

Third Bi-Annual Report
of the Independent
Monitor for the
University of Cincinnati
Police Division:
January 1 – June 30, 2018



Submitted to:
The University of Cincinnati
Office of Safety and Reform
August 21, 2018

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INTRODUCTION

As noted in our prior report¹, on July 19, 2015 Samuel Dubose was shot and killed by a University of Cincinnati Police Officer, shaking the University (the “University” or “UC”), its police division (the “Division” or “UCPD”) to its core and setting in motion a series of reform efforts to ensure that the Division was operating in a way that is consistent with best practices in policing, and indeed, with the goal of becoming the model law enforcement agency for urban campus policing. A critical step that the University undertook in its reform effort was the commissioning of a comprehensive review of the UCPD². That review was conducted by Exiger and presented to the University and the public in the form of a series of Findings and Recommendations covering 11 substantive areas of policing with a separate section outlining “Fundamental Findings and Recommendations” lying at the foundation and core of the reform effort.

Pursuant to one of the recommendations of the Exiger Report³, calling for voluntarily engaging a Monitor to independently oversee the implementation of the recommended reforms, the UC decided to voluntarily engage an Independent Monitor by the University, which appears to be the first time a government entity has voluntarily undertaken a Monitorship of its police department without US Department of Justice participation and judicial reporting. Instead of reporting to a federal judge, the Monitor reports to the University’s Board of Trustees and is required to issue both quarterly updates and bi-annual reports updating the Board and the public on the progress of UCPD reform.

Through a request for proposal (RFP) process, the UC conducted a search for an Independent Monitor. In October of 2016, Jeff Schlanger of Exiger was selected as the Independent Monitor, with Roberto Villasenor as Deputy Monitor, and Denise Lewis of Exiger as Primary Auditor.⁴

The Monitor began his duties on January 1, 2017, which began with the collaborative development of a document entitled “Methodologies to Aid in the Determination of Compliance” (“MADC”). The MADC details the expectations by the Monitor of the UCPD in order to achieve compliance with each Exiger Recommendation (“ER” or Recommendation), including the documents or other data that is required⁵. For each ER that is scheduled for assessment, a proffer of compliance is

¹ The introduction to each biannual report will remain essentially unchanged in order to allow for this report to stand and be read alone.

² A copy of all the Monitor’s Reports can be found at: <http://www.uc.edu/publicsafety/reform/external-monitor.html>

³ Recommendation 2C, “Final Report for the Comprehensive Review of the University of Cincinnati Police Department,” (“the Exiger Report”) dated June 1, 2016. Readers of this Biannual Report are urged to reference the Final Report on the Comprehensive Review for the additional information surrounding the Findings and Recommendations made in that report.

⁴ In May 2018, upon Jeff Schlanger’s departure from Exiger, the Deputy Monitor, Roberto Villasenor, was appointed as Primary Independent Monitor, and Denise Lewis, the principal auditor for the team, became the Deputy Independent Monitor.

⁵ The MADC is a separate document created collaboratively to serve as a guide to assist the UCPD and the Monitor in understanding the processes that the Monitor will undertake to evaluate compliance for each ER. The MADC is the primary tool that the Monitoring Team will use to determine whether compliance has been achieved and serves to assist the UCPD in ascertaining what

submitted by the UCPD to include a description of the steps taken to achieve compliance along with the related policies and other relevant documentation. Generally, assessments that are conducted determine the UCPD's degree of compliance pursuant to the methodology laid out in the MADC. A grade of "Compliant," "Partially Compliant⁶," "Non-Compliant," or "Determination Withheld⁷," is then assigned to the efforts of the UCPD relative to a particular Recommendation. For each ER assessed as compliant during a particular time period, depending on the topic and whether or not of all the elements needed to achieve substantial compliance were met, the Monitor will either set a date for the next scheduled evaluation or, will indicate that No Further Evaluation ("NFE") is required. A "Partial Compliance" occurs when steps towards "Compliance" have been made, but full "Compliance" has not been reached. We also occasionally "Withhold Determination" when, despite the UCPD's proffer of compliance, some intervening circumstance prevents a complete assessment. On those occasions we will again schedule the relevant ER(s) for assessment in the subsequent quarter(s) and report on a final determination of compliance once a full assessment can be conducted.

It is important to note that a finding of compliance in one quarter does not necessarily mean that the Recommendation will continue to be in compliance in subsequent assessments. Some Recommendations will be evaluated more than once during the course of the Monitorship, indeed as often as every quarter, and some Recommendations will be evaluated only once. Those ERs requiring only one review will be designated as NFE, typically because the required action was of a one-time nature. In contrast many of the ERs include the type of tasks that either must continue throughout the monitorship and beyond, such as periodic firearms qualification and use of force training, or are of such a nature that the Monitor believes multiple evaluations are necessary to ensure continued compliance.

The Biannual Reports follow the structure of the Exiger Review dealing with Fundamental Recommendations, and then Recommendations in each of the 11 Substantive Subject Matter Areas. The quarterly updates are meant to provide only a summary overview of activity in the quarter, whereas biannual reports provide details of the reform activity and efforts for the preceding half year.

is required in order to achieve compliance. It should be noted that as the UCPD develops policies and changes its procedures, the content MADC will also need to be reexamined and re-agreed upon, when and if appropriate.

⁶ In order to provide a mechanism for acknowledging the UCPD's progress made towards achieving compliance, the Monitor uses the finding of Partial Compliance (PC). The PC finding will be used to differentiate between those ERs where the UCPD has not yet achieved complete compliance but has made forward progress toward compliance such as developing the policy, but not yet disseminating that policy or training its personnel on the policy.

⁷ The finding of Determination Withheld (DW) is used when the UCPD and/or the Monitor have agreed that the Monitor's review could not yet determine compliance because a complete assessment was not possible. Some examples include assessments which were originally scheduled for a quarter because UCPD felt it would have an approved policy in place, but where such policy was not fully completed and approved prior to the close of the quarter. When the Monitor withholds determination, the ER will be evaluated at the first possible opportunity and a determination of compliance, partial compliance or non-compliance made.

ACTIVITY DURING CURRENT REPORTING PERIOD

This is the Monitor’s Third Biannual Report (Q2 2018) covering the period of January 1 through June 30, 2018. During this 6-month review period, the Monitor examined a total of 77 ERs that were put forward for review by the UCPD⁸, 44 ERs were assessed in Q5 and 33 ERs were assessed in Q6. Of those 77 ERs assessed, 32 were “initially” assessed for the first time, whereas the remaining 45 had been previously assessed and required a subsequent review. The following chart provides an overview of the Exiger Recommendations for each substantive topic area:

Section	Topic	Total Recommendations	2017 Compliant	This Biannual Period Assessed	This Biannual Period Compliant	Currently Compliant	Currently Non-Compliant	Currently Partially Compliant	Currently Determination Withheld	Currently Not Yet Evaluated
1	Fundamental Findings	25	19	1	0	19 (76%)	0 (0%)	1 (4%)	1 (4%)	1 (4%)
2	Ped and Traffic Stops	11	7	7	5	8 (73%)	1 (9%)	0 (0%)	1 (9%)	1 (9%)
3	Use of Force	22	16	4	3	17 (77%)	0 (0%)	1 (5%)	0 (0%)	2 (9%)
4	Policy and Procedures	22	18	10	7	20 (91%)	0 (0%)	1 (5%)	0 (0%)	0 (0%)
5	Hiring and Promotions	35	26	1	1	27 (77%)	0 (0%)	0 (0%)	0 (0%)	2 (6%)
6	Training	52	30	19	15	34 (65%)	0 (0%)	2 (4%)	1 (2%)	1 (2%)
7	Accountability	16	11	7	4	12 (75%)	0 (0%)	1 (6%) 0 (0%)	0 (0%)	1 (6%)
8	Community POP	25	12	10	10	22 (88%)	0 (0%)	0 (0%)	0 (0%)	2 (8%)
9	Mental Health	13	10	4	3	12 (92%)	0 (0%)	1 (8%)	0 (0%)	0 (0%)
10	Equipment	14	12	4	3	14 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
11	Technology	18	11	3	3	14 (78%)	0 (0%)	0 (0%)	0 (0%)	1 (6%) 6 (33%)
12	Data Systems	23	9	7	6	12 (52%)	0 (0%)	1 (4%)	0 (0%)	2 (9%)
Totals		276	181	77	60	211 (76%)	1 (.5%)	8 (3%)	3 (1%)	13 (5%)⁹

⁸ The Monitor believes it is in the best interest of the Monitorship to allow UCPD to project the timing of its compliance with each ER and then notify the Monitor when it is ready to be assessed. However, the Monitor assesses compliance each quarter with certain critical areas such as uses of force and complaints.

⁹ There are 40 additional ERs currently under initial assessment at the time of this report.

