

RTA police arrest of woman recalls excessive force findings against Cleveland police, her attorney says



An RTA rider who says she was assaulted by a transit officer appears to have had an experience consistent with recent Justice Department findings about use of excessive force among Cleveland police, her attorney says. (*Greater Cleveland Regional Transit Authority*)



By **Alison Grant, The Plain Dealer**

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CLEVELAND, Ohio -- The lawyer for a Lakewood woman who said she was roughed up by an RTA transit officer said her experience appears to track with recent findings that Cleveland police used excessive force against suspects without justifiable cause.

Jessica Ferrato, 39, **said she was physically assaulted** by an RTA officer after getting off a rapid train Sunday evening as she returned home from the Cleveland International Film Festival.

RTA TRANSIT POLICE INCIDENT

Ferrato said she was knocked to the ground and her face was shoved into the dirt as the RTA officer, with a knee pressed into her back, wrestled handcuffs on her. Ferrato said her pants and underwear were somehow pulled down during the struggle, exposing her until another officer pulled her pants up and put her in the back of a police cruiser.

Even though the incident involved an RTA officer, Ferrato's attorney said her account recalls results of a federal investigation of Cleveland police.

"We are in the process of investigating these disturbing allegations, which appear to be consistent with the Department of Justice's findings that a culture of excessive force has developed among law enforcement officers in Cleveland and continues to put the community at risk," attorney Peter Pattakos said.

Pattakos, with the Cleveland law firm of Cohen, Rosenthal & Kramer, said he would have no further comment for now.

RTA **issued an apology Tuesday**. "From what we know now, it appears this incident could have been handled far more appropriately," the agency said in a statement. "We apologize for the way this incident transpired, and this is clearly an unfortunate situation. Importantly, we will be taking the appropriate action internally, and once the investigation is complete, we will be able to provide further details."

Ferrato, in a long post on Facebook around 3 a.m. Monday, after she had been released from the custody of RTA police, said a transit officer had demanded to see what he called "her bus pass" when she got off the train at the West 117th Street Station. Ferrato said she had a rail pass and showed it to the officer, but he continued to follow her.

"At this point he ran in front of me, blocked my path and closed in on me and said, 'I told you, you have to stop. You have to do what I say.' At this point I literally had the RTA pass two inches away from his face, and I was saying, 'It's right here! I've showed it to you! Here is my pass, it's valid, it's an all day pass, I bought it here this morning.'"

She was knocked to the ground, she said. The officer called for backup. Ferrato said she thought she felt more than one officer on top of her as handcuffs were secured behind her back. She realized her clothing had been pulled down, she said.

"This had me completely terrified and I kicked back and up with my legs to get them off of me. I hit one of them in the shins, and then heard one of them say, "NOW you're guilty of assault!"

Ferrato said she was eventually charged with disorderly conduct. Officers had threatened her with resisting arrest and obstruction charges, she said.

Comments poured in on Ferrato's Facebook page, many from women who said the situation she described sounded degrading and frightening.

One poster urged Ferrato to be sure to have an attorney file a motion to have RTA preserve and produce audio and video evidence with the court. Several lawyers posted messages offering to help, one saying he would do so free of charge.

Others talked about how the incident had uncomfortable echoes of **the Justice Department investigation** of Cleveland police that found the department engaged in a pattern or practice of "unreasonable use of force."

"Just what Cleveland needs as it struggles to rise from the ashes ... a rogue cop... transit or otherwise. Violating its citizen's civil rights merits more scrutiny by the Justice Department ... perhaps they can simply add an addendum to their report every week or two," one said.

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RTA said Tuesday evening it would be releasing a video when its investigation is over.

"It should be done shortly," spokeswoman Linda Krecic said of the internal probe.

RTA has not released the name of the officer that Ferrato says assaulted her, nor said whether he is on leave from the transit police force.

RTA General Manager Joe Calabrese is on a business trip. Transit Police Chief John Joyce is expected to release the agency's findings and answer media questions within the next few days.

Ferrato said Tuesday evening that her lawyer would speak on her behalf. "It's been a long, exhausting day," she said.

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