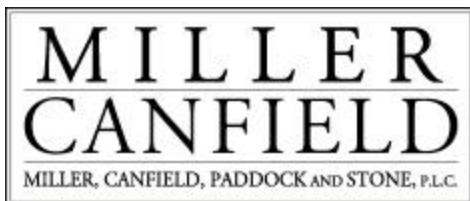


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**SAUL A. GREEN**  
TEL: (313) 496-7535  
FAX: (313) 496-8454  
E-MAIL: [greenS@millercanfield.com](mailto:greenS@millercanfield.com)

150 West Jefferson, Suite 2500  
Detroit, Michigan 48226  
TEL: (313) 963-6420  
FAX: (313) 496-7500  
[www.millercanfield.com](http://www.millercanfield.com)

April 1, 2003

Honorable Michael R. Merz  
United States Magistrate Judge  
Southern District of Ohio  
Federal Building  
200 West Second Street  
Dayton, Ohio 45402

Kenneth L. Lawson  
808 Elm Street  
Suite 100  
Cincinnati, OH 45202

Valerie Lemmie  
City Manager  
City Hall  
801 Plum Street  
Cincinnati, OH 45202

Shanetta Brown Cutlar  
Acting Chief  
Special Litigation Section  
Civil Rights Division  
United States Department of Justice  
P.O. Box 66400  
Washington, D.C. 20035-6400

Don Hardin  
Hardin, Lefton, Lazurus & Marks  
915 Cincinnati Club Building  
30 Garfield Place  
Cincinnati, OH 45202

Alphonse A. Gerhardstein  
1409 Enquirer Building  
617 Vine Street  
Cincinnati, OH 45202

Rita McNeil  
City Solicitor  
801 Plum Street, Suite 214  
Cincinnati, OH 45202

Scott T. Greenwood  
1 Liberty House Southern  
P.O. Box 54400  
Cincinnati, OH 45202

Dear Magistrate Judge Merz and Party Representatives:

Enclosed is the City of Cincinnati Independent Monitor's First Quarterly Report regarding compliance with and implementation of the Memorandum of Agreement between the United States Department of Justice and the City of Cincinnati and the Cincinnati Police Department; and the Collaborative Agreement between the Plaintiffs, the Fraternal Order of Police and the City of Cincinnati.

This Report reflects our assessment of the Parties' compliance with and implementation of the Agreements; their progress; and, where progress is lacking, recommendations for next steps.

In addition to our assessment of compliance with each provision of the Agreements, we make several general findings that relate more to the level of commitment to implementation, the resources allocated, and the resources needed to accomplish full compliance and implementation. To date, there has been an insufficient demonstration of commitment or allocation of resources.

However, despite a slow start, there have been important accomplishments:

- The creation of the Mental Health Response Team ("MHRT"). This includes changes in policy, selection of 90 officers to serve as MHRT officers, multidisciplinary training for the team, and deployment of the officers for interactions with persons who are mentally ill.
- The expansion of efforts to document, review and investigate use of force incidents. This is exemplified by the expansion of the role of the Inspections Section in reviewing use of force investigations and auditing both the citizen complaint process and Internal Investigations Section investigations. While there is clearly more work to be done, this effort is moving in the right direction.
- Development of new policies for handling critical firearms discharges. Pursuant to the Memorandum of Agreement, the Cincinnati Police Department has created a Firearms Discharge Board, which will review the Criminal Investigations Section and Internal Investigations Section investigations, and evaluate the firearms discharge for policy compliance, tactics, and training implications.
- The Cincinnati Police Department has revised its citizen complaint process to be more open and accessible, including the creation of a new citizen complaint form (postage free), and allowing complaints to be filed in any form - in writing, in person, by mail, fax or phone. Anonymous and third party complaints are also accepted.
- The City and the Parties have created the Citizen Complaint Authority (CCA). This included passing the CCA ordinance, appointing CCA board members, selecting the executive director (after a wide ranging search and selection process that included all the Parties), training the CCA board members, and drafting a policies and procedures manual.
- The Parties have created the Community Partnering Center. The Partnering Center is established, Board Members have met on a number of occasions, fundraising is underway, and the Urban League has agreed to house the Partnering Center.

April 1, 2003

This Report reflects the early stages of a challenging and complex process. There is a tremendous amount of work to be done, both in developing a shared vision and commitment to act on that vision, and in the day-to-day time and attention that has to be given to implementation. The Memorandum of Agreement and Collaborative Agreement are the binding obligations of the Parties. I am convinced that, just as important, they provide the best vehicles available to achieve improved public safety and enhanced police/community trust in the City of Cincinnati.

Sincerely,

SAUL A. GREEN

Enclosure

cc.: The Honorable Susan Dlott  
United States District Federal Judge