

## Cleveland Community Police Commission

### *Quantification of the Cleveland Police Monitoring Team's Fifteenth Semiannual Report*

December 2024

#### Overview

As part of its mandate outlined by the Consent Decree,<sup>1</sup> the Community Police Commission (CPC) developed a straightforward way for the citizens of Cleveland to follow the Monitoring Team's semiannual assessments of the progress the City of Cleveland has made towards fully complying with the Consent Decree.

By quantifying the Monitoring Team's assessments, and assigning the progress made in each Consent Decree section with a number, it is the CPC's goal in this report to provide the citizens of Cleveland an easy-to-understand way to see what progress has been made so far and how much work remains.

The CPC acknowledges the critiques and limitations of this quantification report:

- The evaluations conducted by the Monitor in their semiannual reports are subjective. Findings are a product of the monitor's in-house research and opinions of subject matter experts who serve on the team. The findings of the monitor are often disputed or questioned by the City.
- The City needs to maintain a level of "Substantial and Effective Compliance"<sup>2</sup> for a specified length of time for the Consent Decree to end. Only the federal judge overseeing the Consent Decree can determine if enough evidence has been provided to meet these criteria.
- Summarizing progress towards compliance as a percentage or number has raised concerns from both the City and Monitor as being oversimplified. Since work towards compliance is ongoing, each summary only shows a "snapshot" of time and may not reflect changes made since the report was published.

The Monitoring Team released their Fifteenth Semiannual Report<sup>3</sup> on September 19, 2024, that assessed the progress made during the reporting period of **January 1, 2024, thru June 30, 2024**. Our report will quantify the Monitoring Team's report, using their compliance ratings and color-coding system as a guide for our numeric system.

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<sup>1</sup> US v. Cleveland Consent Decree, modified in 2022 to incorporate language relevant to the changes made to the City Charter, Section 115: <https://clecpc.org/wp-content/uploads/Cleveland-Consent-Decree-modified-03-11-2022.pdf>

<sup>2</sup> Consent Decree, Paragraph Q, "Termination of this Agreement":

<sup>3</sup> Fifteenth Semiannual Report: <https://static1.squarespace.com/static/5651f9b5e4b08f0af890bd13/t/66eda8aa78329b7bc0ff4742/1726851242775/FIFTEENTH+SEMIANNUAL+REPORT+filed+September+19%2C+2024.pdf>

## Methodology

In the Monitoring Team's Semiannual Report, each actionable paragraph of the Consent Decree is given a compliance status. Each of these statuses is assigned a numerical score to reflect how much progress has been made in the reporting period towards fully complying with the Consent Decree. Descriptions of the Monitor's statuses are listed below:

- **Non-Compliance**  
The City or Division has not yet complied with the relevant provision of the Consent Decree. This includes instances in which the City or Division'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 or Division has made sufficient initial strides or sufficient partial progress toward compliance 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 Division having taken only very limited steps toward operational compliance to being nearly in operational compliance.
- **Operational Compliance**  
The City and/or Division has made notable progress to technically comply with the requirement and/or policy, process, procedure, protocol, training, system, or other mechanism of the Decree such that it is in existence or practice operationally—but has not yet demonstrated, or not yet been able to demonstrate, meaningful adherence to or effective implementation, including across me, cases, and/or incidents. This includes instances where a given reform is functioning but has not yet been shown, or an insufficient span of me or volume of incidents have transpired, to be effectively implemented in a systemic manner.
- **General Compliance**  
The City or Division has complied fully with the requirement and the requirement has been demonstrated to be meaningfully adhered to and/or effectively implemented across me, cases, and/or incidents. This includes instances where it can be shown that the City or Division has effectively complied with a requirement fully and systemically.

The CPC's scores given to each section are as follows:

- Non-compliance is given a score of 0;
- Paral Compliance has a score of 1;
- Operational Compliance has a score of 2; and
- General Compliance has a score of 3

These scores are added up by section, then divided by the maximum possible score. This is then done for the entire Semiannual Report to get an overall quantitative assessment of how much progress the City has made towards full compliance. Since the number of paragraphs in the Consent Decree varies in each

section, the score is weighted to give each section equal weight.

For the Fifteenth Semiannual Report, the Monitoring team noted that the assessment priorities for 2024 are:

- Search & Seizure
- Crisis Intervention
- Use-of-Force

The areas listed above will be given their own score, with each area equally weighted.

In recent reports, the Monitoring Team assigned colors were also to each compliance status level. “Non-Compliance” is Red; “Partial Compliance” is Orange; “Operational Compliance” is Dark Green; and “General Compliance” is Light Green.

