further upgrades will be considered as part of the forthcoming assessment.

Recruitment and Hiring: There have been a few intense recruitment weekends in the last reporting period designed to streamline the application and review process. There are reports from the City on plans to further support, and with hope, maintain interest of, candidates who remain in the hiring process after the recruitment event. Planning to develop systems for ongoing communications, timing updates, and so forth, intended to sustain interest in CDP and keep applicants in the process. The Parties with the Monitoring Team, established a new regular meeting to discuss recruitment and retention strategies. The Monitoring Team encourages the City to explore personnel data differently in order to set more specific recruitment goals based on anticipated retirements and to design data-based strategies that focus on retention.

Performance Evaluations and Promotions: The City provided a timeline in September 2024 to research and create a promotional process that should have been completed by the end of December 2024 based on the proposed timeline. The Monitoring Team would welcome the opportunity to be a part of the working group and offer technical assistance.

Employee Assistance: To make access to EAP most available to its employees, the City of Cleveland partnered with Affinity Empowering to launch an application. The application is designed specifically for first responders and incorporates personal goal setting and progress tracking for officers. The Monitoring Team has seen more frequent Divisional Notices advertising sessions in a variety of topics such as stress reduction and mindfulness. This paragraph will be assessed fully in the upcoming assessment, details of which are included in the Equipment and Resources Methodology submitted March 31, 2025.

## Challenges Ahead

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Training: An ongoing challenge is to ensure that all training is first reviewed and approved by the Training Commander, no matter what section or unit within CDP desires the training. The Training Section needs the full support and compliance of all other CDP units for consistency and Consent Decree compliance. Presently, some specialty units continue to create and field their training without the required oversight and partnership of the Training Section. Providing the needed staffing in Training when staffing is challenged agency-wide is another significant challenge. The Monitoring Team looks forward to reviewing the Field Training Officer (“FTO”) materials during the upcoming assessment.

Recruitment and Hiring: As evidenced by the monthly Divisional Notices, the CDP continues to lose officers to resignation. The City must develop new strategies to address its retention crisis and do more to incentivize longer retention among its newest employees which in turn reduces the burden on the hiring process.

Evaluation and Promotion: At this writing, the City has not created or adopted a revised performance review process that is objective and relevant, and is equally tardy in adopting contemporary promotional processes. Together, these sound processes would guide decision-making and help create rigorous practices to support officers and ensure the creation of leaders with demonstrated proficiencies. The Monitoring Team urges the City to work with the Monitoring Team’s subject matter experts on these items for technical assistance.

Employee Assistance: We have not been provided with updated manuals, policies, or strategies about the creation of a robust EAP program for police officers that supplements any City EAP.

## 10. Supervision

### Areas of Progress

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In longitudinal reviews of videos of officers at use of force scenes, the patrol sergeants are increasingly comfortable and thorough in their on-scene reviews. Most are adept at establishing rapport with witnesses and arrestees as well as gathering information from and taking care of their officers.



Members of the CDP and PAT have been meeting with the chosen vendor for the OIP system, Benchmark Analytics, on a weekly basis since November 2024 to develop a computerized relational database that will be used to collect, maintain, integrate, and retrieve data department-wide and for each CDP officer. The current target date to fully implement the database is September 2025.

### Challenges Ahead

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While there has been improvement in first level supervisors identifying concerns in Blue Team reviews of uses of force, there are still examples where the reviews advance several steps higher in the chain of command than reasonable before issues on tactics or reinstruction opportunities are being identified. This has been raised with the Chief who is working with commanders, who have more experience in this regard, to coach younger and less experienced supervisors on their reviews.

As Neighborhood Response Teams and CPOP Coordinators at the District level are increasing the expansion of CPOP, ultimately all CDP personnel must assume their roles as CPOP officers and it will be incumbent on the sergeants to lead that effort.

The Monitoring Team would welcome CDP and PAT to continue the momentum in OIP to ensure that the implementation stays on schedule. A robust OIP should be viewed as an integral part of achieving and maintaining a healthy workforce.

## 11. Outcome Measurements

In 2024, CDP began providing data required for Consent Decree assessments to the Monitoring Team. The Monitoring Team, working with CDP, has acquired data for assessments of CDP's crisis intervention policing, use of force, and Search and Seizures. The assessments are underway and involve subject matter experts reviewing incidents for adherence to CDP policy and the Consent Decree requirements. CDP has been a willing partner with the Monitoring Team in reviewing incidents and providing information on challenges with the data that has delayed the assessments. The subject specific qualitative measures outlined in paragraph 367 will be incorporated into each assessment.

In addition, CDP began publishing public dashboards regarding criminal incidents and crisis intervention in early 2024, noted in the previous Semiannual Report. This publicly available data is a transparency effort that enables the public to review CDP's work. CDP is working to publish additional dashboards, collaborating with the City's IT service and Urban AI team. The Monitoring Team supports CDP strengthening their relationship with these other city agencies and building internal technical capacity. CDP, working with the City IT service, is also embarking on a large-scale technology transition that will improve data access internally and will enable easier data quality review. This transition will take over 12 months and will involve significant changes to data entry by patrol officers that should in turn lead to the collection of more comprehensive data that reflects officers' work in crisis intervention and community problem oriented policing. The Monitoring Team





emphasizes the importance of CDP officers and technologists being involved with the transit.

## V. Appendix

### 1. Community Engagement and Building Trust

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE |
|-----------|--|----------------------|
| 14        | CDP creation of “formal and informal mechanisms that facilitate ongoing communication between CDP and the many Cleveland communities it serves.”   | PARTIAL COMPLIANCE   |
| 15        | Creation of CPC to make recommendations, work with Cleveland communities to develop recommendations, and “report to the City and community as a whole and to provide transparency” on reforms. | GENERAL COMPLIANCE   |
| 16        | CPC members “will be appointed and vacancies will be filled in accordance with the City’s Charter”; and periodic meetings with Chief of Police to “provide recommendations.”                   | PARTIAL COMPLIANCE   |
| 17(a)     | “[H]old public meetings across the City, complete an assessment of CDP’s bias-free policing policies, practices, and training, and make recommendations.”                                      | NON-COMPLIANCE       |
| 17(b)     | “[A]ssist as appropriate in . . . development of training related to bias-free policing and cultural competency.”  | PARTIAL COMPLIANCE   |
| 17(c)     | “[O]n an ongoing basis, assess CDP’s community activities” and “make recommendations” related to “community engagement” and “community confidence.”  | NON-COMPLIANCE       |
| 17(d)     | “[O]n an ongoing basis, review CDP’s civilian oversight structure to determine if there are changes it recommends for improving CDP’s accountability and transparency.”                        | PARTIAL COMPLIANCE   |
| 18(a)     | “[R]eview and comment on CDP’s policies and practices related to use of force, search and seizure, and data collection and retention.”   | PARTIAL COMPLIANCE   |
| 18(b)     | [R]eview and comment on CDP’s implementation of initiative, programs, and activities that are intended to support reform.”   | NON-COMPLIANCE       |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE |
|-----------|--|----------------------|
| 18(c)     | "[H]old public meetings to discuss the Monitor's reports and to receive community feedback concerning CDP's compliance with this Agreement."   | PARTIAL COMPLIANCE   |
| 19        | "The City will provide access to all information requested by the Commission related to its mandate, authority, and duties unless it is legally restricted."   | PARTIAL COMPLIANCE   |
| 20        | CPC "will issue [at least annual] reports," which the "City will post . . . to the City's website."  | NON-COMPLIANCE       |
| 21        | "The City will consider and timely respond in writing to the Commission's recommendations for improvements," which "will be posted to the City's website."   | NON-COMPLIANCE       |
| 22        | CPC budget listed as "separate line item" to ensure "sufficient independence and resources."   | GENERAL COMPLIANCE   |
| 23        | Facilitation of "regular communication and cooperation between CDP and community leaders at the local level," with District Policing Committees meeting "at minimum, every quarter."   | PARTIAL COMPLIANCE   |
| 24        | CPC, CDP, and Community Relations Board ("CRB") will "develop a mechanism to recruit and expand" Committee membership." CDP "will work with [Community Police] Commission to select officers for each District Policing Committee."                            | NON-COMPLIANCE       |
| 25        | CDP "will work closely with District Policing Committees to identify strategies to address crime and safety issues in their District," considering and addressing identified priorities.   | PARTIAL COMPLIANCE   |
| 26        | "At least annually, each District Policing Committee will present its identified strategies, concerns, and recommendations" to the CPC, with CDP officer who is Committee member presenting to CPC "CDP's assessment of ways to address" the recommendations." | PARTIAL COMPLIANCE   |