Items of Note

During this third bi-annual reporting period, which is the first six months of 2018, the UCPD moved closer to compliance in many areas. Of particular note, the UCPD has now begun to implement all of the Exiger Recommendations for two of the twelve sections of the Exiger Final Report: Section 9 which covers the policies and procedures in how officers deal with persons with mental health issues, and Section 10 which focused on much needed equipment. All but four of the 25 Fundamental Recommendations, which were considered foundational and at the core of the reform effort, have been put forward by UCPD for assessment. Three of the four remaining ERs are currently being assessed with the one last ER being considered for final review. The UCPD is a mere 18 months into the process of its compliance efforts to implement 276 recommendations. In this short amount of time, the Monitor has assessed 223 (81%), is currently assessing 40 others (14%), leaving only 13 (5%) that have not yet been evaluated. The consistent and continuous speed at which the UCPD has progressed is no less than a triumphant feat mirroring the commitment to its desire to effect positive change, better policing, and eventual community trust.

During this reporting period, there was significant progress made in a number of areas:

- The UCPD developed and implemented a disciplinary matrix as a method of adjudicating sustained misconduct investigations, and taking fair and consistent corrective action to include disciplinary measures. Having a disciplinary matrix is an important part of organizational justice in any law enforcement agency.
- The Use of Force policy was revised to clarify when and how the un-holstering and pointing of a weapon (firearm or Conductive Energy Device/Weapon) is reportable. The genesis of the revisions was based on the Monitor's review of contact cards in which an officer erroneously noted that force had occurred, when in fact it had not. Rather, the officer had appropriately un-holstered his weapon in a situation with an armed suspect.
- The Learning Management System (LMS) is being collaboratively developed with the UC HR department. The LMS will track and store all UCPD employee training records and eventually allow for automated employee training requests and approvals.
- The UCPD produced and distributed its first recruitment video which showed the UCPD as a promising employer, and campus policing as a favorable career choice.
- The UCPD finalized, disseminated, and conducted training on the policy for its In-Car Video Recording System (IVRS) and completed the installation of the equipment.¹⁰

¹⁰ The Monitor has not yet conducted testing of implementation.

- The UCPD completed its first annual review of calls for service and other interactions with persons involving mental health issues. The process of conducting the review resulted in the identification of a reporting problem to capture all such incidents, which in turn, resulted in training and a policy revision to address - both of which are typically expected when conducting first-time reviews of any system.
- The UCPD filled its internal inspection unit supervisor position with a lieutenant who will conduct internal “Staff Inspections” of various high-risk topics for the Chief of Police, and whose reports will be copied directly to the Director, Public Safety and the Vice President (VP), Office of Safety and Reform (OSR.) The establishment of this unit is necessary to the expansion of the UCPD’s risk management system and its effort to “identify and prevent,” rather than merely react to incidents of organizational failure. When conducted properly, the outcomes of such inspections are reliable information which should be used by police executives to take proactive measures before such incidents of failure occur in the first place.¹¹
- UCPD Developed or revised and disseminated the below policies:
 - In-Car Video Recording System
 - Arrests, Processing, Transportation of Detainees
 - Records Management
 - Victim Services
 - Confidential Informants
 - Surveillance
 - Performance Evaluations

Areas for Improvement

The following were issues of concern identified by the Monitor. Each of these issues either has been, or is in the process of being addressed by the UCPD:

- The documentation to demonstrate the evaluations of vendor and/or internal training courses was lacking and in some cases, excessively complicated. The policy and forms to document such evaluations were initially developed in response to the high number of ERs and requirements associated with the management of training, but was also a result of the very ambitious training schedule. While the policy met the requirements of the ER, the Training Section was struggling to fully implement that policy. In response to the Monitor’s comments, in Q6 the UCPD training staff and the members of the monitoring team conducted a targeted

¹¹ Given the early withdrawal from the voluntary monitorship, the Monitor may not be in a position to provide adequate training and/or feedback to ensure quality inspections, however the Monitor has provided the UCPD with several resources for such training.

meeting to collaborate on ways to simplify and streamline the process. The Monitor is confident that moving forward, the UCPD will have a better idea on how best to document the functions and responsibilities of the Training Section.

- The Monitor found the UCPD in non-compliance with the ER related to a specific training requirement, 2.2.B Implicit Bias. UCPD conducted training related to Bias free policing but did not cover implicit biases. The UCPD has scheduled implicit bias training (along with many other topics) with the UC Office of Equity and Inclusion for July 2018.
- The Training Needs Analysis (TNA) which by policy is supposed to be conducted by the Training Review Committee and is an integral part of the training management process, has not yet been completed. The TNA is currently scheduled to be completed in June 2018.

Assessment and Compliance Status: Third Biannual Period: January – June 2018

The Monitor encourages the UCPD to submit its policies, documentation, and any other items needing to be assessed as soon as possible even though they may, or may not, have achieved compliance for the connected ER. The concept of not waiting for full compliance, benefits the process as it allows for the Monitor to provide timely feedback and allows the Monitor to report all of the reform efforts to the UC and the community. This timing of early submissions however, can result in partially compliant findings or the Monitor withholding a determination of compliance, but by no means indicates a lack of effort on the part of the UCPD.

With that clarification in mind, of the 77 ERs assessed in this biannual period the Monitor found the UCPD had achieved compliance with 60 (86%); was partially compliant with 12 (16%) ERs; was non-compliant with one (1%) ER; and the Monitor withheld its determination for four (5%) others primarily due to timing of assessment issues. The detailed review of the Monitor's assessment for each of the 77 ERs is detailed within the Memorandum of Assessment contained in the respective topic area in Appendices 1-12 along with the Report Card to illustrate the timing of each assessment.

With regard to the non-compliant finding, the related ER specifically required annual training on implicit bias training. While the newly hired officers received the course "Fair and Impartial Policing" as part of their UCPD orientation training with the UCPD, not all of the in-service officers attended refresher training on the topic in 2017 as required. The UCPD did schedule and most officers have already attended a course covering implicit biases in 2018 through the UC Office of Equity and Inclusion.

Complaints and Uses of Force

During this third biannual period two uses of force occurred, and a total of 8 complaints were initiated; 2 in Q5 and 6 in Q6. These incidents were either generated externally as a Citizen Complaint, or generated internally and categorized as an "Internal Investigation". The Citizen Complaints generally consisted of allegations of discourtesy or improper procedures; however,

one did allege biased procedures in connection with the UC's Night Ride policy. The investigation correctly determined that the Night Ride policy was not in fact biased, rather the employee had incorrectly interpreted the policy regarding off-campus transportation.

The Monitor evaluated all closed investigations, and found them to be complete and timely. The Monitor did not disagree with any of the findings or outcomes of either "Not-Sustained", meaning the investigation could either not determine if the alleged misconduct occurred; "Unfounded", meaning the incident did not occur; "Exonerated", that the incident occurred but was appropriate action on the part of the officer or member, or in a few cases, the investigation found the allegations "Sustained", meaning it did occur. In the latter instances, the UCPD took corrective action taken as necessary.

The UCPD recently created a new category of documented oversight titled "Administrative Review" (AR) which is the process of conducting a more abbreviated evaluation of various types of police actions that do not require a formalized investigation, but which should be the subject of a command level review nevertheless. Such incidents include, but are not limited to, foot or vehicle pursuits without injury, off-campus traffic stops, and the un-holstering of weapons and if the weapon is pointed at a person— all of which justify a more streamlined review process.

Second Year Assessment Overview

As stated above, the Monitor commends all of the efforts over the prior 18 months and before, on the part of the University and the UCPD - from each of its police officers through its ranks and up to the Chief of Police, Director of Public Safety, and VP, OSR. Enough cannot be said about the courageous determination on the individuals embarking on this lofty and demanding engagement.

With that said, in July 2018, the Monitor was advised that the University and the Vice President, Office of Safety and Reform (OSR) had decided to end the voluntary monitorship at the close of 2018. The initial plan was to fully implement all of the 276 Exiger Recommendations (ERs) over a three year period, understanding that such vast and critical change takes time to ensure that the deeply rooted culture of the organization truly embraces the change and implementation of "best practices" as the standard method of operation. Realistically, the Monitor advised early-on that all of the ERs being adopted would need to be implemented, evaluated, and hopefully complied with, over the first two years, and the third and final year would be used to test, assess, and ensure the UCPD had sustained the long-term compliance it desires and the community expects.

While the Monitor commends the University, the OSR, and the UCPD for its willingness to overhaul and reform its police division from top to bottom, and the Monitor recognizes the UCPD's progress towards full compliance - with so many new policies, new equipment, new systems, and the abundant amount of training; the future sustained compliance could be at risk. Needless to say, the UC's investment made to ensure initial compliance could also be lost. It is important to note that while significant progress has been made, not all of the ERs have been fully implemented or yet tested, and compliance has not been achieved in all areas. Obviously the Monitor has yet to complete the scheduled testing as described in the Methodologies to Aid in the Determination of Compliance (MADC) which delineates all of the elements needed to achieve compliance. As an

example, there are at least 16 ERs identified from Q6 ending June 30, 2016 that should be assessed for implementation in 2019.

