

Report response



Councilman Jeffrey Johnson, second from right, pays his respects at Tamir Rice's funeral Wednesday. Johnson is calling for safety officials Martin Flask and Michael McGrath to resign in light of the Justice Department's report on the police use of force.

LYNN ISCHAY / THE PLAIN DEALER

Councilman seeks resignation of safety officials McGrath, Flask

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Cleveland City Councilman Jeffrey Johnson called Friday for the resignation of Safety Director Michael McGrath and Martin Flask, special executive assistant to Mayor Frank Jackson, citing a U.S. Department of Justice report on the police department's use of force.

Johnson said in an interview Friday that he has been a long-time supporter of McGrath. But after reading the results of the 21-month-long federal investigation — which concluded police often shoot, hit or use Tasers on citizens unreasonably — Johnson says he has changed his mind.

"All of this occurred during their leadership," Johnson said. "Marty Flask and Michael McGrath have to step down. Immediately. Like, today."

Flask and McGrath have held positions of influence in the police department for decades, through two U.S. Justice Department investigations into officers' use of

force. Yet, Jackson not only has defended them against criticism — he has promoted them to the top of the command chain.

Flask climbed the ranks until he was named chief in 1999 and retired from that position in 2001, a year after the first federal investigation.

After spending five years as head of security at Cleveland-Hopkins International Airport, Flask returned to City Hall in 2006, when newly elected mayor Jackson tapped him to be safety director.

In February, about a year into the Justice Department's second investigation into Cleveland, Flask was reassigned to serve as Jackson's full-time executive assistant, overseeing "special projects" related to the police department.

McGrath, a Cleveland police officer since 1981, spent years in the Special Weapons and Tactics Unit until he became the commander of the police's 4th District in 1997. He was appointed

chief in 2005 and was promoted to replace Flask as safety director in February, a year after the most recent federal investigation.

During a news conference Thursday, Jackson continued to defend McGrath when asked to justify his decision to promote him last year, despite the federal investigation.

"He was the right person at that time," Jackson said. "And he is now. I do not regret it."

Johnson said Friday that the culture of policing in Cleveland cannot change until the mayor overcomes his irrational loyalty to McGrath and Flask. And he expressed incredulity at Jackson's refusal to acknowledge the "systemic deficiencies" identified by the Justice Department.

Johnson said he was particularly troubled by the report's finding that police internal investigations admitted to routinely favoring officers in use-of-force investigations.

"That comes from within the culture," Johnson said. "If the po-

lice officer doesn't believe he will be disciplined, he will continue to do what he does. That is on McGrath."

Johnson said he still believes in the new Police Chief Calvin Williams, though he, too, climbed the ranks and once served as the commander in charge of some of the most notorious users of non-lethal force.

"I think the culture is so embedded with the good ol' boys mentality that an African-American commander frankly had little power to change the culture in his leadership capacity," Johnson said. "I haven't lost faith in Williams."

Johnson said he hopes the community and activists continue to put pressure on the Jackson administration, as the mayor enters into consent decree negotiations with federal officials.

"I don't want anybody resting," Johnson said. "I don't want the protests to stop. They need to light a fire under city officials and turn the heat up on City Hall."

Justice Department report

Officers rely too often on weapons, investigators find

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Cleveland police officers often quickly draw their weapons without trying to use words to calm tense situations, according to the U.S. Department of Justice investigation of the police department. And that pattern has sown distrust in the community, investigators found.

In addition to finding that police often fire their weapons recklessly, the report called out police for using deadly force or less-than-lethal force as their first approach rather than a last resort, even in cases where a suspect is mentally disabled.

"We...discovered that officers do not effectively de-escalate situations, either because they do not know how, or because they do not have an adequate understanding of the importance of de-escalating encounters before resorting to force whenever possible," the report says.

These practices have become routine in a police culture that encourages using force as punishment — a pattern that's not only illegal but also puts a strain on police-citizen relations, according to the Justice Department.

The law allows police to use deadly force when their lives or the lives of others around them are in danger, but the Justice officials slammed Cleveland police for shooting at or using other means of physical coercion against people who were not a threat.

The recent case of a 12-year-old Cleveland boy shot by police at a city park was not considered in the investigation. But many of the force-related issues involved in the Justice Department review have been raised in the Tamir Rice shooting. Some have criticized

officer Timothy Loehmann for shooting the boy within seconds of coming into contact with him, and others questioned whether sufficient verbal commands were made. The Justice Department investigation found that in the rare instances when Cleveland officers verbally confront a suspect, they usually do so with their weapon drawn.

Departments that develop a reputation for being violent are likely to face tension within the community to resolve the encounter reasonably without use of force, injury or chance of death," Walker said.

The tendency for officers to pull out their weapon right away is deeply ingrained in police culture, according to Walker.

Police who are insulted by a suspect often let their emotions get to them and they lash out in anger by resorting to force, Walker said. The Justice Department found a troubling pattern of police losing patience with people who were not cooperating or challenging their authority.

Veteran officer and former president of the Police Foundation Hubert Williams said the ability to talk a suspect down is the mark of a responsible officer.

"The best capability of an officer is to utilize communication as their primary weapon against somebody that might constitute a threat," said Williams.

In his 30 years on the force, Williams said, the best officers he knew rarely drew their weapons.