## 2. Community and Problem-Oriented Policing

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE      |
|-----------|--|---------------------------|
| 27        | Implementation of “comprehensive and integrated community and problem-oriented policing model” by the City.  | <b>PARTIAL COMPLIANCE</b> |
| 28        | Ensuring that “mission statement reflects [the Division’s] commitment to community-oriented policing” / “integrat[ing] community and problem-oriented policing principles into its management, policies and procedures, recruitment, training, personnel evaluations, resource deployment, tactics, and accountability systems.” | <b>PARTIAL COMPLIANCE</b> |
| 29        | Ensuring “that officers are familiar with the geographic areas they serve,” “engage in problem identification,” and “work proactively . . . to address quality of life issues.”  | <b>PARTIAL COMPLIANCE</b> |
| 30        | Initial and annual in-service community and problem-oriented policing training “adequate in quality, quantity, type, and scope” that addresses specifically identified areas.  | <b>PARTIAL COMPLIANCE</b> |
| 31        | Maintenance of “collaborative partnerships with a broad spectrum of community groups,” including CDP meetings with community organizations and District Policing Committees.   | <b>PARTIAL COMPLIANCE</b> |
| 32        | CDP “meet[ing] with members of the community in each District on a monthly basis and “solic[it]ation of participation from a broad cross-section of community members in each District” to “identify problems and other areas of concern . . . and discuss responses and solutions.”   | <b>PARTIAL COMPLIANCE</b> |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE      |
|-----------|--|---------------------------|
| 33        | Development and implementation of “systems to monitor officer outreach to the community” that CDP “will use . . . to analyze . . . whether officers are partnering with a broad cross-section of community members to develop and implement cooperative strategies that build mutual respect and identify and solve problems.” | <b>PARTIAL COMPLIANCE</b> |
| 34        | “At least annually, CDP will present the results” of Paragraph 33 analysis “broken out by District in a publicly-available community policing report” that describes problems, solutions, and obstacles. Report provided to Commission and posted on CDP website.  | <b>NON-COMPLIANCE</b>     |

### 3. Bias-Free Policing

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 35        | Delivery of “police services with the goal of ensuring that they are equitable, respectful, and free of unlawful bias,” among other things.  | <b>PARTIAL COMPLIANCE</b>     |
| 36        | “CDP will integrate bias-free policing principles into its management, policies and procedures, job descriptions, recruitment, training, personnel evaluations, resource deployment, tactics, and accountability systems.” | <b>PARTIAL COMPLIANCE</b>     |
| 37        | CDP will ensure that it “administer[s] all activities without discrimination” on basis of various protected classes  | <b>PARTIAL COMPLIANCE</b>     |
| 38        | “CDP will develop a bias-free policing policy” incorporating CPC recommendations “that provides clear guidance to officers”  | <b>OPERATIONAL COMPLIANCE</b> |
| 39-40     | Develop bias-free policing and procedural justice training “adequate in quality, quantity, scope, and type” covering specific areas within 18 months of the Effective Date.  | <b>OPERATIONAL COMPLIANCE</b> |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE      |
|-----------|--|---------------------------|
| 41        | Supervisor training on bias-free policing and procedural justice issues covering specific areas  | <b>PARTIAL COMPLIANCE</b> |
| 42        | Annual in-service training on bias-free policing “adequate in quality, quantity, type, and scope”  | <b>PARTIAL COMPLIANCE</b> |
| 43        | Analysis of Paragraph 265 data (“including use of force, arrests, motor vehicle and investigatory stops, and misconduct complaints alleging discrimination”) | <b>NON-COMPLIANCE</b>     |
| 44        | Consideration of “bias-free policing and equal protection” principles in hiring, unit assignment, promotion, and performance assessments.                    | <b>PARTIAL COMPLIANCE</b> |

#### 4. Use of Force

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 45        | “CDP will revise, develop, and implement force policies, training, supervision, and accountability systems with the goal of ensuring that force” complies with the Constitution, federal law, and the Consent Decree “and that any use of unreasonable force is promptly identified and responded to appropriately.” | <b>OPERATIONAL COMPLIANCE</b> |
| 46        | “The City will implement the terms of this Agreement with the goal of ensuring that use of force by CDP officers . . . will comply” with at least twelve major, listed principles.   | <b>PARTIAL COMPLIANCE</b>     |
| 47        | Division “will ensure that the [use of force] incident is accurately and properly reported, documented, and investigated.”   | <b>PARTIAL COMPLIANCE</b>     |
| 48        | “CDP will track and analyze officers’ uses of force to hold officers accountable for unreasonable uses of force; to guide training and policy; and to identify poor tactics and emerging trends.”  | <b>OPERATIONAL COMPLIANCE</b> |



| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE   |
|-----------|--|------------------------|
| 49        | Development of use of force policies “that comply with applicable law[,] . . . are adequate to achieve the goals described in Paragraph 45,” and “specify that unreasonable use of force will subject officers to the disciplinary process, possible criminal prosecution, and/or possible civil liability.” | OPERATIONAL COMPLIANCE |
| 50        | “CDP’s policies will address the use and deployment of its authorized force techniques, technologies, and weapons.”  | OPERATIONAL COMPLIANCE |
| 51        | Weapon-specific policies “will include training and certification requirements that each officer must meet before being permitted to carry and use the authorized weapon.”   | OPERATIONAL COMPLIANCE |
| 52        | “No officer will carry any weapon that is not authorized or approved by CDP.”  | OPERATIONAL COMPLIANCE |
| 53        | “Prior to the use of any approved weapon, the officer, when possible and appropriate, will communicate to the subject and other officers that the use of weapon is imminent, and allow the subject an opportunity to comply.”  | OPERATIONAL COMPLIANCE |
| 54-83     | “The City will implement policies” for firearms, ECWs (Tasers), and OC (pepper) spray that comply with a host of specific, expressly listed provisions.  | OPERATIONAL COMPLIANCE |
| 84        | CDP “will provide all current officers use of force training that is adequate in quality, quantity, scope, and type and that includes” a number of specific, expressly listed elements.  | OPERATIONAL COMPLIANCE |
| 85        | CDP “will provide the use of force training described in Paragraph 84 to all new officers.”  | OPERATIONAL COMPLIANCE |
| 86        | “CDP will provide all officers with annual use of force in-service training that is adequate in quality, quantity, type, and scope.”   | OPERATIONAL COMPLIANCE |
| 87        | “CDP will develop and implement a single, uniform reporting system   | GENERAL COMPLIANCE     |