Nevertheless, the Monitor is encouraged by the enthusiasm and professionalism by which the new Chief of Police, Maris Herold, who is a staunch champion of reform, has taken on in her leadership role of the UCPD. The Monitor is hopeful and optimistic that the early removal of the external monitoring process will not inhibit the UCPD effort of bringing about positive change and best practices to the UCPD, or result in a loss of credibility with the community.

SUMMARY OF SUBSTANTIVE TOPICS

I. *Fundamental Findings – 76% Current Compliance*

The Fundamental Findings section of the Exiger Report consists of 25 Exiger Recommendations which are foundational and at the core of the reform effort.¹² Examples of deficiencies identified in the Exiger Report are the lack of a mission statement; the lack of appropriate field supervision; the lack of internal controls; the lack of policy development and the lack of training oversight.

As of the end of the 3rd biannual period, 21 ERs have been assessed and UCPD is currently in compliance with 19 ERs, all of which were achieved in the prior biannual period. The Monitor withheld its determination of the one ERs assessed during this period as it was unable to conduct independent testing or analysis of Traffic and Pedestrian Stop data due to the delayed submission of the UCPD's Semi-Annual report on the topic. Two of the four ERs that remain unevaluated are related to the establishment of the UCPD's internal inspection unit and annual audit schedule, both of which are currently under evaluation in Q7 ending September 30, 2018. The remaining two are the requirement to infuse elements of Problem Oriented Policing through the UCPD and to integrate UCPD data systems into one large comprehensive system. The latter will also be assessed in Q7, and the former during the final quarter.

The Report Card and Memorandum of Assessment for each of the Exiger Recommendations in this substantive area that were assessed in this period can be found in the attached Appendix 1.

II. *Pedestrian and Traffic Stops – 73% Current Compliance*

The Pedestrian and Traffic Stops section of the Exiger Report consists of 11 Recommendations, mainly related to findings that the UCPD had a lack of policies and protocols for non-consensual detentions such as traffic and pedestrian stops, bias free policing, or the collection and analysis of data related thereto.

As noted in previous reports, the UCPD has ceased conducting all but emergency traffic stops outside of the UC perimeter, and has provided guidance regarding the number of officers who should be on-scene of any such stop. During the current period the UCPD conducted three traffic stops off campus which all appear to be for urgent purposes. In one instance, the supervisor who approved the stop received a counseling to ensure he understood the intent of the policy. During this period there were no Citizen Complaints indicating that too many UCPD officers were at scene.

¹² Several of the Fundamental Finding Recommendations are a summary of more detailed Recommendations of the Exiger Report and are described as such within the relevant of the Memorandum of Assessment.

To date, the UCPD has achieved compliance with eight of the 11 ERs. A total of six ERs were assessed altogether during this period, two of which were initial assessments within this biannual period and found in compliance, and four others were scheduled reassessments, two of which were found in compliance. The Monitor withheld its determination of compliance for one ER as the timing of submission of the UCPD's Traffic and Pedestrian Stop Data Report was delayed.

The sixth ER assessed (2.2.B) in this biannual period was found non-compliant due to the lack of scheduled refresher training for all sworn officers on the topic of implicit bias. The Monitor notes that most of the sworn officers attended an OPOTA mandated course required of all Ohio commissioned officers, titled "*Procedural Justice and Police Legitimacy*"; however, a review of the course materials found that implicit bias was not covered. Several sworn officers also attended an elective course through OPOTA titled "*Policing Culturally Diverse Communities*" but again, the course materials did not include content on implicit biases. As indicated elsewhere in this report, the UCPD has scheduled implicit bias training (along with many other topics) with the UC Office of Equity and Inclusion for July 2018. Once sufficient documentation is submitted demonstrating that greater than 94% of the sworn officers attended, the UCPD could become compliant again.

To date, one ER remains unassessed, being the requirement for UCPD to provide training to its officers on conducting traffic stops. In addition, the two ERs mentioned above are scheduled for reassessment during Q7.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendations in this substantive area that was assessed in this period can be found in the attached Appendix 2.

III. *Use of Force – 77% Current Compliance*

The Use of Force section of the Exiger Report consists of 22 Recommendations related to the UCPD's use of force policy, the use of force continuum to include less-lethal options, such as Conductive Energy Devices and batons, and its investigation procedures. At the time of Exiger's Comprehensive Review, the UCPD procedures did not reflect current best practices and did not clearly define circumstances under which the use of force was authorized.

During the current quarter, the UCPD reported two incidents wherein officers had to use force to effect an arrest, both of which were calls for service from within the UC community for persons with mental health concerns. In both incidents officers use de-escalation tactics in an attempt to calm the situation and prevent the need for using force, but in the end, the individuals both resisted the officers when attempting to take custody necessitating the use of bodily force. The UCPD conducted complete and timely investigations of both incidents to include review of the body worn camera footage of the involved officers and all officers on scene. The Monitor reviewed the investigations which included recorded witness statements and video footage. The Monitor concurred with the investigation that the officers used restraint in dealing with the individuals, used the minimal amount of force necessary, that the tactics and force used was within the UCPD policy and training, and was appropriate under the circumstances.

To date, the UCPD has achieved compliance with 17 of the 22 ERs one of which was achieved within this biannual period. The UCPD has scheduled the review of two additional ERs in Q7 leaving two ERs that have not yet been evaluated, and one that is partially compliant.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendations in this substantive area that was assessed in this period can be found in the attached Appendix 3.

IV. Policy and Procedures – 91% Current Compliance

The Policy and Procedures section of the Exiger Report consists of 22 recommendations (“ER”) related to the process by which the organization develops best practice policies. Some of the findings in this section were focused on deficiencies related to specific policies that were not covered elsewhere in the report, while the majority of findings and recommendations were focused on the more fundamental message that the UCPD should have policies consistent with a university-defined mission for campus law enforcement and the most modern thinking in today’s policing.

The Monitor is continuously evaluating the UCPD’s process for developing, reviewing and managing its policies to ensure best practice standards are met. During this biannual period the UCPD submitted several policies which were updated by the Organizational Development Coordinator (ODC) using International Association of Campus Law Enforcement (“IACLEA”) standards which will benefit the UCPD during the accreditation process. Two of the policies submitted were “Victim Services” and “Records Management” in addition to several others mentioned elsewhere in this report that underwent revisions through the collaborative review process between the ODC and the Monitoring Team.

To date, the UCPD has achieved compliance with 20 of the 22 ERs, one ER is currently under review and one is in partial compliance.

A total of eight ERs were assessed during this biannual period, two of which were initial assessments within this biannual period, and six others were scheduled reassessments. Two of the reassessments were assessed twice (Q5 and Q6) and all but one were found in compliance with one in partial compliance. The one partially compliant ER was due to the annual refresher training for active shooter scenarios, which had not yet been attended by all of its sworn personnel at the end of the period. The UCPD has indicated that all remaining sworn officers will be trained by the end of 2018 and appropriate civilian personnel, such as security officers, will attend a different course, the timing and content of which is yet to be determined.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendation in this substantive area that was assessed in this period can be found in the attached Appendix 4.

V. Recruitment, Hiring, Promotion -77% Current Compliance

The Recruitment, Hiring, Promotion, and Retention section of the Exiger Report consists of 35 Recommendations related to diversity and the procedures of recruitment, hiring, promotion and retention. The initial review found that the UCPD's policies and procedures for hiring did not prioritize the need to establish a police officer candidate pool representative of its diverse community and that the absence of a clear UCPD mission may have negatively affected its past hiring strategies.

In 2017, the UCPD hired three new University Law Enforcement Officers (ULEOs), two of which were new to the policing profession, attended the Cincinnati Police Department Academy, graduated in May 2018 and have begun the Police Training Officer (PTO) program. One of the new hires already had his OPOTA certificate and started the PTO program immediately after orientation training. The Monitor noted that one of the three newly hired officers is African American, and all three are male.

During the current period, in May 2018, the UCPD produced and disseminated its first ever recruitment video and opened the hiring and application process for 10 vacant sworn University Law Enforcement Officer (ULEO) and/or Apprentice positions, and three Security Officer positions for which they are seeking qualified applicants. Their recruitment efforts, which began in 2017, and the application process which ran from June 1 through July 1, 2018, resulted in close to 300 applications for the various positions.

The UCPD has achieved compliance with 27 ERs, 1 of which was achieved within this biannual period related to the implementation of the promotion policy. Twelve ERs are currently under review and two remain unassessed. The latter two are related to collecting hiring data and conducting exit interviews for persons leaving UCPD employment.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendation in this substantive area that was assessed in this period can be found in the attached Appendix 5.

VI. *Training – 65% Current Compliance*

The Training section of the Exiger Report consists of 52 ERs related to ensuring adequate training and oversight of the training of UCPD officers. At the time of the Comprehensive Review, the UCPD had a number of critical deficiencies in policies, procedures, and practices, and was not adhering to those policies that did exist. Furthermore, the UCPD training curricula, facilities, and equipment were seriously inadequate given the resources available to a university entity.