During a September 22, 2022, hearing before the Northern District of Ohio Judge Solomon Oliver, the Monitoring Team expressed their opinion that the City would be ready to move into the final stage of the federal oversight process when it has reached Operational Compliance for nearly all of its obligations.

As a result, the quantification of the Monitoring Team’s scoring process in this document will be based on the percentage of Green paragraphs (paragraphs marked as Operational and General Compliance).

Please note that in previous assessments ¶271 and ¶272 were listed a single item, in this assessment they have been assessed separately and assigned their own scores.

## Results

The Fourteenth Semiannual report noted that progress towards completion of the Consent Decree’s Mandates had stalled, with the only change in score concerning ¶194 (concerning the appointment of an OPS administrator) being downgraded from Partial Compliance to Non-compliance.<sup>4</sup> For the Fifteenth Semiannual Report, the Monitoring Team noted that the city had once again resumed making progress towards fulfilling its obligations under the Consent Decree.

Section III – Community	Score	Percent Compliance	Change from Fourteenth Semiannual
<b>Section III Overview</b>	1/3	33.3%	0
<b>Section III A – CPC</b>	12/39	30.8%	+3
<b>Section III B – DPCs</b>	3/12	25.0%	0
<b>Section III Total</b>	<b>16/54</b>	<b>29.6%</b>	<b>+3 (5.6%)</b>

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<sup>4</sup> Fourteenth Semiannual Report:

[https://static1.squarespace.com/static/5651f9b5e4b08f0af890bd13/t/661f2f4bffdc53423483b032/1713319759499/DKT+524-1\\_2024-04-15+Monitoring+Team%27s+14th+Semiannual+Report+.pdf](https://static1.squarespace.com/static/5651f9b5e4b08f0af890bd13/t/661f2f4bffdc53423483b032/1713319759499/DKT+524-1_2024-04-15+Monitoring+Team%27s+14th+Semiannual+Report+.pdf)

Section IV – CPOP	Score	Percent Compliance	Change form Fourteenth Semiannual
<b>Section IV Total</b>	<b>6/24</b>	<b>25.0%</b>	<b>- 0 (0.0%)</b>

Section V – Bias Free	Score	Percent Compliance	Change form Fourteenth Semiannual
<b>Section V Total</b>	<b>10/27</b>	<b>37.0%</b>	<b>+0 (0.0%)</b>

Section VI – Use of Force	Score	Percent Compliance	Change form Fourteenth Semiannual
<b>Section VI A – Use of Force Policy</b>	37/57	64.9%	+0
<b>Section VI B – Use of Force Review</b>	35/69	50.7%	+0
<b>Section VI Total</b>	<b>72/126</b>	<b>57.1%</b>	<b>+0 (0.0%)</b>

\*Paragraph 119 was listed as N/A.

Section VII – Crisis Intervention	Score	Percent Compliance	Change form Fourteenth Semiannual
<b>Section VII Total</b>	<b>66/87</b>	<b>75.9%</b>	<b>+0 (0.0%)</b>

Section VIII – Search & Seizure	Score	Percent Compliance	Change form Fourteenth Semiannual
<b>Section VIII Total</b>	<b>11/27</b>	<b>40.7%</b>	<b>+0 (0.0%)</b>

Section IX – Accountability	Score	Percent Compliance	Change form Fourteenth Semiannual
<b>Section IX – overview</b>	1/3	33.3%	0
<b>Section IX A – Internally Discovered</b>	19/45	42.2%	0
<b>Section IX B – OPS</b>	66/108	61.1%	+1
<b>Section IX C – CPRB</b>	19/27	70.4%	0
<b>Section IX C – Discipline</b>	17/27	63.0%	0
<b>Section IX Total</b>	<b>122/210</b>	<b>58.1%</b>	<b>+1 (0.5%)</b>

Section X – Oversight	Score	Percent Compliance	Change form Fourteenth Semiannual
<b>Section X A – IG</b>	5/18	27.8%	+5
<b>Section X B – Data</b>	16/30	53.3%	0
<b>Section X C – Public Information</b>	2/6	33.3%	0
<b>Section X Total</b>	<b>23/54</b>	<b>46.3%</b>	<b>+5 (9.3%)</b>

Section XI – Officers	Score	Percent Compliance	Change form Fourteenth Semiannual
Section XI A – Training	20/63*	31.7%	+3*
Section XI B – Equipment	16/27	59.6%	+2
Section XI C – Recruitment	21/36	58.3%	0
Section XI D – Evaluations	0/18	0.0%	0
Section XI E – Staffing	4/9	44.4%	0
<b>Section XI Total</b>	<b>61/153</b>	<b>39.9%</b>	<b>+5 (+3.3%)</b>

\*Paragraphs 271 and 272 were evaluated and scored separately, resulting in a higher number of possible points.

