

December 8, 2016

Via U.S. Mail

Calvin Williams
Chief of Police
1300 Ontario St.
Cleveland, OH 44113

Re: Promotion of Dan Crisan (#263) despite pending discipline regarding the racially motivated use of excessive force against Juan Ortiz on August 16, 2010

Dear Chief Williams:

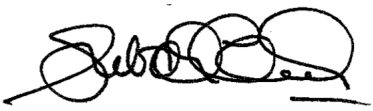
I write to follow up on my letter yesterday to raise an additional concern: we believe the Division violated the Consent Decree in *U.S. v. City of Cleveland* by promoting Dan Crisan from patrol officer to sergeant without considering the pending disciplinary process regarding the incident with Juan Ortiz and his family.

Paragraph 318(h) of the Consent Decree requires that one of the factors the appointing authority is required to consider in making promotional decisions is any "pending disciplinary process" against a promotional candidate.

The Division promoted now-Sergeant Crisan in the fall of 2015. We have requested all public records regarding Sergeant Crisan's personnel history, and have litigated a mandamus action in the Ohio Supreme Court to ensure that all such records were provided. But the records the City provided give no indication that the appointing authority considered Sergeant Crisan's pending discipline regarding Juan Ortiz as part of the promotional process. This violates the Consent Decree.

We ask that you investigate and take appropriate steps to address this concern in addition to the issues raised in my letter yesterday. And again, please contact me directly if we can provide any additional information or assistance.

Sincerely,



Subodh Chandra

Cc: Carole Rendon, United States Attorney for the Northern District of Ohio,
via email to Carole.Rendon@usdoj.gov (w/Dec. 7 letter to Williams
enclosed)

Rashida Ogletree, U.S. Department of Justice Civil Rights Division,
via email to Rashida.Ogletree@usdoj.gov (w/Dec. 7 letter to Williams
enclosed)

Matthew Barge, Consent-Decree Monitor,
via email to MatthewBarge@parc.info (w/Dec. 7 letter to Williams
enclosed)