As mentioned in prior reports, the UCPD adopted a very aggressive annual training schedule, which was developed in part based on the Exiger Recommendations, but also on OPOTA standards and requirements. This very busy schedule coupled with the many ERs related to management of the Training Unit (TU) resulted in a complicated system of internal tracking forms to document the oversight, evaluation and follow-up of both internal and external courses. As an example, a few specific topics that were required to be scheduled and delivered, did not in fact, occur and resulted in a non-compliant finding. The implementation of the UCPD's Learning Management

System (LMS) which was developed in collaboration with the UC, addressed some of the documentation issues while others were modified to streamline and simplify the documentation and monitoring process.

The UCPD has achieved compliance with 34 of the 52 ERs, 14 others are currently under initial review, twelve more are scheduled for reassessment, and one ER remains unevaluated which requires that community relations issues are included in the Use of Force courses.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendation in this substantive area that was assessed in this period can be found in the attached Appendix 6.

VII. Accountability – 75% Current Compliance

The Accountability section of the Exiger Report consists of 16 Recommendations related to the institutionalization of mechanisms designed to ensure long term compliance not only with the ERs, but also with the UCPD’s mission and values. Some of those mechanisms include the creation of field sergeant positions to ensure in-field supervision, the use of an Early Warning System to identify officers who may be at risk, and the integration of oversight and risk management controls such as an internal inspection system, and better complaint intake, management, and investigation processes.

During this biannual period the UCPD initiated, investigated and closed several complaints and internally generated allegations of misconduct. All of the completed investigations adequately spoke to the evidence including review of video footage, contained recorded witness statements, and properly adjudicated the allegations of misconduct. The UCPD command staff took corrective measures as needed for sustained misconduct and policy violations in line with its newly created Disciplinary Matrix.

Some of the internal procedures related to categorizing and tracking these investigations are being redesigned to ensure proper tracking. Related to the tracking issue, the UCPD recently created a category of documented oversight titled “Administrative Review” (AR) which is a process of conducting a more abbreviated evaluation of various types of police actions that do not require a formalized investigation, but which should be reviewed nevertheless.

To date, the UCPD has achieved compliance with 12 of the 16 ERs, seven of which were achieved during this biannual period. Two ERs are currently under initial review and one remaining ER has not yet been evaluated which requires that UCPD consider using a subgroup of the CAC to review investigations of complaints made against UCPD employees.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendation in this substantive area that was assessed in this period can be found in the attached Appendix 7.

VIII. Community Engagement – 88% Current Compliance

The Community Engagement section of the Exiger Report consists of 25 Recommendations related to the building of a strong partnership with the community UCPD serves. While the UCPD had several creative Community Engagement initiatives in place, others had not yet been implemented because of organizational and staffing deficiencies.

During this biannual period, the UCPD designed and disseminated a policy to include an appropriate selection process for Community Engagement Officers which provides for community and student body input. The Monitor expressed its pleasure that the UCPD acknowledged the significance of the Community Engagement Officer's role in the organization and the UC community. The UCPD also submitted documentation to demonstrate either its compliance with or consideration of various crime prevention initiatives such as Operation Safe Haven, Operation Blue Light, Operation ID, PhoneHome, and StopTheft, and a Bicycle Registration Program.

To date, the UCPD has achieved compliance with 22 of 25 ERs, seven of which were achieved during this biannual period. One ER is currently under initial review, and two remain unevaluated. The two ERs that have not yet been assessed are related to the development of a Problem-Solving approach with community input to deal with chronic crime problems, along with a policy covering that topic.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendation in this substantive area that was assessed in this period can be found in Appendix 8 hereto.

IX. Mental Health Response – 92% Current Compliance

The Mental Health section of the Exiger Report consists of 13 Recommendations related to policies and guidelines for how UCPD officers should deal with incidents involving individuals suffering from mental health issues. While the UCPD had a history of problematic interactions with individuals having mental health issues, the mental health training and informal practices were satisfactory. As a result, the ERs focused on the formalization and enhancement of the UCPD's policies to ensure continued improvement of its ability to work with individuals with mental health issues, with the goal of minimizing the likelihood of situations resulting in negative outcomes.

During this biannual period the UCPD completed its annual "Mental Health Summary Report" covering mental health related calls and incidents that occurred in 2017. The report was thorough and insightful and identified significant reporting issues that have now been addressed by the UCPD.

To date, the UCPD has achieved compliance on twelve of the 13 ERs assessed, three of which were achieved during this biannual period. One ER remains in partial compliance as it requires that refresher training on CIT be conducted and attended every two years, and not all officers had received such training at the end of the period.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendation in this substantive area that was assessed in this period can be found in the attached Appendix 9.

X. *Equipment – 100% Current Compliance*

The Equipment section of the Exiger Report consists of 14 Recommendations related to UCPD's equipment, such as on-campus video surveillance equipment, and video recording equipment for police vehicles as well as UCPD's less-lethal weapons such as Conductive Energy Devices (CED) and batons. In evaluating UCPD's available weapons a significant finding focused on the lack of CEDs. Several ERs suggested the UCPD properly deal with equipment that was not being utilized by the Organization.

During this biannual period UCPD completed the installation of the In-Car Video Recording System (IVRS) to include drafting of the policy and training on the use of the IVRS. Along with the previously reported compliance areas, the review of on and off-campus surveillance equipment, and a few other equipment considerations, the installation of the IVRS culminates in the UCPD achieving compliance of all 14 ERs in this section. The Monitor commends the UCPD for its accomplishments in this area and believes without a doubt, that the UCPD officers and community are benefiting from the newly acquired and much needed equipment.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendation in this substantive area that was assessed in this period can be found in the attached Appendix 10.

XI. *Technology – 78% Current Compliance*

The Technology section in the Exiger Report consists of 18 Recommendations mainly related to Body Worn Cameras (BWCs), and the Automated Record Management System (ARMS) as well as certain analysis issues. In short, the UCPD's IT organization needed to be resourced to support system upgrades, replacements and support for new and emerging technologies, such as next generation body worn cameras and Computer Aided Dispatch systems.

In furtherance of technology upgrades, among other accomplishments, the UCPD conducted a new staffing study which resulted in several key recommendations including hiring two additional Full Time Equivalent (FTE) positions, and structural changes to the IT department and implementation of an on-call system for 24/7 support. To date, the UCPD has achieved compliance on 14 of the 18 ERs, three are currently under evaluation and one ER has not yet been evaluated. The one ER that remains unassessed is associated with conducting testing of systems prior to the upgrade to ARMS.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendation in this substantive area that was assessed in this period can be found in the attached Appendix 11.

XII. Data Systems – 52% Current Compliance

The Data System section of the Exiger Report consists of 23 ERs to address deficiencies in the UCPD's data collection, storage and analysis systems related to its tracking of citizen contacts, officer performance, early warning systems to identify at-risk officers, crime data, and complaints.

The UCPD announced its intention to purchase a new system to replace ICS, but is continuing to maintain the Contact Card Data Microsoft Access database, the information of which is then loaded in the ICS Dashboard. Along with its hiring of a new crime analyst who has a background in this area and provides needed expertise, the UCPD should realize significant improvements in its data analysis capabilities.

To date, the UCPD has achieved compliance with twelve of the 23 ERs, six of which were completed this biannual period. There are eight more ERs that are currently under initial review, and two that have yet to be evaluated, the latter two being the establishment with ICS of performance thresholds and the posting of data to the UCPD's website.

The Report Card and Memoranda of Assessment of each of the Exiger Recommendation in this substantive area that was assessed in this period can be found in the attached Appendix 12.

CONCLUSION

As mentioned throughout this report, the Monitor is more than satisfied with the accomplishments made by the UCPD in the reform process thus far. The UCPD leadership, namely the newly appointed Chief of the UCPD, the Director of Public Safety, and the Vice President, Office of Safety and Reform have been more responsive than ever before and have shown to be tenacious in their quest for improvement of their agency and service to the community. Having been involved with the non-voluntary type of monitorships, the Monitor is impressed by the commitment of all of the men and women of the Division to the reform process and the desire to serve its community in the best manner possible. It is the Monitor's sincere belief that other jurisdictions will look to UCPD and its experience under this monitorship for positivity of smooth transitions through impending reforms in today's challenging policing environment.

