

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No: 1:15 CV 1046
)	
Plaintiff)	
)	
v.)	JUDGE SOLOMON OLIVER, JR.
)	
CITY OF CLEVELAND,)	
)	
Defendant)	<u>ORDER</u>

Currently pending before the court in the above-captioned case is Monitor Matthew Barge’s (“Monitor”) Proposed Submission Regarding Cleveland Division of Police Disciplinary Matrix (“Proposed Submission”) (ECF No. 170), as well as the Monitor’s Amended Submission Regarding Cleveland Division of Police Disciplinary Matrix (“Amended Submission”) (ECF No. 173). The Consent Decree required the Cleveland Division of Police (“CDP”) to “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.” (ECF No. 7-1, at ¶ 245.) Through “comprehensive discussion and negotiation” with Plaintiff and the Monitoring Team, CDP developed the instant proposed revised Disciplinary Guidance General Police Order 1.1.11 (ECF No. 173-1) and Group Violation Chart (ECF No. 173-2) (collectively, “Proposed Disciplinary Matrix”). (Am. Mot. 3.) The Proposed Disciplinary Matrix also reflects input from other stakeholders, including the Cleveland Community Police Commission, the Citizen Police Review Board, the Office of Professional Standards, and the Cleveland Police Patrolmen’s Association. (*Id.* at 4.) Having reviewed the Proposed Disciplinary Matrix, the Monitor concludes that the Proposed Disciplinary Matrix “represents substantial progress

toward meeting the Consent Decree's requirements around discipline." (*Id.* at 7.) The Monitor and the parties recommend that the court approve the Proposed Disciplinary Matrix. The court hereby grants the Monitor's Amended Submission Regarding Cleveland Division of Police Disciplinary Matrix (ECF No. 173), and orders the proposed revised Disciplinary Guidance General Police Order 1.1.11 (ECF No. 173-1) and Group Violation Chart (ECF No. 173-2), effective immediately. In light of the Amended Submission, the court denies the Monitor's Amended Submission Regarding Cleveland Division of Police Disciplinary Matrix (ECF No. 170), as moot.

IT IS SO ORDERED.

/s/ SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

January 24, 2018