

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 POLICIES ON</u>
)	<u>INTERACTION WITH TRANSGENDER,</u>
Defendant.)	<u>INTERSEX, AND GENDER NON-</u>
)	<u>CONFORMING INDIVIDUALS AND</u>
)	<u>INTERACTIONS WITH YOUTH</u>

The Monitoring Team respectfully submits two recently finalized draft policies that are of significant importance to the City of Cleveland and its communities: 1) Interactions with Transgender, Intersex, and Gender Non-Conforming (“TIGN”) Individuals (Attachment A) and 2) Interactions with Youth (Attachment B). While not specifically mandated by the Consent Decree, these policies support the Community and Problem-Oriented Policing values set forth in Paragraph 27 of the Consent Decree, requiring CDP to “develop and implement a comprehensive and integrated community and problem-oriented policing model in order to promote and strengthen partnerships within the community,” and specifically “including how to establish partnerships and actively engage civilians and community organizations, including youth, LGBT...communities.”¹ These policies also augment the Bias-Free Policing Policy already approved by the Court, which

¹ Dkt. 7-1, ¶26, also available at <https://www.justice.gov/crt/case-document/file/908536/download>.

provides “guidance to ensure that police services are delivered equitably, respectfully, and free of bias in a manner that promotes broad community engagement, trust, and confidence in the Cleveland Division of Police.”²

As noted in the Eighth Semiannual Report, these policies are welcome examples of good collaboration between the CDP and the Community Police Commission.³ The policies were reviewed by the Monitoring Team, the Department of Justice, and the Community Police Commission over many months, with the majority of substantive feedback incorporated into the final draft policies.

As such, these policies could easily serve as model policies nationally – they are thoughtful, respectful, and attempt to provide practical and sensitive guidance to officers about how to interact and support Cleveland’s TIGN and Youth populations. The Interaction with TIGN Individuals policy specifically requires “that all interactions with TIGN individuals be conducted with courtesy, dignity, and respect which is inherently due to every human being. Members shall safeguard the rights of all people in manner free from bias.”⁴ Similarly, the Interactions with Youth Policy requires “that youth shall be afforded their constitutional and statutory rights when being questioned, searched, detained, or arrested. Youth shall be informed of their rights in an age-appropriate manner, and treated with courtesy, professionalism, dignity, respect, and equality.”⁵ Both policies give clear and comprehensive guidance to officers on how to approach the specific needs and concerns of these populations during police interactions. Though the attached policies are not technically required by the Consent Decree, the Monitoring Team and the parties agree that

² Dkt. 194 (*Approving* Dkt. 186, Attachment A).

³ Dkt. 320, at 8 (“While the relationship is often strained, there have been many examples of productive interaction. For instance, the development of the new use of force policies, the completion of the Search and Seizure policies and relevant training, and most recently, the soon to be completed Interaction with Youth and Transgender individuals.”)

⁴ Attachment A at 1.

⁵ Attachment B at 1.

it is important to make this Court aware of them since they are the result of an important and meaningful collaborative work process between the parties and the CPC.

Respectfully submitted,

/s/ Hassan Aden

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CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2020, I served the foregoing document entitled **NOTICE SUBMITTING CLEVELAND DIVISION OF POLICE POLICIES ON INTERACTION WITH TRANSGENDER, INTERSEX, AND GENDER NON-CONFORMING INDIVIDUALS AND INTERACTIONS WITH YOUTH** via the court's ECF system to all counsel of record.

/s/ Ayesha Hardaway
AYESHA HARDAWAY