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE   |
|-----------|---|------------------------|
|           | pursuant to a use of force reporting policy” that complies with the force Level categorization set forth in the Paragraph.  |                        |
| 88        | Requiring “[a]ll officers using or observing force” to complete a Use of Force Report including a number of specific features and avoiding “conclusory statements, ‘boilerplate’, or ‘canned’ language.”                      | OPERATIONAL COMPLIANCE |
| 89        | “Officers will be subject to the disciplinary process for material omissions or misrepresentations in their Use of Force Reports.”  | OPERATIONAL COMPLIANCE |
| 90        | “Officers who use or observe force and fail to report it will be subject to the disciplinary process, up to and including termination, regardless of whether the force was reasonable.”                                       | OPERATIONAL COMPLIANCE |
| 91        | Requirement to “notify . . . supervisors . . . as soon as practical following any use of force” and if becoming aware of “an allegation of unreasonable or unreported force by another officer.”                              | OPERATIONAL COMPLIANCE |
| 92        | “Use of Force Reports will be maintained centrally.”  | OPERATIONAL COMPLIANCE |
| 93        | “A supervisor who was involved in a use of force, including by participating in or ordering the force under investigation, will not investigate the incident or review the Use of Force Reports for approval or disapproval.” | OPERATIONAL COMPLIANCE |
| 94        | Setting specific requirements relating to the investigation of low-level, Level 1 force.  | OPERATIONAL COMPLIANCE |
| 95-109    | Setting specific requirements relating to the investigation by supervisors and/or CDP chain of command for investigation and review of Level 2 force.   | OPERATIONAL COMPLIANCE |
| 110       | “CDP may refer criminal investigations of uses of force to an independent and highly competent agency outside CDP.”   | OPERATIONAL COMPLIANCE |

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE          |
|-----------|---|-------------------------------|
| 111       | Creation and design of dedicated Force Investigation Team (FIT) that “will conduct administrative investigations . . . and criminal investigations” of serious force, “force involving potential criminal conduct,” in-custody deaths, and cases assigned to it by the Chief. | <b>PARTIAL COMPLIANCE</b>     |
| 112       | Composition of FIT Team.  | <b>OPERATIONAL COMPLIANCE</b> |
| 113       | “FIT members will receive FIT-specific training that is adequate in quality, quantity, scope, and type” on a host of specific, expressly-listed topics both initially and annually thereafter.  | <b>OPERATIONAL COMPLIANCE</b> |
| 114       | “CDP will identify, assign, and train personnel for the FIT to fulfill the requirements of this Agreement.”   | <b>OPERATIONAL COMPLIANCE</b> |
| 115       | Response of FIT to use of force scenes. FIT notification of prosecutor’s office. Notification of designated outside agency to conduct criminal investigation if City elects to use external agency for such investigations.   | <b>OPERATIONAL COMPLIANCE</b> |
| 116       | “CDP will develop and implement polices to ensure that, where an outside agency conducts the criminal investigation, FIT conducts a concurrent and thorough administrative investigation.”  | <b>PARTIAL COMPLIANCE</b>     |
| 117       | Memorandum of understanding required between CDP and outside agency containing specific, expressly-listed provisions.   | <b>OPERATIONAL COMPLIANCE</b> |
| 118       | Setting forth various, specific, and expressly-listed responsibilities of FIT during its investigations.  | <b>PARTIAL COMPLIANCE</b>     |
| 119       | N/A   | <b>N/A</b>                    |
| 120       | Providing for delay of compelled interview if “case has the potential to proceed criminally” but otherwise requiring that “[n]o other part of the investigation . . . be held in abeyance” unless “specifically authorized by the   | <b>PARTIAL COMPLIANCE</b>     |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
|           | Chief” in consultation with investigating agency and prosecutor’s office.  |                               |
| 121       | Requiring completion of preliminary report presented to Chief or Chief’s designee “as soon as possible, but absent exigent circumstances, no later than 24 hours after learning of the use of force.”  | <b>PARTIAL COMPLIANCE</b>     |
| 122       | Completion of investigation within 60 days. Preparation of FIT investigation report. Review of FIT investigative report by head of Internal Affairs who “will approve or disapprove FIT’s recommendations, or request . . . additional investigation.”   | <b>PARTIAL COMPLIANCE</b>     |
| 123       | Revision of FIT Manual to ensure “consisten[cy] with the force principles” and several specific, expressly-listed provisions.  | <b>OPERATIONAL COMPLIANCE</b> |
| 124       | “The City will develop and implement a Force Review Board “to serve as a quality control mechanism for uses of force and force investigations, and to appraise use of force incidents from a tactics, training, policy, and agency improvement perspective.”   | <b>OPERATIONAL COMPLIANCE</b> |
| 125       | Requiring “training on legal updates, updates on CDP’s policies, and CDP training curriculum related to the use of force” for each member.   | <b>PARTIAL COMPLIANCE</b>     |
| 126       | Mandating “comprehensive and reliable reviews of investigations within 90 days of submission to the FRB,” and encompassing officer’s decision-making at the moment force was used as well asl “the circumstances leading up to the use of force, tactical decisions, information sharing and communication, adequacy of supervision, equipment, training, CDP’s medical response, when applicable, and any commendable actions” and actions and inactions of all involved members. | <b>PARTIAL COMPLIANCE</b>     |

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE          |
|-----------|---|-------------------------------|
| 127       | Description of reviews, which will: ensure objective and complete investigations and findings supported by preponderance of the evidence; be presented by the investigator or District representative (for supervisors); review written records and discuss the case with the presenter; order additional investigation when needed; determine whether the case raises concerns about policing, training, equipment, supervision, medical response, communication, or tactics and referral to appropriate unit; recommending non-disciplinary action; and documenting FRB findings and recommendations within 15 days of each presentation. | <b>OPERATIONAL COMPLIANCE</b> |
| 128       | “The FRB will assess the quality of the investigations,” including whether they are “objective and comprehensive and recommendations are supported by a preponderance of evidence. The FRB will identify and document any deficiencies that indicate a need for corrective action”  | <b>OPERATIONAL COMPLIANCE</b> |
| 129       | “Annually, the FRB will examine the data related to use of force” provided by the DACC per ¶261 (and in conjunction with ¶266) “to detect any patterns, trends, and training deficiencies and make recommendations for correction as appropriate” and will provide the analysis to the Monitor.   | <b>PARTIAL COMPLIANCE</b>     |
| 130       | The FRB will work with the DACC to “develop a tracking system to ensure that each of its recommendations has been forwarded to the appropriate personnel. The Chief or his or her designee will ensure that the FRB’s recommendations, including non-disciplinary corrective action, are implemented as appropriate.”   | <b>OPERATIONAL COMPLIANCE</b> |

## 5. Crisis Intervention

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE   |
|-----------|--|------------------------|
| 131       | “CDP will build upon and improve its Crisis Intervention Program” in furtherance of four specific, expressly-listed goals, which “will provide a forum for effective problem solving regarding the interaction between the criminal justice and mental health system and create a context for sustainable change.”   | OPERATIONAL COMPLIANCE |
| 132       | Establishment of Mental Health Response Advisory Committee (the “Advisory Committee”) “to foster relationships and build support between the police, community, and mental health providers and to help identify problems and develop solutions designed to improve outcomes for individuals in crisis.”   | GENERAL COMPLIANCE     |
| 133       | Composition of Advisory Committee.   | GENERAL COMPLIANCE     |
| 134       | “The Advisory Committee will meet regularly and provide guidance to assist CDP in improving, expanding, and sustaining its Crisis Intervention Program.”   | GENERAL COMPLIANCE     |
| 135       | Advisory Committee will conduct an annual “analysis of crisis intervention incidents to determine whether CDP has enough specialized CIT officers, whether it is deploying those officers effectively, and whether specialized CIT officers” and communications “are appropriately responding to people in crisis,” and will also “recommend appropriate changes.” | OPERATIONAL COMPLIANCE |
| 136       | “The Advisory Committee’s reports and recommendations will be provided” to CPC, “be publicly available, and will be posted on the City’s website.”   | GENERAL COMPLIANCE     |
| 137       | CDP will designate a Crisis Intervention Coordinator for specific, expressly-identified purposes.  | GENERAL COMPLIANCE     |



| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE   |
|-----------|---|------------------------|
| 138       | “Coordinator will develop and maintain partnerships with program stakeholders and serve as point of contact” and “resource” for other stakeholders.   | GENERAL COMPLIANCE     |
| 139       | “Coordinator will participate in the Advisory Committee and on a regular basis solicit feedback from the mental health community and specialized CIT officers, call-takers, and dispatchers regarding the efficacy of CDP’s Crisis Intervention Program.” | GENERAL COMPLIANCE     |
| 140       | “Coordinator will be responsible for coordinating implementation of the changes and recommendations made by the Advisory Committee, as appropriate.”  | OPERATIONAL COMPLIANCE |
| 141       | “Coordinator will be responsible for ensuring the selection of appropriate candidates for designation as specialized CIT officers” and “to ensure that officers, call-takers, and dispatchers are appropriately responding to CIT-related calls.”         | PARTIAL COMPLIANCE     |
| 142       | “Coordinator will create ways to recognize and honor specialized CIT officers, call-takers, and dispatchers.”   | OPERATIONAL COMPLIANCE |
| 143       | Initial and annual crisis intervention training to all officers and recruits that is “adequate in quality, quantity, type, and scope.”  | GENERAL COMPLIANCE     |
| 144       | Initial and annual crisis intervention training for dispatchers and call-takers.  | GENERAL COMPLIANCE     |
| 145       | “The City will provide enhanced specialized training in responding to individuals in crisis to certain officers (‘specialized CIT officers’),” who will be “called upon to respond to incidents or calls involving individuals in crisis.”                | OPERATIONAL COMPLIANCE |
| 146       | Outlining various requirements for the “enhanced training” for  | GENERAL COMPLIANCE     |

