



# NAACP

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## NAACP SUPPORTS SEARCH & SEIZURE RECOMMENDATIONS

The National Association for the Advancement of Colored People (“NAACP”) was founded in 1909 and is the oldest, largest and most widely respected membership civil rights organization in the country. Throughout its history the NAACP has stood firm in its commitment to addressing issues involving racial discrimination and disparate treatment in employment, housing, civic engagement, education and police relations. In discharging its responsibilities, the Cleveland Branch NAACP was one of the first organizations to call for the U. S. Department of Justice to investigate the Cleveland Division of Police for the use of excessive force against people who live, work and visit the City.

The NAACP is well-aware of the Fourth Amendment prohibition against “unreasonable searches and seizures.” In spite of the clear language of the Fourth Amendment, however, illegal searches and seizures was one of the primary concerns of the Department of Justice in its investigation of the Cleveland Division of Police. The fact that Cleveland Police were involved in unconstitutional practices in the enforcement of the laws of the City of Cleveland, the State of Ohio and the U.S. Constitution was well-known prior to the time that the City of Cleveland entered into an agreement with the federal government to eliminate unconstitutional police practices. Of course, the elimination of illegal police practices and the transformation to a police force that honors the U. S. constitution will present significant obstacles and is fraught with both practical and logistical challenges. Not only must all police practices comply with both local and state laws but the mentality of police officers has to be addressed so that they will be committed to understanding and implementing practices that permit them to make the City a safer environment while respecting the various protections contained in the U. S. Constitution.

The NAACP is also keenly aware of the significant time and resources that the members of the Community Police Commission Work Group invested in researching and presenting recommendations for Search and Seizure procedures for the Cleveland Division of Police. If these recommendations are implemented and, more importantly, internalized, the Cleveland Division of Police will come much closer to discharging its obligations in a constitutional manner to the benefit of all parties. Furthermore, if these recommendations become a reality, not only will people who live, work and visit the City be able to function in a safer environment but they will have a more realistic understanding and appreciation of their rights and responsibilities.

Therefore, the Cleveland Branch NAACP would commend the CPC Work Group and recommend that the parties to the Consent Decree adopt their recommendations and recommend to the Federal Court that these recommendations receive appropriate consideration in a timely manner.