Roberto Villaseñor
Independent Monitor

Principal Contributor

Denise Lewis
Deputy Independent Monitor and Principal Auditor

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Appendix 1

REPORT CARD MATRIX














2017

2018

2019

Q1: Jan-Mar Q2: Apr-Jun Q3: Jul-Sep Q4: Oct-Dec Q5: Jan-Mar Q6: Apr-Jun Q7: Jul-Sep Q8: Oct-Dec Q9: Jan-Mar Q10: Apr-Jun Q11: Jul-Sep Q12: Oct-Dec

Section 1 - Fundamental Findings Recommendations

1.1.A	Adopt a mission statement that will serve as a foundation and guidepost for its going-forward reforms.			-	-	-	-	-	-	-	-	-	-
1.1.B	In developing the mission statement, consider (1) providing for the safety and security of faculty, staff, students and visitors, (2) promotion of concepts of fairness, non-biased policing with minimal intrusion and (3) promotion of service to the broad University community.			-	-	-	-	-	-	-	-	-	-
1.2.A	Establish an internal audit or inspectional service unit that reports directly to the Vice President of Safety and Reform.												
1.2.B	Perform on-going audits for critical areas and functions on a regular cycle to be memorialized in an annual audit plan.												
1.2.C	Implement a voluntary on-going monitoring function to track each of the reforms outlined in the recommendations and ensure that they are implemented according to the agreed upon schedule.		-	-	-	-	-	-	-	-	-	-	-
1.3.A	Update its policies and procedures to reflect campus law enforcement best practices, and assign ongoing responsibility for ensuring that they are kept current.		-	-	-	-	-	-	-	-	-	-	-
1.3.B	Become certified by CALEA and/or IACLEA.												
1.4.A	Traffic and pedestrian stops should not be used as a crime fighting tool. Clear guidance by policy and procedure should be given as to when, if ever, off-campus traffic stops are permissible.					-	-	-	-	-	-	-	-
1.4.B	Involuntary off-campus pedestrian and traffic stops should only be allowed when the officers possesses reasonable suspicion to believe that a pedestrian or motorist is engaged in a criminal, non-driving offense.												
1.5.A	Adopt a policy on biased policing, clearly indicating that UCPD officers may not use race, color, ethnicity, or national origin, to any extent or degree, in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group.		-	-	-	-	-	-	-	-	-	-	-



- In Compliance



- No Further Evaluation



- Partial Compliance



- Determination Withheld



- Next Sched'd for Eval

- Non-Compliant



- Reassess TBD

REPORT CARD MATRIX

		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
1.5.B	Develop a curriculum and institute training on the biased policing policy including training on implicit bias and shall deliver such training both to new and existing members of the department.	● (NFE)	-	-	-	-	-	-	-	-	-	-	
1.6.A	Draft and implement a single Use of Force policy that covers what force is permitted and the resulting departmental investigation and review process.		Ⓓ	● (NFE)	-	-	-	-	-	-	-	-	
1.6.B	The new Use of force policy should emphasize de-escalation and sanctity of life.		Ⓓ	● (NFE)	-	-	-	-	-	-	-	-	
1.7.A	Arm UCPD officers with CEDs.				● (NFE)	-	-	-	-	-	-	-	
1.7.B	Include a clear policy statement governing the use of CED in the revised use of less lethal weapons policy.		Ⓓ	● (NFE)	-	-	-	-	-	-	-	-	
1.7.C	Develop intensive training on the use of CEDs and the relevant policies, including scenarios in which the utilization of CEDs is appropriate and those instances where it is not.				● (NFE)	-	-	-	-	-	-	-	
1.8.A	Establish a protocol for the timely review of every use of force to determine its appropriateness from an administrative point of view and whether or not further investigation, including potential criminal investigation, or discipline is appropriate.		◐	● (NFE)	-	-	-	-	-	-	-	-	
1.9.A	Update hiring policy by requiring diversity applicants throughout the police officer candidate recruitment process.		◐	● (NFE)	-	-	-	-	-	-	-	-	
1.10.A	Draft and adopt consistent policies and procedures for the development and approval of all UCPD courses and ensure that all courses are consistent with UCPD mission and philosophy.				● (NFE)	-	-	-	-	-	-	-	
1.11.A	Draft comprehensive Complaint Initiation Policies and Procedures that define the workflow of the different categories of complaints from investigation to adjudication.		Ⓓ	● (NFE)	-	-	-	-	-	-	-	-	

REPORT CARD MATRIX

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
1.11.B	Complaint Initiation Policies and Procedures should prohibit any attempt to dissuade an individual from filing a complaint, and require officers to report the misconduct of other officers.				-	-	-	-	-	-	-	-	
1.12.A	Recognize the essential nature of the community affairs function within the UCPD and appropriate resources dedicated to it.				-	-	-	-	-	-	-	-	
1.12.B	Infuse Community Oriented Problem Solving Policing throughout the fabric of the UCPD.												
1.13.A	Integrate the data collection systems into one large database that tracks all data.												
1.14.A	Make maximal use of the criminal justice program at UC and its ICS in order to create the model for community policing that balances the need for safety and security on the one hand with fairness and minimal intrusion on the other.												

COMPLIANCE MEMORANDUM

DATE: MARCH 31, 2018
REC. REF. NO.: 1.4.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Prior to the shooting death of Samuel DuBose, traffic stops were being conducted in unprecedented numbers as part of the philosophy of the then newly installed Chief. The Chief failed to understand the potential implications of the initiative given the decision not to aggregate and analyze data on the nature and frequency of such stops.

Exiger Recommendation (“ER”)

Traffic and pedestrian stops should not be used by UCPD as a crime fighting tool. The potential benefit of such aggressive tactics in terms of crime reduction in the UC setting is modest at best and clearly outweighed by the negative perception of and feelings toward UCPD engendered by such tactics. Clear guidance by policy and procedure should be given as to how traffic stops should be conducted and when, if ever, off-campus traffic stops are permissible.

MADC Definition of Compliance

Compliance with the above ER will be achieved when the UCPD has achieved compliance with ER 2.1.C.

Note: ER 1.4.B is one of the Fundamental Findings that was included in Section 1 as a summarized version of ER 2.1.C and includes identical requirements.

Proffer of Compliance from UCPD

See Memo of Assessment for ER 2.1.C

Data Reviewed

See Memo of Assessment for ER 2.1.C

Current Assessment of Compliance

DW – Determination Withheld

The Monitor withheld its determination of compliance with ER 2.1.C and therefore has withheld its determination of compliance with this ER.

Next Reviews

The Monitor will complete its assessment of the UCPD’s compliance with this ER in Q7 ending September 30, 2018.

Appendix 2

REPORT CARD MATRIX

2017



2018

2019

Q1: Jan-Mar Q2: Apr-Jun Q3: Jul-Sep Q4: Oct-Dec Q5: Jan-Mar Q6: Apr-Jun Q7: Jul-Sep Q8: Oct-Dec Q9: Jan-Mar Q10: Apr-Jun Q11: Jul-Sep Q12: Oct-Dec

Section 2 - Review of Pedestrian and Traffic Stops

2.1.A	Traffic and pedestrian stops should not be used as a crime fighting tool. Clear guidance by policy and procedure should be given as to when, if ever, off-campus traffic stops are permissible.												
2.1.B	Involuntary off-campus pedestrian and traffic stops should only be allowed when the officers possesses reasonable suspicion to believe that a pedestrian or motorist is engaged in a criminal, non-driving offense.												
2.1.C	To the extent that any safety-related off-campus traffic stops are allowed, particular scrutiny of each such stop should be applied by UCPD Administration.												
2.1.D	Consider equipping officers with tablets which among other things would enable the electronic capture of stop data through an electronic version of the Field Contact Card.												
2.1.E	Give officers enhanced training on appropriately dealing with individuals who are stopped.												
2.2.A	Adopt a policy on biased policing, clearly indicating that UCPD officers may not use race, color, ethnicity, or national origin, to any extent or degree, in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group.		-	-	-	-	-	-	-	-	-	-	-
2.2.B	Develop a curriculum and institute training on the biased policing policy including training on implicit bias and shall deliver such training both to new and existing members of the department.												
2.3.A	Develop and implement a protocol for the investigation of complaints of biased policing.												
2.3.B	Train officers conducting investigations of complaints of biased policing on the protocol to be employed in such investigations.												
2.3.C	OSR should audit all investigations of complaints of biased policing to ensure that they are being conducted in accordance with establish protocols for such investigations.												

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
2.4.A	Determine appropriate levels of response and mitigative strategies, including polite explanation, to combat the negative perception created by enhanced response levels.												

COMPLIANCE MEMORANDUM

DATE: MARCH 30, 2018
REC. REF. NO.: 2.1.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Prior to the shooting death of Samuel DuBose, traffic stops were being conducted in unprecedented numbers as part of the philosophy of the then newly installed Chief. The Chief failed to understand the potential implications of the initiative given the decision not to aggregate and analyze data on the nature and frequency of such stops.

Exiger Recommendation (“ER”)

To the extent that that UCPD continues to make involuntary off-campus stops, the Office of Safety and Reform, must ensure that such stops are consistent with policy and must continue the collection, aggregation, and analysis of all relevant stop data. Regular meetings should be held among the Office of Safety and Reform, the Chief of Police, and the Director of Public Safety in which the analysis of such data is reviewed to determine whether there exist outlying officers in terms of number of vehicle and pedestrian stops or in terms of any racial disparities among those stopped.