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE   |
|-----------|---|------------------------|
|           | specialized CIT officers of “at least 40 hours.”  |                        |
| 147       | Outlining various requirements for the “enhanced training” for specialized CIT officers of “at least 40 hours.”   | OPERATIONAL COMPLIANCE |
| 148       | Designation of specialized CIT officers, per specific, expressly-listed requirements.   | OPERATIONAL COMPLIANCE |
| 149       | “Supervisors will identify and encourage qualified officers across all shifts and all Districts to serve as specialized officers.”  | OPERATIONAL COMPLIANCE |
| 150       | “All Field Training Officers” (“FTO”)s “will receive the enhanced specialized crisis intervention training described in Paragraph 146,” though FTOs will “not be designated as a specialized CIT officer” unless they volunteer and have been selected to do so.  | OPERATIONAL COMPLIANCE |
| 151       | “Specialized CIT officers who are dispatched to an incident involving an individual in crisis will have primary responsibility for the scene,” with supervisors “seek[ing] the input of a specialized CIT officer . . . where it is reasonable for them to do so.”  | PARTIAL COMPLIANCE     |
| 152       | “[T]he Coordinator will develop an effective specialized crisis intervention plan . . . to ensure that a specialized CIT officer is available to respond to all calls and incidents that appear to involve an individual in crisis” that includes various, specific, expressly-identified requirements. The City “will use its best efforts to ensure that a specialized CIT officer responds to all calls and incidents that appear to involve an individual in crisis.” | OPERATIONAL COMPLIANCE |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 153       | City “will consider” crisis intervention program assessment by Ohio Criminal Justice Coordinating Center of Excellence.  | <b>GENERAL COMPLIANCE</b>     |
| 154       | CDP “will revise its policies to make clear that a crisis intervention response may be necessary even in situations where there has been an apparent law violation.”   | <b>GENERAL COMPLIANCE</b>     |
| 155       | CDP “will revise its current crisis intervention policy to ensure that specialized CIT officers have appropriate discretion to direct individuals . . . to the health care system, rather than the judicial system . . . where it is appropriate to do so.”  | <b>GENERAL COMPLIANCE</b>     |
| 156       | CDP policies and procedures will ensure that “specialized CIT officers . . . must be dispatched to all calls or incidents that appear to involve an individual in crisis.” CDP must “track incidents in which a specialized officer was not dispatched to such calls” and “identify any barriers” to ensuring dispatch of specialized CIT officer to such calls. | <b>PARTIAL COMPLIANCE</b>     |
| 157       | “CDP will track calls and incidents involving individuals in crisis by gathering, at a minimum,” specific, expressly-identified data.  | <b>OPERATIONAL COMPLIANCE</b> |
| 158       | Public reporting of Paragraph 157 data and provision to Advisory Committee.  | <b>OPERATIONAL COMPLIANCE</b> |
| 159       | “The City will utilize” Paragraph 157 data “to identify training needs and develop case studies and teaching scenarios” for training and other expressly-identified systemic purposes.   | <b>OPERATIONAL COMPLIANCE</b> |

## 6. Search and Seizure

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE   |
|-----------|---|------------------------|
| 160       | “CDP will revise, develop, and implement search and seizure policies that comply with applicable law, . . . include the requirements below,” and conform to expressly-identified principles.  | PARTIAL COMPLIANCE     |
| 161-165   | Policy requirements for officers for stops, searches, and detentions  | PARTIAL COMPLIANCE     |
| 166       | “Officers will immediately notify a supervisor when effectuating a custodial arrest for obstructing official business, resisting arrest, or assault on an officer and no other substantive violation is alleged,” and “the supervisor will respond to the scene.”                     | PARTIAL COMPLIANCE     |
| 167       | “Officers will not use ‘canned’ or conclusory language without supporting detail in documents or reports documenting investigatory stops, searches, or arrests.”  | PARTIAL COMPLIANCE     |
| 168       | “Officers will articulate the justification for an investigatory stop, search, or arrest in a specific and clear manner in their reports.” CDP “will train officers” on documenting stops. “Supervisors will review all documentation of investigatory stops, searches, and arrests.” | PARTIAL COMPLIANCE     |
| 169       | Supervisor will review of “each arrest report by officers under their command,” with supervisors reviewing reports for specific, expressly-identified deficiencies.   | PARTIAL COMPLIANCE     |
| 170-172   | Supervisory review of investigatory stops, searches, and arrests.   | PARTIAL COMPLIANCE     |
| 173       | Provision of “initial training that is adequate in quality, quantity, scope, and type on investigatory stops, searches, and arrests, including the requirements” of the Consent Decree that “will address the requirements of Fourth Amendment and related law,                       | OPERATIONAL COMPLIANCE |

| PARAGRAPH      | DESCRIPTION  | STATUS OF COMPLIANCE          |
|----------------|--|-------------------------------|
|                | CDP policies,” and specific, expressly-identified topics.  |                               |
| <b>174-175</b> | Provision of “annual search and seizure in-service training that is adequate in quality, quantity, type, and scope” incorporating specific, expressly-identified topics. | <b>OPERATIONAL COMPLIANCE</b> |

## 7. Accountability

| PARAGRAPH  | DESCRIPTION   | STATUS OF COMPLIANCE          |
|------------|---|-------------------------------|
| <b>176</b> | 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.” | <b>PARTIAL COMPLIANCE</b>     |
| <b>177</b> | Internal Affairs will conduct objective, comprehensive, and timely investigations of all internal allegations,” with “findings . . . based on the preponderance of the evidence standard” that must “be clearly delineated in policies, training, and procedures and accompanied by detailed examples to ensure proper application by investigators.  | <b>PARTIAL COMPLIANCE</b>     |
| <b>178</b> | Internal Affairs will be headed by a qualified civilian” who “will report directly to the Chief of Police.  | <b>OPERATIONAL COMPLIANCE</b> |
| <b>179</b> | Qualifications for IA investigators.  | <b>PARTIAL COMPLIANCE</b>     |
| <b>180</b> | Initial training for IA investigators “that is adequate in quality, quantity, scope, and type on conducting misconduct investigations” that addresses specific, expressly- identified topics.   | <b>PARTIAL COMPLIANCE</b>     |
| <b>181</b> | [A]nnual training” for IA investigators “that is adequate in quality, quantity, type and scope”   | <b>PARTIAL COMPLIANCE</b>     |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 182       | In each investigation, Internal Affairs will collect and consider" all evidence. "[N]o automatic preference for an officer's statement over a non-officer's statement." No disregard of a "witnesses' statement solely because of" connection to the complainant or criminal history. IA investigators must "make all reasonable efforts to resolve material inconsistencies between witness statements. | <b>PARTIAL COMPLIANCE</b>     |
| 183       | IA "will evaluate all relevant police activity and any evidence of potential misconduct uncovered during the course of the investigation."   | <b>PARTIAL COMPLIANCE</b>     |
| 184       | IA will not consider guilty plea or verdict as "determinative of whether a CDP officer engaged in misconduct" or justification for "discontinuing the investigation."  | <b>PARTIAL COMPLIANCE</b>     |
| 185       | IA "will complete its administrative investigations within 30 days from the date it learns of the alleged misconduct."   | <b>PARTIAL COMPLIANCE</b>     |
| 186-187   | IA investigative report requirements.  | <b>PARTIAL COMPLIANCE</b>     |
| 188       | Forwarding of completed IA investigations "to the officers' supervisors, the Training Review Committee, the Force Review Board, the Officer Intervention Program, and the Data Collection and Analysis Coordinator."   | <b>PARTIAL COMPLIANCE</b>     |
| 189       | CDP will require any CDP employee who observes or becomes aware of any" potential misconduct to "report the incident to a supervisor or directly to" IA.   | <b>OPERATIONAL COMPLIANCE</b> |
| 190       | CDP will develop a system that allows officers to confidentially and anonymously report potential misconduct by other officers.  | <b>OPERATIONAL COMPLIANCE</b> |



| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 191       | CDP will expressly prohibit all forms of retaliation, discouragement, intimidation, coercion, or adverse action, against any person, civilian or officer, who reports misconduct, makes a misconduct complaint, or cooperates with an investigation of misconduct.   | <b>OPERATIONAL COMPLIANCE</b> |
| 192       | “Officers who retaliate . . . will be subject to the disciplinary process.”  | <b>PARTIAL COMPLIANCE</b>     |
| 193       | OPS investigates “all complaints of misconduct it receives” and will confer with IA “to develop policies and procedures for handling matters over which they both have investigative jurisdiction.”  | <b>OPERATIONAL COMPLIANCE</b> |
| 194       | The City will ensure that OPS is led by an administrator with the skills, expertise, and experience to effectively manage the intake, tracking, timely, and objective investigation of complaints”; implement PRB training; “assess OPS’s equipment and staffing needs”; and “develop and implement performance standards for OPS. | <b>PARTIAL COMPLIANCE</b>     |
| 195-196   | Initial training for OPS investigators “adequate in quality, quantity, scope, and type,” including specific, expressly-listed topics.  | <b>OPERATIONAL COMPLIANCE</b> |
| 197       | OPS Investigators will not be current members of the CDP, and no CDP personnel will have any active role in OPS’s operations.  | <b>GENERAL COMPLIANCE</b>     |
| 198       | The City will ensure that the lawyer representing OPS does not have any actual or apparent conflicts of interest.  | <b>NON-COMPLIANCE</b>         |
| 199       | OPS will have its own budget, separate from . . . the Department of Public Safety that affords sufficient independence and resources, including sufficient staff and training to meet the terms of this Agreement.   | <b>PARTIAL COMPLIANCE</b>     |
| 200       | Development and implementation of OPS operations manual “made available to the public” that covers specific, expressly-listed topics.  | <b>PARTIAL COMPLIANCE</b>     |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 201       | Development and implementation of “a program to promote awareness through the Cleveland community about the process for filing complaints with OPS.”   | <b>PARTIAL COMPLIANCE</b>     |
| 202       | CDP and the City will work with the police unions. . . to allow civilian complaints to be submitted to OPS verbally or in writing; in person, by phone, or on line; by a complainant, someone acting on his or her behalf, or anonymously; and with or without a signature from the complainant,” with all “complaints documented in writing.” | <b>GENERAL COMPLIANCE</b>     |
| 203       | CDP will post and maintain by the intake window at CDP headquarters and all District headquarters a permanent placard describing the civilian complaint process” and containing specific, expressly-listed information.  | <b>OPERATIONAL COMPLIANCE</b> |
| 204       | CDP will provide training that is adequate in quality, quantity, scope, and type to all police personnel, including dispatchers, to properly handle complaint intake, including with respect to specific, expressly-listed topics.   | <b>PARTIAL COMPLIANCE</b>     |
| 205       | CDP officers “carry complaint forms in their CDP vehicles,” which officers must provide “upon request.” Supervisors will be dispatched to scene when an individual wants to make a complaint, with the supervisor providing a copy of completed complaint form “or a blank form to be completed later by the individual.”                      | <b>OPERATIONAL COMPLIANCE</b> |
| 206       | The City and OPS will make complaint forms and other materials outlining the complaint process and OPS’s contact information available at locations” including a number of specific, expressly-listed locations.   | <b>OPERATIONAL COMPLIANCE</b> |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 207       | OPS's complaint form will not contain any language that could reasonably be construed as discouraging the filing of a complaint, including warnings about the potential criminal consequences for filing false complaints.   | <b>GENERAL COMPLIANCE</b>     |
| 208       | Availability of complaint forms in English and Spanish. "OPS will make every effort to ensure that complainants who speak other languages . . . can file complaints in their preferred language."  | <b>OPERATIONAL COMPLIANCE</b> |
| 209       | City will ensure that civilian complaints submitted through other existing systems, including the Mayor's Action Center and the Department Action Center, are immediately forwarded to OPS for investigation.  | <b>OPERATIONAL COMPLIANCE</b> |
| 210       | OPS will establish a centralized electronic numbering and tracking system for all complaints," which "will maintain accurate and reliable data regarding the number, nature, and status of all complaints . . . including investigation timeliness and notification of the interim status and final disposition of the complaint." It "will be used to monitor and maintain appropriate caseloads for OPS investigators. | <b>OPERATIONAL COMPLIANCE</b> |
| 211       | Biased policing tracked as a separate category of complaint that "are captured and tracked appropriately, even if the complainant does not so label the allegation."   | <b>OPERATIONAL COMPLIANCE</b> |
| 212       | [A]llegations of unlawful investigatory stops, searches, or arrests" tracked as a separate category of complaints.   | <b>OPERATIONAL COMPLIANCE</b> |
| 213       | "[A]llegations of excessive use of force" tracked as separate category of complaints.  | <b>OPERATIONAL COMPLIANCE</b> |
| 214       | OPS will conduct regular assessments of the types of complaints being received to identify and assess potential problematic patterns and trends.   | <b>PARTIAL COMPLIANCE</b>     |
| 215       | OPS will produce, at least annually, a public report summarizing complaint   | <b>PARTIAL COMPLIANCE</b>     |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
|           | trends, including” with respect several specific, expressly-identified areas.  |                               |
| 216       | Assignment of complaints to Standard and Complex investigatory tracks.   | <b>OPERATIONAL COMPLIANCE</b> |
| 217       | Dismissal and/or administrative dismissal of complaint investigations.   | <b>OPERATIONAL COMPLIANCE</b> |
| 218       | The City will ensure that investigations of complaints are as thorough as necessary to reach reliable and complete findings that are supported by the preponderance of the evidence.   | <b>PARTIAL COMPLIANCE</b>     |
| 219       | “CDP will ensure that OPS has timely access to all reports related to the incident . . .,” and authority of OPS “to conduct additional investigation” of any complaint of police misconduct when CDP investigation has already taken place relating to the incident.   | <b>PARTIAL COMPLIANCE</b>     |
| 220       | OPS investigators will attempt to interview each complainant in person” and record the interview.  | <b>OPERATIONAL COMPLIANCE</b> |
| 221       | “The Chief will order officers who witnessed or participate in an incident that is the subject of an OPS complaint to cooperate with the OPS investigation,” including by responding to written questions or sitting for an in-person interview.   | <b>GENERAL COMPLIANCE</b>     |
| 222       | OPS investigators will have access to any relevant disciplinary information in the record of an officer who is the subject of a current investigation.”  | <b>PARTIAL COMPLIANCE</b>     |
| 223       | “OPS will consider all relevant evidence,” with no preferences for particular witness’s statements, including of officer over a non-officer, or because of connection to complainant or criminal history. “OPS will make all reasonable efforts to resolve material inconsistencies between witness statements.” | <b>PARTIAL COMPLIANCE</b>     |
| 224       | OPS findings categories.   | <b>OPERATIONAL COMPLIANCE</b> |
| 225       | “OPS will document in writing the investigation of each complaint,   | <b>GENERAL COMPLIANCE</b>     |

