

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

UNITED STATES OF AMERICA,)	CASE NO.: 1:15-CV-01046
)	
Plaintiff,)	
)	JUDGE SOLOMON OLIVER, JR.
vs.)	
)	<u>NOTICE SUBMITTING CLEVELAND</u>
CITY OF CLEVELAND)	<u>DIVISION OF POLICE POLICY</u>
)	<u>REGARDING DOMESTIC VIOLENCE</u>
Defendant.)	<u>INCIDENTS INVOLVING CLEVELAND</u>
)	<u>DIVISION OF POLICE (CDP) OFFICERS</u>
)	

The Monitoring Team respectfully submits the recently finalized policy of significant importance to the City of Cleveland and its communities: Domestic Violence Incidents Involving Cleveland Division of Police (CDP) Officers (Attachment A). While not specifically mandated by the Consent Decree, this policy implicates many paragraphs of Section IX of the Consent Decree that addresses Internal Affairs investigations, Office of Professional Standard’s investigations, and activity at the crossroads of criminal conduct and misconduct defined by police policy.

The policy developed by CDP, with substantial technical assistance by the MT, defines different types of domestic violence relationships and explains with particularity how domestic violence cases involving members of CDP must be handled, including mandatory notifications, investigations, arrests, and dispositions. In keeping with the CDP Disciplinary Matrix¹, the policy

¹ See Docket No. 276, Exhibit A, Disciplinary Matrix.

unequivocally mandates termination of officers who plead guilty or are found guilty of domestic violence. Similarly, the policy requires a Group III (serious discipline up to and including termination) for officers who are not found guilty, but are found to have committed domestic violence under a preponderance of evidence.

Importantly, the policy sets out clear values for the investigation of CDP members alleged to have committed domestic violence. First, the policy states “[i]t is the policy of the Cleveland Division of Police that any domestic violence incident, including incidents involving law enforcement officers, shall be thoroughly investigated.” Second, the policy clarifies that “[n]o special privilege or consideration shall be given to members of the Department of Public Safety, elected or appointed officials of the City of Cleveland, or law enforcement officers from other agencies.” These are clear commitments to comprehensive investigations and prohibition against favoritism for law enforcement officers or civilian CDP staff who commit domestic violence.

The CDP should be recognized for clearly articulating its values and commitment to thorough and unbiased investigations in this area and proactively developing this policy. As noted, this policy is not directly implicated by the Consent Decree, but pursuant to Paragraph 367(i) of the Consent Decree, the Monitoring Team will examine many aspects of complaints against officers, including arrests and prosecutions of officers for on and off-duty conduct as part of the outcome measures.

Respectfully submitted,

/s/ Hassan Aden

HASSAN ADEN
Monitor

The Aden Group LLC
8022 Fairfax Road
Alexandria, VA 22308
Tel: (571) 274-7821
Email: aden@theadengroup.com

CERTIFICATE OF SERVICE

I hereby certify that on April 30, 2021, I served the foregoing document entitled **NOTICE**
SUBMITTING CLEVELAND DIVISION OF POLICE POLICY REGARDING
DOMESTIC VIOLENCE INCIDENTS INVOLVING CLEVELAND DIVISION OF
POLICE (CDP) OFFICERS via the court's ECF system to all counsel of record.

/s/ Ayesha Hardaway
AYESHA HARDAWAY