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## New Cleveland police de-escalation policy issued 14 days before fatal officer-involved shooting in University Circle

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Cleveland police Sgt. Dean Graziolli, shown in this 2015 photograph, fatally shot a man outside a Cleveland bowling alley on Jan. 14. (Cory Shaffer, cleveland.com)

By [Adam Ferrise, cleveland.com](https://www.cleveland.com)

CLEVELAND, Ohio -- Cleveland police enacted a new policy governing de-escalation techniques for officers 14 days before a Cleveland police sergeant [fatally shot a 21-year-old man](#) who attacked the officer outside a popular bowling alley in Cleveland's University Circle neighborhood, according to police.

Cleveland was required to adopt new use-of-force guidelines as part of a 2015 consent-decree reform agreement that it entered into with the U.S. Department of Justice. The new policy adopted Jan. 1 broadens existing measures and clarifies how and when officers are expected to use force, Cleveland police spokeswoman Sgt. Jennifer Ciaccia.

It is unknown if the broadened de-escalation policy will apply to [Sgt. Dean Graziolli](#), a 26-year police veteran who shot and killed [21-year-old Thomas Yatsko](#). That part of his case is under investigation, Ciaccia said.

The new de-escalation policy mandates that all officers receive a new round of training sometime in 2018. All the officers were trained in the 2017 use-of-force policy, Ciaccia said.

The Cuyahoga County Sheriff's Department is investigating the Jan. 14 shooting. They will present their findings to a Cuyahoga County grand jury to see if criminal charges are warranted.

The police department will review the sheriff's findings and determine whether Graziolli violated the use-of-force and de-escalation policies. That will determine whether the department punishes Graziolli.

"Policing, at times, requires that an officer may need to exercise control of a violent or resisting subject, or a subject experiencing a mental or behavioral crisis," the new policy says. "At other times, policing may require an officer to serve as a mediator between parties, or defuse a tense situation. Officers shall use de-escalation tactics and strategies when safe under the totality of the circumstances and as time and circumstances permit."

The policy gives officers guidelines on how to act, but also allows for them to escalate their use of force as quickly if they believe it's necessary.

Officers under the new policy are supposed to make an attempt to distance themselves from someone attacking them, talk to the person in the hopes of getting them to comply without using force.

They are also supposed to take into account several factors, including whether a person is under the influence of drugs or alcohol, has an apparent mental illness, any language barrier and the person's perceived age.

If that doesn't work, or they or any other member of the public is in immediate danger, they're allowed to use force.

The de-escalation order says officers should try, when they can, to use take-down techniques, stun-guns or their police baton before firing their weapon. They're also supposed to give the person opportunity to comply with their orders, unless they're in immediate physical danger.

"Officers will use physical force only when no reasonably effective alternative appears to exist, and only then to the degree which is reasonable to effect a lawful purpose," the policy says.

The details of what happened outside the Corner Alley bowling alley between Graziolli and Yatsko is not completely known. Police officials said Yatsko got into a fight with a friend and was kicked out of the bar.

He returned and attacked Graziolli, who shot Yatsko in the neck and an "extremity," according to police and the Cuyahoga County Medical Examiner. Yatsko was unarmed at the time of the attack, police said.

Graziolli spent several hours in the hospital after the incident for treatment for his injuries, which included cuts and bruises on his head, face and body, the police supervisor's union said.

He is on light-duty in the department's gym until the sheriff's investigation is finished.

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