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE   |
|-----------|---|------------------------|
|           | including all investigatory steps taken, and OPS's findings and conclusions," which must "be supported by a preponderance of the evidence.  |                        |
| 226       | In addition to determining whether an officer committed the conduct alleged in the complaint and whether it violated policy, OPS may consider whether: (a) the police action was in compliance with training and legal standards; (b) the incident indicates a need for additional training, counseling, or other corrective measures; and (c) the incident suggests that CDP should revise its policies, strategies, tactics, or training. OPS may include recommendations on these topics in its investigation. | PARTIAL COMPLIANCE     |
| 227       | OPS will forward all investigations and its written conclusions to PRB in sufficient time for PRB to consider them no later than the second regularly scheduled PRB meeting following completion of the investigation.  | PARTIAL COMPLIANCE     |
| 228       | "OPS will send periodic written updates" to the complainant at specific, expressly- identified junctures.   | OPERATIONAL COMPLIANCE |
| 229       | "[A] complainant may contact OPS at any time to determine the status of his/her complaint."   | OPERATIONAL COMPLIANCE |
| 230       | "Mayor will work with the City Council to develop an ordinance to place a Charter Amendment on the ballot" addressing PRB composition and appointment process.  | GENERAL COMPLIANCE     |
| 231       | "PRB members will not be current or former members of the CDP."   | GENERAL COMPLIANCE     |
| 232       | "PRB will have its own budget," overseen by OPS Administrator and separate from Department of Public Safety, that "affords sufficient independence and resources."  | PARTIAL COMPLIANCE     |
| 233-234   | Initial training for PRB members "that is adequate in quality, quantity, scope, and type" and that covers specific, expressly-identified topics.  | PARTIAL COMPLIANCE     |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE   |
|-----------|--|------------------------|
| 235       | PRB meetings open to the public and posted in advance, with “case presentations and PRB votes” occurring during “open session.”  | GENERAL COMPLIANCE     |
| 236       | “OPS investigators will attend PRB meetings at which their investigations are being considered and present their findings . . . .” PRB may “ask the investigator to conduct further investigation” as necessary.   | GENERAL COMPLIANCE     |
| 237       | “PRB recommended dispositions will be based on a preponderance of the evidence. For each case, PRB shall set forth its conclusion and an explanation of its reasons and supporting evidence in writing, including, when applicable, the justification for departing from OPS’s recommended disposition.” | OPERATIONAL COMPLIANCE |
| 238       | “In cases where PRB is recommending a sustained disposition, in whole or in part, PRB will include a recommendation as to disciplinary or non-disciplinary corrective action.”   | OPERATIONAL COMPLIANCE |
| 239       | Timely forwarding of PRB recommendations to Chief of Police and Director of Public Safety.   | PARTIAL COMPLIANCE     |
| 240       | “The Chief of CDP will issue a General Police Order that requires officers to (a) cooperate with the Internal Affairs and OPS investigators; and (b) submit all relevant evidence to the investigators such that it is available for consideration by Internal Affairs or PRB.”                          | GENERAL COMPLIANCE     |
| 241       | Disciplinary hearing requirement, with officer given “opportunity to testify” and suspension of hearing if “officer provides new or additional evidence at hearing,” with matter “returned to IA or PRB for consideration.”  | PARTIAL COMPLIANCE     |
| 242       | Disciplinary recommendations by PRB to proceed through the City’s disciplinary process. Written justification by Chief or Director of their disagreement with PRB’s recommendations.   | OPERATIONAL COMPLIANCE |

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE          |
|-----------|---|-------------------------------|
| 243       | “CDP will track the number of instances in which the Chief or the Director of Public Safety rejects, in whole or in part, PRB’s recommended disposition.”   | <b>OPERATIONAL COMPLIANCE</b> |
| 245       | “The City will ensure that discipline for sustained allegations of misconduct comports with due process, and is consistently applied, fair, and based on the nature of the allegation, and that mitigating and aggravating factors are identified and consistently applied and documented.” | <b>PARTIAL COMPLIANCE</b>     |
| 246       | “[T]he City will review its current matrix and will seek to amend it” “to ensure consistency” and inclusion of a number of specific, expressly-identified features.   | <b>OPERATIONAL COMPLIANCE</b> |
| 247       | “All disciplinary decisions will be documented in writing.”   | <b>GENERAL COMPLIANCE</b>     |
| 248       | “[T]he City will provide its disciplinary matrix to the PRB, Commission, the Police Inspector General, and the police unions for comment.”  | <b>OPERATIONAL COMPLIANCE</b> |
| 249       | “CDP will work with the unions to allow for sustained disciplinary findings to stay in an officer’s record for ten years.”  | <b>PARTIAL COMPLIANCE</b>     |

## 8. Transparency and Oversight

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE          |
|-----------|---|-------------------------------|
| 250       | “The City will hire an individual or individuals with significant experience in law enforcement practices and civil rights law to serve as a Police Inspector General” (“IG”). City must seek CPC’s “input in developing minimum qualifications and experience” for IG. | <b>OPERATIONAL COMPLIANCE</b> |
| 251       | IG work in Office of Mayor but report to Chief of Police.   | <b>OPERATIONAL COMPLIANCE</b> |
| 252       | IG “will not be a current or former employee of CDP.”   | <b>OPERATIONAL COMPLIANCE</b> |
| 253       | Duties and authority of IG.   | <b>OPERATIONAL COMPLIANCE</b> |



| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 254       | Duties and authority of IG to “conduct investigations, analyze trends, and make reports and recommendations, as appropriate, at the request of the Chief of CDP or the Mayor.”   | <b>OPERATIONAL COMPLIANCE</b> |
| 255       | Budget of IG must be “a separate line item” in City budget and “afford[] sufficient independence and resources” to comply with Consent Decree.   | <b>PARTIAL COMPLIANCE</b>     |
| 256       | IG “will have access to all documents and data necessary to perform the above functions, including any raw data.”  | <b>NON-COMPLIANCE</b>         |
| 257       | “CDP will collect and maintain all data and records necessary to accurately evaluate its use of force practices and search and seizure practices and facilitate transparency and, as permitted by law, broad access to information related to CDP’s decision making and activities. To achieve this outcome, CDP will designate an individual or individuals as the ‘Data Collection and Analysis Coordinator.’” | <b>OPERATIONAL COMPLIANCE</b> |
| 258       | Coordinator “will ensure the collection and tracking of all documents related to uses of force and allegations of misconduct and related materials,” including specific, expressly-listed materials and information.   | <b>OPERATIONAL COMPLIANCE</b> |
| 259       | Coordinator “will ensure the creation and maintenance of a reliable and accurate electronic system to track all data derived from force-related documents,” including specific, expressly-identified data.   | <b>GENERAL COMPLIANCE</b>     |
| 260       | Coordinator “will ensure the creation and maintenance of a reliable and accurate electronic system to track data on all vehicle stops, investigatory stops, and searches, whether or not they result in an arrest or issuance of a summons or citation.” The system must conform to a number of specific, expressly-identified requirements.   | <b>OPERATIONAL COMPLIANCE</b> |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 261       | Coordinator must “routine[ly] report[] . . . relevant data to the Chief of Police, FRB, Training Review Committee, OPS, the [Community Police] Commission, and the Police Inspector General.”  | <b>PARTIAL COMPLIANCE</b>     |
| 262       | Coordinator “responsible for the annual assessment of forms and data collection systems to improve the accuracy and reliability of data collection.”   | <b>OPERATIONAL COMPLIANCE</b> |
| 263       | Coordinator “will develop a protocol to accurately analyze the data collected and allow for” various outcome measurements, “subject to the review and approval of the Monitor and DOJ.”  | <b>OPERATIONAL COMPLIANCE</b> |
| 264       | Annually, “CDP will conduct an assessment and issue a report summarizing its investigatory stop, search, and arrest data” that addresses various specific, expressly-identified topics.  | <b>PARTIAL COMPLIANCE</b>     |
| 265       | Annually, “CDP will conduct an assessment and issue a report of all activities, including use of force, arrests, motor vehicles and investigatory stops, and misconduct complaints alleging discrimination, to determine whether CDP’s activities are applied or administered in a way that discriminates against individuals on the basis of race” or other listed prohibited classes or characteristics, and that addresses various specific, expressly-identified topics. | <b>NON-COMPLIANCE</b>         |
| 266       | Annual analysis of “prior year’s force” data with FRB.   | <b>PARTIAL COMPLIANCE</b>     |
| 267       | [A]ll CDP audits, reports, and outcome analyses related to the implementation” of the Consent Decree will be public.   | <b>PARTIAL COMPLIANCE</b>     |
| 268       | “CDP will post its policies and procedures, training plans, community policing initiatives, community meeting schedules, budgets, and internal audit reports on its website.”  | <b>PARTIAL COMPLIANCE</b>     |

