



January 26, 2016

Via Email and U.S. Mail

Matthew Barge, Monitor
Cleveland Monitoring Team
c/o Lutheran Metropolitan Ministry
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Re: ACLU of Ohio Comments on Draft First Year Monitoring Plan

Dear Matthew,

Thank you for sharing the draft first year Monitoring Plan and soliciting our comments on it. In general, we agree that the Plan is faithful to the Decree's requirements, and that the timetable and steps that it establishes are realistic and appropriate. In terms of the scope of the Plan, however, we do note the absence of two critical areas of reform which should be commenced in the first year.

The Plan provides for no progress towards search and seizure training or towards the police department's review and amendment of its disciplinary matrix. Both of these areas are key to reforming the department and should not wait to be addressed. Both of these types of reform take significant time to conceptualize, to codify, to put in usable form and finally to implement. Our suggestion is that in the first Plan year, the teams be formed (composed of police, civilians and other interested parties) that will be working on these issues, and that a schedule be established for initial meetings to lay the foundation for the work to come.

For searches and seizures, every day that goes by without reform is a day in which old-practice errors can continue to occur. To continue a disciplinary matrix that has been targeted for reform perpetuates confusion and the risk of unfairness as well as a lack of accountability.

Please do not hesitate to contact me if you wish to discuss these comments. Thank you very much.

Sincerely,

Freda Levenson
Legal Director

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