

January 16, 2014

Via U.S. Mail

Timothy J. McGinty
Cuyahoga County Prosecutor
1200 Ontario St.
Cleveland, OH 44113

Victor R. Pérez
Chief Assistant City Prosecutor
601 Lakeside Ave., Room 106
Cleveland, OH 44114

Michael McGrath
Chief of Police
1300 Ontario St.
Cleveland, OH 44113

Thomas F. Jones
Office of Professional Standards
Chairman, Civilian Police Review Board
205 West St. Clair Ave.
Cleveland, OH 44113

Re: *Ortiz v. Kazimer, et al.*, Case No. 1:11-cv-01521 (N.D. Ohio)

Gentlemen:

One year ago today, I sent you a letter with enclosures requesting investigation and, if appropriate, prosecution and discipline of Officers Brian Kazimer and Dan Crisan for the incident against Juan Ortiz and the Ortiz family on August 16, 2010 that is also the subject in the above-referenced matter. I received only an acknowledgment (of sorts) from Chief McGrath, that inexplicably read "I received your letter concerning, 'Re: Ortiz v. Kazimer, et al[.], Case No. 1:11-cv[-]01521 (N[.]D[.] Ohio)', dated January 16, 2013. It is the goal of the Division of Police to make Cleveland a desirable, safe city in which to live, work, raise a family, shop, study, play, and grow old. Thank you for your continued support." I received nothing after that.

Multiple follow-up calls to Prosecutor Pérez have gone unreturned.

The non-responsiveness of public officials regarding an assault on a 16-year-old minority child with Down Syndrome is disappointing. The Civilian Police Review Board already recommended officer discipline even before all—even more devastating—facts were known and yet nothing, as far as we can tell, has happened to these officers. Is it the policy and practice of the Division of Police to not discipline officers when civil litigation is pending, thus tying officer discipline to the City's pecuniary interests and leaving the public at risk?

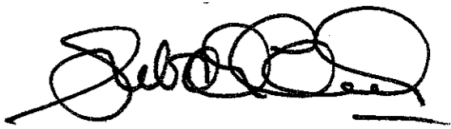
Please respond to inform me of the status of any investigation.

As you know, the U.S. Department of Justice is already investigating the City's apparent unwillingness or inability to respond to police-misconduct issues in a manner that inspires public confidence or renders justice. Would it not benefit the City to act on a matter while it is

already under such scrutiny? The professional courtesy of even a substantive response regarding the status of this matter would be appreciated. I find it baffling that no one is willing to respond to a complainant's counsel.

By copy of this message, I am requesting Barbara Langhenry's personal attention in her capacity as the City's Prosecuting Attorney. I am not writing her in her civil-litigation capacity, and if there is a conflict in her capacities, I trust her to resolve them to the public and the Ortiz family's benefit.

Sincerely,

A handwritten signature in black ink, appearing to read 'Subodh Chandra', with a horizontal line underneath. The signature is written in a cursive, somewhat stylized font.

Subodh Chandra

cc: Anthony Jordan, Esq.
Barbara Langhenry, Esq, City of Cleveland Director of Law and Prosecuting Attorney.
Carole S. Rendon, First Assistant U.S. Attorney, N.D. Ohio (enclosing original letter and package from January 16, 2013)