## 9. Officer Assistance and Support

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE          |
|-----------|---|-------------------------------|
| 269       | “The City will ensure that officers receive adequate training to understand: (a) how to police effectively and safely in accordance with CDP policy; [and] (b) the requirements of this Agreement, Ohio law, and the Constitution and laws of the United States,” including in the areas of “procedural justice, bias-free policing, and community policing.” | <b>PARTIAL COMPLIANCE</b>     |
| 270       | “CDP will expand the scope and membership of the Training Review Committee.”  | <b>OPERATIONAL COMPLIANCE</b> |
| 271       | “[T]he Training Review Committee will develop a written training plan for CDP’s recruit academy, probationary field training, and in-service training” that addresses a host of specific, expressly-identified issues.  | <b>OPERATIONAL COMPLIANCE</b> |
| 272       | “The Training Plan need not apply to personnel in the Communication Control Section.”   | <b>OPERATIONAL COMPLIANCE</b> |
| 273       | “The Training Plan and schedule will be implemented once any objections have been resolved” on a yearly basis.  | <b>OPERATIONAL COMPLIANCE</b> |
| 274       | “The City, including the Training Review Committee, will annually review and update CDP’s training plan” by “conduct[ing] a needs assessment” that addresses a number of specific, expressly-identified data and information on real-world trends, needs, policy, and law.  | <b>OPERATIONAL COMPLIANCE</b> |
| 275       | “CDP’s Commander responsible for training” will be in charge of “all CDP training.”   | <b>PARTIAL COMPLIANCE</b>     |

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE      |
|-----------|---|---------------------------|
| 276       | “CDP will designate a single training coordinator in each District. The Commander responsible for training will establish and maintain communications with each District training coordinator to ensure that all officers complete training as required and that documentation of training is provided to the” training Commander.      | <b>PARTIAL COMPLIANCE</b> |
| 277       | “CDP will develop recruit academy and in-service curricula that comport with” the Training Plan and Consent Decree requirements.  | <b>PARTIAL COMPLIANCE</b> |
| 278       | N/A   | <b>N/A</b>                |
| 279       | “For all other substantive updates or revisions to policy or procedure, the City will ensure and document that all relevant CDP personnel have received and read the policy or procedure. Notification of each revision or update will include the rationale for policy changes and the difference between the old and updated policy.” | <b>PARTIAL COMPLIANCE</b> |
| 280       | Training Commander reviews all training materials; ensures that they use “a variety of adult learning techniques, scenario-based training, and problem-solving practices”; and “ensure that all curricula, lesson plans, instructor’s qualifications, and testing materials are reviewed by the Training Review Committee.”             | <b>PARTIAL COMPLIANCE</b> |
| 281       | “CDP will ensure that instructors are qualified and use only curricula and lesson plans that have been approved by the” Training Commander.   | <b>PARTIAL COMPLIANCE</b> |
| 282       | “CDP will revise, as necessary, its field training program for graduates of the police academy to comport with” the Training Plan and Consent Decree.   | <b>NON-COMPLIANCE</b>     |
| 283       | “The field training program will incorporate community and problem-oriented policing principles, and problem-based learning methods.”   | <b>NON-COMPLIANCE</b>     |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE      |
|-----------|--|---------------------------|
| 284       | Review and revision of Field Training Officer (“FTO”) “participation policy to establish and implement a program that effectively attracts the best FTO candidates” and “revise eligibility criteria” for FTOs.  | <b>PARTIAL COMPLIANCE</b> |
| 285       | New FTOs and Field Training Sergeants must “receive initial and in-service training that is adequate in quality, quantity, scope, and type, and that addresses” a number of specific, expressly-listed topics and conforms to a number of additional features or requirements.   | <b>NON-COMPLIANCE</b>     |
| 286       | “CDP will create a mechanism for recruits to provide confidential feedback regarding the quality of their field training,” and the Division “will document its response, including the rationale behind any responsive action taken or decision to take no action.”  | <b>NON-COMPLIANCE</b>     |
| 287       | “The City and the Training Review Committee will, on an annual basis, analyze all aspects of CDP’s FTO program,” “consider emerging national policing practices in this area,” and “recommend, and CDP will institute, appropriate changes to policies, procedures, and training related to its FTO program.”  | <b>NON-COMPLIANCE</b>     |
| 288       | “CDP will document all training provided to or received by CDP officers,” with officers “sign[ing] an acknowledgement of attendance or digitally acknowledge[ing] completion of each training course,” which “will be maintained in a format that allows for analysis by training type, training date, training source, and by individual officer name.” | <b>PARTIAL COMPLIANCE</b> |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 289       | “CDP will develop and implement 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.”  | <b>OPERATIONAL COMPLIANCE</b> |
| 290       | “The City will develop and implement accountability measures . . . to ensure that all officers successfully complete all required training programs in a timely manner.”   | <b>PARTIAL COMPLIANCE</b>     |
| 291       | “The City will implement” Paragraphs regarding equipment and resources in order to allow implementation of the Consent Decree “and to allow officers to perform their jobs safely, effectively, and efficiently.”  | <b>PARTIAL COMPLIANCE</b>     |
| 292       | “CDP will complete a comprehensive equipment and resource study to assess its current needs and priorities,” and it “will develop an effective, comprehensive Equipment and Resource Plan that is consistent with its mission and that will allow it to satisfy the requirements of this Agreement.”   | <b>GENERAL COMPLIANCE</b>     |
| 293       | “CDP’s Equipment and Resource Plan will provide for necessary equipment including, at least” “an adequate number of computers”; “an adequate number of operable and safe zone cars”; “zone cards with reliable, functioning computers that provide officers with up-to-date technology” including computer-aided dispatch, the records management system, and various core law enforcement systems; and “zone cars equipped with first-aid kits.” “This plan also will ensure that CDP properly maintains and seeks to continuously improve upon existing equipment and technology; and is appropriately identifying equipment | <b>OPERATIONAL COMPLIANCE</b> |

