



U.S. Department of Justice

Civil Rights Division

WJK:GCB:SYC:TMG:GG:cw
DJ 207-58-3

*Special Litigation Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530*

APR 12 2007

VIA FACSIMILE AND REGULAR MAIL

The Honorable J. Rita McNeil
City Solicitor
City Hall
801 Plum Street, Room 214
Cincinnati, Ohio 45202

Re: Cincinnati Police Department Memorandum of Agreement

Dear Ms. McNeil:

We write to notify the City of Cincinnati ("City") and the Cincinnati Police Department ("CPD") that the Department of Justice ("DOJ") has closed its investigation of the CPD. We find that the City and the CPD have satisfied the requirements of the Memorandum of Agreement ("MOA") between the parties.

As you know, on April 12, 2002, the City and the DOJ executed a five-year MOA resolving our 42 U.S.C. § 14141 investigation of the CPD. The Parties subsequently selected Saul Green to monitor the City's implementation of the MOA. The MOA addressed all aspects of the CPD's use of force, including the CPD's management practices, policies, investigation practices, supervision, discipline, training, and monitoring of use of force. By its terms, the MOA expires on April 12, 2007. Additionally, we are pleased to report that closure is appropriate in light of the City's substantial compliance with the MOA's substantive provisions.

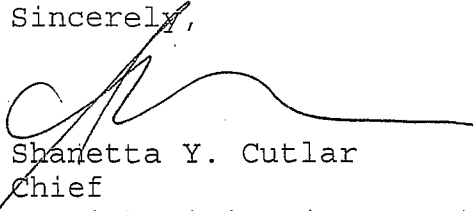
Most recently, on July 25, 2006, in light of the City's progress in successfully implementing the majority of the MOA requirements, we amended the MOA to terminate all provisions that the Monitor determined had been found in substantial compliance for two years or more. On October 10, 2006, the Monitor issued a Special Report indicating that 49 MOA provisions had been in compliance for at least two years and were ripe for termination (the Monitor found two additional provisions no longer applicable).

In its January 15, 2007 Report, the Monitor found the City in compliance with a majority of the MOA's 81 provisions and in "partial compliance" with six provisions. The Monitor issued a letter to the Parties on April 10, 2007 indicating that the CPD has made substantial progress on each outstanding provision and that members of the Monitor's team met with CPD officials in March 2007 to discuss the outstanding provisions.¹

The Monitor's assessment of the CPD's substantial progress regarding each MOA provision (including the outstanding provisions), and the CPD's willingness to accept additional recommendations from the Monitor regarding the outstanding provisions demonstrate that the CPD has achieved the goals the Parties memorialized in the MOA and has developed the tools to continue without DOJ oversight.

We congratulate the City on its progress and have closed this matter. This accomplishment demonstrates the City's commitment to constitutional policing and fairness for all those who travel through its jurisdiction.

Sincerely,



Shanetta Y. Cutlar
Chief
Special Litigation Section
Civil Rights Division

cc: Saul A. Green
Independent Monitor

Thomas H. Streicher
Chief of Police
City of Cincinnati

¹ We understand that many of the outstanding provisions have been "pending compliance" for a period of more than one year and that the City and the Monitor disagree as to the compliance requirements regarding these provisions such that it is possible that the Monitor may never judge the City in compliance with these provisions.