MADC Definition of Compliance

Compliance with this provision will be achieved when the following is found:

- 1) UCPD has established regular meetings attended by the Office of Safety and Reform, the Chief of Police, and the Director of Public Safety, in order to analyze all traffic stop data.
- 2) UCPD has a mechanism to identify outlying behavior inconsistent with UCPD stop policies and procedures and a method for disciplinary action when necessary.

UCPD Proffer of Compliance

UCPD has a policy in place to identify outlying behavior inconsistent with UCPD stop policies. This information can be found on pages 4-5 of the Bias Free Policing policy (attached), which details: 1) supervisory review/sign off on all submitted contact cards, 2) corrective measures in response to complaints of biased policing, 3) supervisory (monthly) and administrative (semi-annual) review of stops by officers in order to identify any potential outlying behavior, and 4) corrective measures in response to issues identified by these reviews.

In Year 1 of the monitorship, Exiger's review of the Bias-Free Policing Policy in Q2 (ER 12.7.B) noted that at the time there was no requirement for supervisors to document their monthly reviews designed to identify outlying behavior unless such evidence of outlying behavior was discovered, which would require a Form 5 memo through the chain of command. In response and in order to ensure these monthly reviews are properly documented, the UCPD has incorporated the

supervisory review of the following into the monthly individual officer performance reviews required of supervisors: contact card data, traffic stops, suspicious persons contacts, field interviews, arrests, Guardian Tracking entries, body worn camera footage, and (once installed) motor vehicle dash camera footage (see attached for screenshot from Guardian). Through their viewing access to Guardian Tracking, the Monitor team may access all supervisory monthly reviews since the implementation of this documentation system in December 2017.

To aid in supervisory review and recognizing that some abnormalities may not be evident in just a one-month snapshot, the Chief has directed the crime analyst to begin producing a monthly report for shift commanders and sergeants (for officers within their command) designed to assist them in identifying any potential outliers or abnormalities that should be further examined and documented per policy. This report will include by officer analysis of: number of incidents, number of contact cards, % dispatched vs. initiated, and racial breakdown of those stopped and will compare the current month's data to the previous six months.

Although recommendation 1.4.B calls for the production of a monthly stop data report, the UCPD is unable to meaningfully analyze these data on a monthly basis due to the small number of traffic stops that occur within a single month. Instead, the UCPD has decided to analyze contact card data on a semi-annual basis, and this administrative review is required on page 5 of the Bias-Free Policing Policy. In the process of preparing the second semi-annual contact card report, initial analyses demonstrated some inconsistencies in the data entry process. In order to ensure data integrity prior to completing the report, the UCPD is conducting a full data audit for the 2017 Contact Card data. The semi-annual report is expected to be provided to the monitor for assessment in Q7.

As noted in previous proffer memos, in accordance with the MOU with the City of Cincinnati, UCPD no longer engages in non-emergency traffic stops off campus. Due to the infrequency of these types of stops, regular meetings regarding these data (as recommended by 2.1.C) are not scheduled by the UCPD. Instead the UCPD has laid out a specific procedure for documentation, supervisory review, and command staff notification (to include the Chief of the UCPD, Director of DPS, and VP of OSR) after each off-campus traffic stop is made. This process is specified in Section N (page 12) of the Traffic Enforcement Activities Policy and the Command Staff Situational Notification Policy (both attached). A similar supervisory review process is included for off campus pedestrian stops in the Pedestrian Stops, Field Interviews, and Pat Downs Policy (attached).

Finally, it should be noted that training associated with traffic enforcement is part of a separate Exiger Recommendation, 2.1.E. This training is tentatively targeted for September 2018 and that recommendation should be submitted for compliance assessment in Q8.

Data Reviewed

1. Traffic Enforcement and Activities (SOP 10.1.100)
2. Bias Free Policing (SOP 4.1.300)
3. Command Staff Situational Awareness Notification (SOP 11.2.800)
4. Semi-Annual Contact Card Report 2017

5. ARMS reports for off campus traffic stop

Prior Assessment

The Monitor last assessed the UCPD's compliance with the requirements in this ER in Q3 ending September 30, 2017 finding the UCPD had taken several significant steps towards substantial compliance including specific executive level review of all off-campus traffic stops and appropriate analysis of all stop data. The Monitor found the UCPD in partial compliance as the UCPD had not yet fully implemented the documentation associated with the monthly supervisory reviews of stop data by officer. As of 9/30/17, there had been just four off-campus traffic stops since 1/1/2017.

Current Assessment of Compliance

DW – Determination Withheld

During the current quarter the Monitor reviewed the one off-campus traffic stop that occurred since its prior assessment of this ER and found that it was conducted for a legitimate emergency situation as delineated in the UCPD's policy and was appropriately reviewed by OSR and UCPD executive staff. The Monitor also confirmed that all off-campus officer initiated activities to include pedestrian stops, are required to be reviewed by a supervisor which includes the Body-Worn Camera ("BWC") footage. The reviews of off-campus traffic stops are documented on a Form 5 (Interdepartmental Memorandum) whereas the review of the off-campus pedestrian stops are documented within the Axon Evidence system that stores all video footage.

In the case of a stop that, for whatever reason, did not include activation of the BWC, a supervisory review would still occur by virtue of the completion of the contact card all of which are reviewed and signed by a supervisor, and are documented via a checkmark in the Guardian Tracking System. The UCPD command staff has indicated that any instance of officer's failure to activate the BWC are reviewed by executive management and documented on a Form 5 along with the action taken to address the lack of BWC activation.

With regard to the department-wide review and analysis of the stop data, as of the end of the current reporting period, the UCPD had not yet submitted its semi-annual report to cover its detailed analysis of stop data from July 1 through December 31, 2017. No outliers were identified during the Monitor's review of a sampling of contact cards,¹ however; given the delayed submission of the Semi-Annual report the Monitor has not yet conducted independent testing or analysis of the data and therefore is withholding a determination of compliance at this time.

Next Review

The Monitor will complete its assessment of the UCPD's compliance with this ER in Q7 ending September 30, 2018.

¹ The Monitor did note several errors on individual contact cards which were discussed with the UCPD command staff and which is noted elsewhere in this report.

COMPLIANCE MEMORANDUM

DATE: MARCH 8, 2018
REC. REF. NO.: 2.1.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Prior to the shooting death of Samuel DuBose, traffic stops were being conducted in unprecedented numbers as part of the philosophy of the then newly installed Chief. The Chief failed to understand the potential implications of the initiative given the decision not to aggregate and analyze data on the nature and frequency of such stops.

Exiger Recommendation (“ER”)

The University should consider equipping officers with tablets which among other things would enable the electronic capture of stop data through an electronic version of the Field Contact Card. The many other benefits of a mobility platform are discussed elsewhere in this report.

MADC Definition of Compliance

Compliance with this provision will be achieved when the following is found:

1. UCPD has considered equipping officers with tablets or other means of enabling the electronic capture of stop data.
2. UCPD has a budgeted plan to equip officers with tablets or other means of enabling the electronic capture of stop data in a reasonable time period.

Proffer of Compliance from UCPD

“The University of Cincinnati, Department of Public Safety has considered acquiring and equipping officers with tablets to assist with efficient field operations. The University is a participant with all Hamilton County, Ohio police agencies in our hardware and software that supports dispatching and data collection of officer activities through the county Regional Crime Information Center (RCIC). During 2016 and 2017, RCIC engaged in an initiative to upgrade/replace our CAD system as well as our in-car computers, or MDC’s. Part of this initiative involved a field test of utilizing tablets in addition to or in place of laptop MDC’s. The determination was made that tablets were not suitable for use in this county, and they are pursuing laptops as a sole replacement. We further inquired into obtaining our own tablets, which would represent a large, unbudgeted expense but learned that RCIC would not support independent tablets or allow us to load our ARMS software onto any device that was linked into RCIC. UCPD has successfully used laptop MDC’s for many years.

Finally, the small geography of our jurisdiction allows our officers to return to the station/office (on all of our campuses) to use a hardline computer for data entry without removing the officer far from their assigned areas of patrol. The ARMS system does have a mobile version which would

be needed for use on a tablet; however, the mobile version does not allow for full functionality of the system. If a mobile version were to be implemented, the officers would still need to use a hardline computer to complete their report.

For these reasons, we have decided against acquiring tablets for field usage.”

Data Reviewed

None

Current Assessment of Compliance



In Compliance

As described in the UCPD’s proffer of compliance (above in italics), due consideration was given to providing tablets to its officers for the electronic collection of stop data. Based on the explanation provided, the Monitor agrees with the UCPD’s conclusion of being consistent with other Hamilton County law enforcement agencies.

Next Review

No further review is needed.

COMPLIANCE MEMORANDUM

DATE: MARCH 31, 2018
REC. REF. NO.: 2.2.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have an implemented policy on biased policing.