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE          |
|-----------|---|-------------------------------|
|           | needs and seeking to utilize, as appropriate, emerging technologies.”   |                               |
| 294       | “CDP will actively seek input and feedback from the Commission, patrol officers, and supervisors regarding resource allocation, equipment needs, and technological improvements.”   | <b>PARTIAL COMPLIANCE</b>     |
| 295       | “City and CDP” must “us[e] best efforts to implement the Equipment and Resource Plan as required.”  | <b>OPERATIONAL COMPLIANCE</b> |
| 296       | “CDP will . . . implement an effective, centralized records management system.”   | <b>OPERATIONAL COMPLIANCE</b> |
| 297       | “CDP will utilize a department-wide e-mail system to improve communication and information sharing.”  | <b>OPERATIONAL COMPLIANCE</b> |
| 298       | “CDP will employ information technology professionals who are trained to conduct crime and intelligence analysis, who are capable of troubleshooting and maintaining information technology systems and who can identify and suggest appropriate technological advancements.” | <b>OPERATIONAL COMPLIANCE</b> |
| 299       | “CDP will implement an effective employee assistance program that provides officers ready access to the mental health and support resources necessary to facilitate effective and constitutional policing.”   | <b>PARTIAL COMPLIANCE</b>     |
| 300       | “The City will review and revise . . . its recruitment and hiring program to ensure that CDP successfully attracts and hires a diverse group of qualified individuals.”   | <b>OPERATIONAL COMPLIANCE</b> |
| 301       | “The Mayor will work with the City Council to develop an ordinance to place a Charter Amendment on the ballot that would give the appointing authority greater flexibility in the selection of candidates from the certified eligibility list for the CDP.”                   | <b>GENERAL COMPLIANCE</b>     |



| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE          |
|-----------|---|-------------------------------|
| 302       | “CDP will develop a recruitment policy and a strategic recruitment plan that includes clear goals, objectives, and action steps for attracting qualified applicants from a broad cross-section of the community” and meets certain specific, expressly-listed requirements. | <b>OPERATIONAL COMPLIANCE</b> |
| 303       | “The City will implement the recruitment plan within 60 days of it being approved by the Monitor.”  | <b>OPERATIONAL COMPLIANCE</b> |
| 304       | “CDP’s recruitment plan will include specific strategies for attracting a diverse group of applicants,” including officers with various, specific, expressly-listed skills and backgrounds.   | <b>PARTIAL COMPLIANCE</b>     |
| 305       | “In developing and implementing its recruitment plan, CDP will consult with the [Community Police] Commission and other community stakeholders on strategies to attract a diverse pool of applicants.”  | <b>PARTIAL COMPLIANCE</b>     |
| 306       | “[O]bjective system for hiring and selecting recruits” that “employs reliable and valid selection criteria.”  | <b>PARTIAL COMPLIANCE</b>     |
| 307       | “CDP will report annually to the public its recruiting activities and outcomes,” which will include information on various, expressly-listed areas.   | <b>OPERATIONAL COMPLIANCE</b> |
| 308       | “[A]ll candidates for sworn personnel positions” will have “psychological and medical examination” and be subject to “drug testing.” Existing officers receive “random drug testing.”   | <b>GENERAL COMPLIANCE</b>     |
| 309       | “CDP will conduct thorough, objective, and timely background investigations of candidates for sworn positions” that cover various, expressly-listed topics.   | <b>PARTIAL COMPLIANCE</b>     |
| 310       | “CDP will request to review personnel files from candidates’ previous employment and, where possible, will speak with the candidate’s supervisor(s)” and maintain any “salient information . . . in candidate’s file.”  | <b>OPERATIONAL COMPLIANCE</b> |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE      |
|-----------|--|---------------------------|
| 311       | “If a candidate has previous law enforcement experience, CDP will complete a thorough, objective, and timely pre-employment investigation” addressing various expressly-identified things.   | <b>PARTIAL COMPLIANCE</b> |
| 312       | “CDP will ensure that officers who police professionally and effectively are recognized through the performance evaluation process” and “are identified and receive appropriate consideration for performance.” Likewise, “poor performance” must be “reflected in officer evaluations.”                   | <b>NON-COMPLIANCE</b>     |
| 313       | “The City will develop and implement fair and consistent practices to accurately evaluate officer performance in areas related to integrity, community policing, and critical police functions, on both an ongoing and annual basis.”  | <b>NON-COMPLIANCE</b>     |
| 314–315   | CDP will use “a formalized system documenting the annual performance evaluations of each officer by the officer’s direct supervisor,” including an assessment of several expressly-listed areas. “Supervisors will meet with the employee whose performance is being evaluated to discuss the evaluation.” | <b>NON-COMPLIANCE</b>     |
| 316       | “CDP will hold supervisors of all ranks accountable for conducting timely, accurate, and complete performance evaluations of their subordinates.”  | <b>NON-COMPLIANCE</b>     |
| 317       | “The City will develop and implement fair and consistent promotion practices that comport with the requirements of this Agreement and result in the promotion of officers who are effective and professional.”   | <b>NON-COMPLIANCE</b>     |
| 318       | In considering promotion, “appointing authority will consider” specific, expressly- listed “factors.”  | <b>NON-COMPLIANCE</b>     |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 319       | “CDP will complete a comprehensive staffing study to assess the appropriate number of sworn and civilian personnel to perform the functions necessary for CDP to fulfill its mission and satisfy the requirements of the” Consent Decree. / “CDP will develop an effective, comprehensive Staffing Plan that is consistent with its mission, including community and problem-oriented policing, and that will allow CDP to meet the requirements of” the Consent Decree. | <b>OPERATIONAL COMPLIANCE</b> |
| 320       | Requirements of CDP Staffing Plan.   | <b>PARTIAL COMPLIANCE</b>     |
| 321       | “The City and CDP will employ best efforts to implement the Staffing Plan over the period of time set forth in the approved plan.”   | <b>PARTIAL COMPLIANCE</b>     |

## 10. Supervision

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE      |
|-----------|---|---------------------------|
| 322       | “CDP will ensure that first line supervisors provide close and effective supervision of officers” in a number of express, specifically-identified ways.   | <b>PARTIAL COMPLIANCE</b> |
| 323       | “CDP will develop and implement supervisory training for all new and current supervisors” that is “adequate in quality, quantity, type, and scope, and will include” a number of specific, expressly-listed topics.                                   | <b>PARTIAL COMPLIANCE</b> |
| 324       | “Thereafter all sworn supervisors will receive adequate in-service management training.”  | <b>PARTIAL COMPLIANCE</b> |
| 325       | “CDP will hold supervisors directly accountable for the quality and effectiveness of their supervision, including whether supervisors identify and effectively respond to misconduct and ensure that officers effectively engage with the community.” | <b>PARTIAL COMPLIANCE</b> |

| PARAGRAPH | DESCRIPTION   | STATUS OF COMPLIANCE          |
|-----------|---|-------------------------------|
| 326       | CDP “will create a plan to modify its Officer Intervention Program (‘OIP’) to enhance its effectiveness as a management tool to promote supervisory awareness and proactive identification of potentially problematic behavior among officers.  | <b>PARTIAL COMPLIANCE</b>     |
| 327       | “CDP supervisors will regularly use OIP data to evaluate the performance of CDP officers across all ranks, units, and shifts.”  | <b>NON-COMPLIANCE</b>         |
| 328       | “The OIP will include a computerized relational database that will be used to collect, maintain, integrate, and retrieve data department-wide” in a number of specific, expressly-identified areas.   | <b>NON-COMPLIANCE</b>         |
| 329       | “CDP will set threshold levels for each OIP indicator that will trigger a formal review, and the thresholds will allow for peer-group comparisons between officers with similar assignments and duties.”  | <b>NON-COMPLIANCE</b>         |
| 330-336   | Additional express requirements of OIP.   | <b>NON-COMPLIANCE</b>         |
| 337       | “If CDP chooses to use body worn cameras, CDP will provide clear guidance and training on their use, and will implement protocols for testing equipment and preservation of recordings to foster transparency, increase accountability, and build trust, while protecting the privacy rights of individuals.” | <b>OPERATIONAL COMPLIANCE</b> |

| PARAGRAPH | DESCRIPTION  | STATUS OF COMPLIANCE          |
|-----------|--|-------------------------------|
| 338       | “Supervisors will review recordings related to any incident involving at least a Level 2 or 3 use of force; injuries to officers; and in conjunction with any other supervisory investigation.”                  | <b>OPERATIONAL COMPLIANCE</b> |
| 339       | “Supervisors will conduct adequate random and directed audits of body worn camera recordings” and “incorporate the knowledge gained from this review into their ongoing evaluation and supervision of officers.” | <b>OPERATIONAL COMPLIANCE</b> |
| 340       | “Officers will be subject to the disciplinary process for intentional or otherwise unjustified failure to activate body worn cameras in violation of CDP policy.”  | <b>OPERATIONAL COMPLIANCE</b> |

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