Section XII – Supervision	Score	Percent Compliance	Change form Fourteenth Semiannual
Section XII A – Supervisors	4/12	33.3%	0
Section XII B – Intervention	0/15	0.0%	0
Section XII C – Body Cameras	7/12	58.3%	0
<b>Section XII Total</b>	<b>11/39</b>	<b>28.2%</b>	<b>0 (0.0%)</b>

Total Scores	Score	Percent Compliance	Change form Fourteenth Semiannual
Total score out of possible score	399/801	49.8%	+14 (1.7%)
Total score with sections weighted evenly	<b>438/1000</b>	<b>43.8%</b>	<b>+21 (2.1%)</b>
Prioritized paragraphs	149/240	62.1%	+0 (0.0%)
Prioritized paragraphs weighted evenly	<b>173/300</b>	<b>57.9%</b>	<b>+0 (0.0%)</b>

Monitoring Team's Color scores	Number of Paragraphs out of 330*	Percent of Paragraphs	Score using the Twelfth's methods out of 267**	Change form Fourteenth Semiannual†
Red – Non-compliance	37	11.2%	29 (10.9%)	-10 (-3.0%)
Orange – Partial Compliance	118	35.7%	107 (40.8%)	+8 (+2.4%)
Dark Green – Operational Compliance	143	43.3%	97 (36.3%)	+2 (+0.6%)
Light Green – General Compliance	32	9.7%	32 (12.0%)	+1 (+0.3%)
<b>Total Green</b>	<b>174</b>	<b>52.3%</b>	<b>129 (48.3%)</b>	<b>+3 (0.9%)</b>

\*The total number of paragraphs used by the Monitoring Team's color coding is higher than the number in the line-item assessment (330 vs. 267). This is because the color-coding assessment separates all paragraphs out individual, whereas the line-item assessment often groups paragraphs together, e.g., ¶161-165. This has changed since the Twelfth Semiannual Report.

\*\*Based on how the color scale was used in the Twelfth report—with paragraphs grouped as they are in the line-item assessment in the Appendix, starting on page 35.

†Change calculated using the Twelfth Report's rating system.

## Conclusion

Regular assessments of the City's progress towards Consent Decree compliance are crucial in tracking its progress towards achieving Constitutional policing. Over the past several years, the Monitor has broken down and analyzed each Consent Decree paragraph in its semiannual reports to determine where the City currently stands, identify areas of concern, and provide examples for corrective action.

As the Monitor developed terms that do not appear in the Consent Decree to summarize compliance statuses in its semiannual reports,<sup>5</sup> the CPC developed a numerical rating system in its quantification reports. The purpose of presenting compliance levels as a number offers an additional way to help the Cleveland community understand the Monitor's reports, as well as track City's progress as they move towards "Substantial and Effective Compliance" with the Consent Decree.

The Monitoring Team's Fifteenth Semiannual Report contains two different percentages for the number of Green paragraphs. First, in the body of the Report, which includes colored pie charts, **174** paragraphs out of **330** are green; meaning that **52.3%** are at least at a level of compliance that would allow the City to move onto the next phase of the Consent Decree monitoring process. Second, in the Appendix of the Report, **129** out of **267**, or **48.3%**, paragraphs are Green.

This disparity exists because of how paragraphs are counted. The way that paragraphs are counted in the body of the Thirteenth Semiannual report is different from the Appendix and different from previous Semiannual Reports. In previous Reports, multiple paragraphs of the Consent Decree were grouped together when they covered a similar topic (e.g., Search & Seizure rules ¶161-165), resulting in a total of 267 paragraphs/paragraph groups. This is also the case in the Fifteenth Report's Appendix. However, in the body of the Fifteenth Semiannual Report, each paragraph is counted individually, resulting in 329 total paragraphs compared to 226 in the Appendix or in previous Semiannual Reports.

The Monitoring Team's second, more comparable, set numbers are similar to the CPC's findings in this document, which showed that the City's progress stands at an evenly weighted **43.8%** towards compliance overall, and at an evenly weighted **57.9%** towards compliance in the emphasized areas.

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<sup>5</sup> Eleventh Semiannual Report, page 7:

[clecpc.org/wp-content/uploads/Cleveland-Police-Monitoring-Team-11th-Semiannual-Report-09-22-2022.pdf](https://clecpc.org/wp-content/uploads/Cleveland-Police-Monitoring-Team-11th-Semiannual-Report-09-22-2022.pdf)