Exiger Recommendation (“ER”)

UCPD’s training on the biased policing policy should include training on implicit bias and such training shall be delivered both to new and existing members of the department. In-service training on the topic shall be developed and delivered annually.

MADC Definition of Compliance

Compliance with the above ER will be achieved when the following elements are found:

1. UCPD has included a component on implicit bias;
2. UCPD has created a plan to develop, enhance, and deliver these trainings on an annual basis to new and existing members of the department; and
3. UCPD has appropriately disseminated the existence of its policy against biased policing and implicit bias trainings. Dissemination should include posting on web-site, posting in all UCPD facilities and integration into training.

UCPD Proffer of Compliance

“The University of Cincinnati Police Division implemented a policy regarding bias-free policing in May 2016 that explicitly states that officers may not use race, color, ethnicity, or national origin, to any extent or degree (see page 2 of attached Bias-Free Policing policy). The most recent version of this policy was published and fully disseminated to UCPD personnel in January 2018. Evidence of such is available to the monitor via PowerDMS.

As required by the Bias-Free Policing Policy and the Training and Professional Development policy (attached), every new officer hired by UCPD has been trained in Fair and Impartial policing by one of UCPD’s two in-house FIP certified trainers. This 8-hour training course is included in the 80 hours of training required of new hires before going out with a training officer. Their instructor training certificates, Fair and Impartial Policing Lesson Plans and Curriculum, and FIP Scenario Training and Case Study Guidebook were all previously submitted in Q1. The training documentation for these new officers is attached.

This policy also requires annual refresher training on bias-free policing on page 4. Although UCPD personnel completed an OPOTA course on Procedural Justice (see 6.7.G), this training did not include content regarding implicit bias. Therefore, the annual training on this topic

required by Exiger Recommendation 2.2.B was not completed department-wide in 2017. Seventeen sworn officers attended the Ohio Attorney General's online training course on Policing Culturally Diverse Communities (see attached training documentation and course outline). Further, the UCPD training section started communicating with Dr. Bleuzette Marshall of the University of Cincinnati Office of Equity and Inclusion (OEI) in mid-2017 regarding training on implicit bias, diversity, equity, and inclusion, but this training series was not able to be logistically scheduled until 2018 based on the existing training calendar. The OEI is providing a series of training workshops to the UCPD over the course of 2018, and the annual refresher training on implicit bias is scheduled for July 2018 (see attached schedule).

In order to prevent missing any required training again in the future, the Training and Professional Development policy now includes a link to a specific list of all training required by policy and the frequency for each, as well as accreditation standard requirements (see attached). The Standards and Strategic Bureau Commander will use this list to ensure the Training Section has scheduled all required training each year. Furthermore, Training Standards is among the in-progress list for topics that the inspections section will annually review. The inspections unit will verify whether all required training was completed and will report the results to the chain of command as part of the inspections process.

Data Reviewed

None

Prior Assessment of Compliance

The Monitor last assessed the UCPD's compliance with this ER is Q1 ending March 31, 2017 and found the UCPD in substantial compliance. The Monitor reviewed the content of the lesson plans for the training and found the module on implicit bias included appropriate case studies to help officers consider situations where their implicit biases could affect their judgment. The training was given by UCPD supervisors who were certified instructors for the course.

Current Assessment of Compliance



Non-Compliant

During the current period, the Monitor confirmed that the newly hired officers did attend training as required. As described in the UCPD's proffer of compliance (above in italics), the annual refresher training related to implicit bias was not scheduled in 2017 which is also specifically required in this ER. Although most of the sworn officers attended an OPOTA mandated course required of all Ohio commissioned officers, titled "*Procedural Justice and Police Legitimacy*" (covered in our assessment of ER 6.7.G), a review of the course materials found that "implicit bias" was not covered. In actuality the aforementioned OPOTA course presentation scarcely covered bias policing and did not mention diversity. The topic of implicit bias, sometimes referred to as social cognition, refers to the attitudes, stereotypes, and subtle associations that affect individual understanding, actions, and decisions in an unconscious manner. It is said that most people carry some implicit bias and therefore it is critical to understand and recognize how it affects their interactions with the community and police work. As described above in the Prior

Assessment, the FIP training which was attended in October 2015 covered implicit bias extremely well.

In response to follow-up discussions with UCPD command staff on this issue, an elective course was identified which was attended by 17 sworn officers through the OPOTA online training system. The course was titled “*Policing Culturally Diverse Communities*” and based on the course outline provided it covered the topic of diversity very well. The outline also includes the word “bias” once but does not state the context in which it was covered nor does it specifically include content on implicit biases. This latter course was not mandated by the State of Ohio or UCPD but was an elective course which is likely the reason that only 17 of 63 (30%) of the sworn officers attended.¹ The Monitor also noted that the course was not listed in any of the training tracking documentation submitted which was purported to include all training attended, annual, elective or otherwise, nor was the curriculum available to determine if the course had been evaluated by the Training Unit to use as the refresher training. Based on the forgoing, the Monitor found the UCPD in non-compliance for 2017. The UCPD could become compliant again for 2018 training requirement if sufficient documentation is submitted demonstrating that greater than 94% of the sworn officers attended refresher training in 2018 as is scheduled with the UC Office of Equity and Inclusion for July 2018.

Next Review

The Monitor will again review this ER once the UCPD conducts refresher training on this topic, tentatively scheduled for Q7, ending September 30, 2018.

¹ The MADDC, which have been agreed upon by the UCPD and the Monitor, require that greater than 94% of compliance is required to achieve substantial compliance.

COMPLIANCE MEMORANDUM

DATE: MARCH 1, 2018
REC. REF. NO.: 2.3.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have a protocol for investigating complaints of biased policing.

Exiger Recommendation (“ER”)

The Office of Safety and Reform should audit all investigations of complaints of biased policing to ensure that they are being conducted in accordance with established protocols for such investigations.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) the established annual audit plan (or applicable policy) includes an audit/inspection of all investigations of biased policing to be conducted by the OSR; and,
- 2) all investigations into complaints of biased policing are audited by the OSR (or his/her designee) to ensure such investigations were conducted in accordance with established protocols.

Proffer of Compliance from UCPD

“Investigations of complaints regarding biased policing are referenced in both the UCPD Bias-free Policing Policy and the more general Internal Investigations and Complaints Policy (both attached). Specifically, pages 4-5 of the Bias-Free Policing Policy specifies the complaint process for allegations of profiling or improper biased treatment as well as the investigation and corrective measures for biased policing. Included among the investigation requirements on page 5 in the Bias-Free Policing policy is that:

“The Police Chief or his or her designee will be notified as soon as practical of any complaints of discrimination and/or violations of civil rights. The Police Chief or his or her designee will notify the Vice President for Safety and Reform as soon as practical of any complaints of discrimination and/or violations of civil rights. Upon completion of the investigation of a complaint of this nature, the Vice President for Safety and Reform shall review the investigation to ensure it was conducted in accordance with established protocols for such investigations.”

Similarly, page 7 of the Internal Investigations and Complaints policy includes “discrimination, racial profiling or biased policing” among a list of complaints for which the Chief of Police

receives immediate notification. It follows to say that the Police Chief will notify the Vice President for Safety and Reform of such a complaint, and that the VP for OSR will review the investigation upon its completion (pages 6-7).

The UCPD has submitted all citizen and internally generated complaints against UCPD personnel dating from January 1, 2017 to the Monitor for compliance assessment; to date, none have alleged biased policing. Therefore, there are no reviews/inspections of investigations by OSR to submit. The policy/protocol for OSR inspection, however, is in place should such an allegation occur. The monitor will be advised if a complaint of this nature should be received by the UCPD during the period of the monitorship.”

Data Reviewed

1. Bias Free Policing (SOP 4.1.300)
2. Internal Investigations and Complaints Policy (SOP 4.2.100)

Current Assessment of Compliance



In Compliance

As described in the UCPD’s proffer of compliance (above in italics), the OSR has a system in place, both by policy and in practice, to ensure an independent review by the OSR, of any complaints alleging biased policing. Having reviewed all 46 complaints that have occurred since the inception of the Monitorship on January 1, 2017, the Monitor agrees that none allege biased policing.

Next Review

The Monitor will again assess the UCPD’s compliance with this ER only if a complaint of this nature is initiated against a UCPD employee.

COMPLIANCE MEMORANDUM

DATE: MARCH 8, 2018
REC. REF. NO.: 2.1.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Both pedestrian and traffic stops have been anecdotally reported on occasion to be over-staffed, with multiple cars and officers responding to otherwise routine stops, which some members of the community described as giving them the impression that they were living in a police state.

Exiger Recommendation (“ER”)

While officer safety must always be a paramount consideration, the Office of Safety and Reform and UCPD should determine appropriate levels of response and enforce strategies, including polite explanation, to combat the negative perception created by enhanced response levels.

