

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.                       | ) |   |
|                           | ) | <b><u>MEMORANDUM RECOMMENDING</u></b>         |
| CITY OF CLEVELAND         | ) | <b><u>APPROVAL OF CIT SELECTION AND</u></b>   |
|                           | ) | <b><u>SPECIALIZED CRISIS INTERVENTION</u></b> |
| Defendant.                | ) | <b><u>PLAN</u></b>                            |
|                           | ) |   |
|                           | ) |   |

Pursuant to Paragraphs 141 through 152 of the Consent Decree, the Cleveland Division of Police (“CDP”) has submitted to the Monitor the Crisis Intervention (“CIT”) Selection (“CIT Selection document”) and CIT Specialized Crisis Intervention Plan (“Specialized Crisis Intervention Plan”) (attached hereto as Exhibit A and Exhibit B). Dkt. 7-1. The Monitoring Team has closely reviewed the CIT Selection document and Specialized Crisis Intervention Plan. For the reasons set forth below, the Monitor concludes that the CIT Selection document and

Specialized Crisis Intervention Plan are consistent with the Consent Decree and its specific provisions.

**I. SUMMARY OF CONSENT DECREE REQUIREMENTS REGARDING SELECTION OF CRISIS INTERVENTION OFFICERS AND SPECIALIZED CRISIS INTERVENTION PLAN**

The Consent Decree outlines a host of requirements that must be met with regard to the designation and selection of CDP officers. First, the Decree indicates the Crisis Intervention Coordinator (“the Coordinator”) is “responsible for “ensuring the selection of appropriate candidates for designation as specialized CIT officers.” *Id.* ¶ 141. The Decree requires that the selection and training of all specialized CIT officers must be voluntary. *Id.* ¶ 148. The officers must have “at least three years of experience” with the Division, and the CDP is required to engage in an “in-depth assessment” of each applicant, “including examination of the officer’s written application, supervisory recommendations, disciplinary file, and an in-person interview.” *Id.* Supervisors shall “identify and encourage qualified officers” throughout the Division to “serve as specialized CIT officers.” *Id.* ¶ 149. Furthermore, “officers with a history of complaints of, or who have been disciplined for, excessive use of force against individuals in crisis will be presumptively ineligible to be specialized CIT officers.” *Id.*

The Decree requires the development of “an effective crisis intervention plan (“Specialized Crisis Intervention Plan”) with the goal of ensuring that a specialized CIT officer is available to respond to all calls and incidents that appear to involve an individual in crisis.” *Id.* ¶ 152. Specifically, the Specialized Crisis Intervention Plan “will include an assessment of the number of officers necessary to achieve this goal; identification of gaps in coverage of particular shifts or Districts and development of mechanisms to fill those gaps; identification of any barriers to ensuring full coverage and steps to overcome those barriers; and ways to identify

qualified officers and to encourage them to apply.” *Id.* Additionally, CDP must “continually review and revise this plan as barriers to full coverage are identified and addressed” and “to take into account the seniority provisions of the Collectively Bargaining Agreement.” *Id.*

## **II. GENERAL ANALYSIS OF CIT SELECTION AND SPECIALIZED CRISIS INTERVENTION PLAN**

Upon closely reviewing the submitted CIT Selection document, the Monitoring Team concludes that it complies with the necessary Consent Decree requirements. It outlines the three-step selection process the Division will follow. Part 1, “Participation Request,” covers the process when officers initially express interest in serving as a specialized CIT officer. Officers must fill out the Form-1 application. Ex. A at 1. Part 2, “Personnel File Review,” covers the five factors to be examined for each application: “disciplinary record, sick time, awards (including commendations and citizen letters), experience/educations, and performance evaluations.” Ex. A at 2. Part 3, the “Selection Board Interview Process” covers some of the areas the Selection Board will touch on during the in person interview. Ex. A at 3. Lastly, the CIT Selection document provides a timeline for this three step process and the final selection of Specialized CIT officers. Ex. A at 4.

The Specialized Crisis Intervention Plan satisfies the Consent Decree requirements and outlines “the information, analysis, training and implementation necessary” to “ensure that a specialized CIT officer is available to respond to all calls and incidents that appear to involve an individual in crisis.” Ex. B at 1; Dkt. 7-1 ¶ 152. The Specialized Crisis Intervention Plan includes five sections. The first section, “Number Of Specialized CIT Officers Necessary To Cover All Crisis-Related Calls Throughout The City Of Cleveland,” provides a breakdown of the number of patrol officers for each shift in each Police District and “shows the number of specialized CIT officers needed for each shift to reach a minimum of 25% of all officers assigned

to a shift.” Ex. B at 2-3. The second section, “Procedures For Identification For Gaps In Coverage,” provides the specific procedures that will be “established to identify gaps in coverage of crisis-related calls handled by specialized CIT officers once a sufficient number of specialized CIT officers have been trained and deployed.” Ex. B at 4. The third section, “Mechanisms The Division Of Police Will Use To Fill Gaps In Coverage,” discusses the mechanisms the Division will utilize to identify, vet, and train officers, as well the steps “to ensure that the specialized CIT officers are distributed properly throughout the Division on an ongoing basis.” Ex. at 5. The fourth section, “Barriers To Full Coverage And Steps To Overcome Those Barriers,” elaborates on the four identified barriers “to the Division reaching full coverage of all crisis-related incidents by specialized CIT officers.” Ex. B a 6. The four barriers listed are the CPPA Labor Contract, officer portability, the CIT Staffing Plan is insufficient, and attitudinal factors of officers. The fifth section, “List of Ways to Identify Officers who are Appropriate to be Assessed for Suitability to be Specialized CIT Officers,” reiterates “the ways to identify appropriate officers for assessment for suitability to be trained as specialized CIT officers.” Ex. B at 7-8.

### **III. CONCLUSION**

The CIT Selection document and the CIT Specialized Crisis Intervention Plan is consistent with the Consent Decree. Consequently, the Monitor recommends that the Court approve the CIT Selection and the CIT Specialized Crisis Intervention Plan.

Respectfully submitted,

/s/ Matthew Barge \_\_\_\_\_

MATTHEW BARGE  
Monitor  
234 5th Avenue, Suite 314  
New York, New York 10001  
Tel: (202) 257-5111  
Email: matthewbarge@parc.info

**CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2017, I served the foregoing document entitled Memorandum Recommending Approval of CIT Selection and Specialized Crisis Intervention Plan via the court's ECF system to all counsel of record.

/s/ Matthew Barge  
MATTHEW BARGE