MADC Definition of Compliance

Compliance with this provision will be achieved when the Office of Safety and Reform and the UCPD have developed, adopted and disseminated (through a Patrol Directive) appropriate levels of response and strategies to mitigate including polite explanation as a means to combat the negative perception created by enhanced response levels. Any complaints implicating this section are resolved appropriately.

Proffer of Compliance from UCPD

“In order to determine the initial assignment of calls for service, the UCPD’s Emergency Communication Center utilizes the Computer Aided Dispatch automated system, which contains certain thresholds for additional officers and/or a supervisory response, based on the type of call for service and the information gathered as described above. Attached is the hard copy of the electronic “call cards” that the Emergency Communication Center dispatchers use for determining how many officers to send to calls. It is broken down by crimes in progress and report runs for the various types of service calls.

The UCPD issued a Patrol Directive in February 2017, which was previously uploaded and reviewed by the Monitor in Q1. This directive includes information regarding officer safety, community perception issues, and decision-making regarding response levels once on scene. As noted by the Patrol Directive, once on the scene it is the decision of the lead officer as to the adequate number of supporting officers needed to address the situation at hand. The Patrol Directive indicates that considerations for the officer’s decision to request additional officers/supervisor or call off backup officers should include, severity of the incident, number and attitude of involved individuals, time and location of incident.

As it pertains to maintaining positive police-community relations and mitigating perceptions of over-enforcement, the UCPD also submits the attached Customer Service Standards policy, published in February 2017 that applies to consensual encounters, non-consensual encounters, and telephone communications. This policy specifically requires the use of a courteous universal greeting and, in the case of a non-consensual encounter, a statement by the officer explaining the reason for the contact. For dispatchers or officers answering telephone communications, it requires the following:

- 1. Greet the person with an appropriate universal greeting in a courteous manner to include:
 - a. The greeting of the day (i.e. good morning, afternoon).*
 - b. Identify themselves by rank (if applicable), name and agency.*
 - c. Ask a relevant question (i.e. how may I be of assistance).**
- 2. Obtain complete and accurate information from callers requesting law enforcement or other assistance.*
- 3. Accurately classifying and prioritize requests for assistance.*
- 4. Continuously obtain and accurately relay information which may affect the safety of responders and/or persons at the scene.*

All law enforcement officers, security officers, and dispatchers signed the policy and took a test on its contents via Power DMS at that time. The policy was slightly revised in August 2017 and disseminated to all personnel via Power DMS at that time. Evidence of the test and personnel sign offs are available to the monitor via Power DMS.

The UCPD has not received any complaints alleging overstaffing of stops since the inception of the monitorship.”

Data Reviewed

1. Dispatch Run Types
2. Patrol Directive (previously uploaded)
3. UCPD Customer Service Standards 4.1.400

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as a Procedural Order (“PO”) was disseminated that provided appropriate direction on the appropriate level of patrol response. The UCPD had also indicated that a Dispatch policy was under development to further assist in determining the initial response level when receiving and assigning calls for service.

Current Assessment of Compliance

In Compliance

The number of officers initially sent to a call is determined by CAD automated system and not dispatchers. Any additional officers that might respond to a call and/or be released from the scene is determined by the lead officer on the scene or the shift supervisor. During the current period,



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the Monitor confirmed there have been no complaints related to an over-response of patrol officers. The Monitor also reviewed the Customer Services Standards policy submitted by the UCPD which contains specific direction to officers and dispatchers for responding to any potential negative response regarding the number of officers on scene at a particular incident.

Next Review

The Monitor will again assess the UCPD's compliance with this ER only if a complaint of this nature is initiated against UCPD.

COMPLIANCE MEMORANDUM

DATE: JULY 1, 2018
REC. REF. NO.: 2.3.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have a protocol for investigating complaints of biased policing.

Exiger Recommendation (“ER”)

UCPD should train any officers conducting investigations of complaints of biased policing on the protocol to be employed in such investigations.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD provides specialized training for officers conducting investigations into complaints of biased policing.

Proffer of Compliance from UCPD

“Investigations of complaints regarding biased policing are referenced in both the UCPD Bias-free Policing Policy and the more general Internal Investigations and Complaints Policy (both attached), while investigations of use of force are referenced in both the UCPD Use of Force Policy (also attached) and the Internal Investigations and Complaints Policy. Specifically, page 4 of the Bias-Free Policing Policy specifies the complaint process for allegations of profiling or improper biased treatment as well as the investigation and corrective measures for biased policing. Pages 20-24 of the Use of Force Policy specify the investigation process for a use of force. Each of these policies has been disseminated to UCPD personnel and/or is currently being re-disseminated due to policy revisions. Evidence of the policies’ dissemination is available to the monitor via Power DMS.

Below the monitor will find the list of all UCPD employees who would conduct an investigation of bias policing, use of force, or any other internal investigation. Some of the personnel attended the FLETC Internal Affairs Investigations Training Program, while others attended the Southern Police Institute’s Internal Affairs: Policy, Practice and Legal Considerations course.

- *Captain Dudley Smith (SPI IA, October 2017)*
- *Captain Jeff Thompson (FLETC IAITP, July 2017)*
- *Captain Rodney Carter (Institute of Police Technology and Management Police Internal Affairs Course, 2003, as member of another law enforcement agency). Course description available at: <https://www.campusce.net/iptm/course/course.aspx?C=29>*
- *Lieutenant Tim Barge (SPI IA, October 2017)*
- *Lieutenant David Brinker (FLETC IAITP, July 2017)*

- *Lieutenant Chris Elliott (SPI IA, April 2018)*
- *Lieutenant Dave Hoffman (SPI IA, April 2018)*
- *Lieutenant Brian McKeel (SPI IA, April 2018)*
- *Lieutenant William Richey (SPI IA, April 2018)*
- *Lieutenant Stuart Strater (SPI IA, April 2018)*
- *SGT Eric Weibel (SPI IA, April 2018)*
- *Barb Hayes, Night Ride / Campus Watch supervisor (SPI IA, October 2017)*

The FLETC IAITP syllabus is attached. The hard copy of the FLETC participant guide may be reviewed on-site by the monitor. These are the only course materials to which the UCPD Training Section was given access. The SPI IA course description, 23 course modules, and handouts are attached. One of the SPI course modules specifically addresses Use of Force investigations. Certificates of completion for those who attended training prior to 2018 are attached. For the six supervisors who attended the most recent Internal Affairs Investigation training in April, their sign-in rosters for each of the five days of training are attached as their completion certificates are not yet available.

In addition, early in quarter 7, the three UCPD Bureau Commanders will attend a training exercise titled “Inbox Exercise/Critical Incident Review” given by Bayan Lewis, LAPD and LA County, Chief of Police, retired (full bio attached). This training exercise will specifically address the critical thinking and decision making involved in appropriately investigating or evaluating investigations of complaints, uses of force, etc. A brief overview is attached; more detailed presentation/exercise materials are forthcoming.”

Data Reviewed

1. Bias Free Policing Policy
2. Internal Investigations and Complaints Policy
3. Use of Force Policy
4. FLETC IAITP Syllabus
5. FLETC IAITP Participant Guide (to be reviewed on site)
6. SPI IA Course description
7. SPI IA Course Material (23 course modules, 1 file of handouts)
8. Training Certificates of Completion
9. Training Sign-In Rosters

Prior Assessment of Compliance

During Q2 ending June 30, 2017, the Monitor found the UCPD in compliance as the newly developed training adequately covered the investigation of complaints involving or related to bias policing.

Current Assessment of Compliance



In Compliance



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During its May 2018 onsite visit, the Monitor reviewed the FLETC IAITP training materials which thoroughly addressed relevant issues to ensure quality investigations of complaints of biased policing. Those particular UCPD staff who attended the training should have a greater understanding of how to conduct a complete, timely and impartial investigation. The Monitor also supports SPI training outlined above in the UCPD's proffer of compliance, is familiar with and supportive of the credentials of the trainer who will conduct the Critical Incident Review training, and encourages the UCPD to continually seek out further training and best practice models in this critical area.

Concluding Review

While the Monitor had planned to review the implementation of this ER again in 2019, given the UCPD's decision to end the voluntary monitorship at the close of 2018, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JULY 1, 2018
REC. REF. NO.: 2.3.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have a protocol for investigating complaints of biased policing.

Exiger Recommendation (“ER”)

The Office of Safety and Reform should audit all investigations of complaints of biased policing to ensure that they are being conducted in accordance with established protocols for such investigations.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

1. the established annual audit plan (or applicable policy) includes an audit/inspection of all investigations of biased policing to be conducted by the OSR; and,
2. all investigations into complaints of biased policing are audited by the OSR (or his/her designee) to ensure such investigations were conducted in accordance with established protocols.

Proffer of Compliance

“UCPD previously submitted Recommendation 2.3.C for assessment by the monitor in Quarter 5 and was found to be in substantial compliance, with the stipulation that it would only be reassessed should an allegation of biased policing occur. One complaint in the current quarter (IA-18-06) alleged biased policing (completed investigation file attached). The investigation resulted in a finding of “not sustained” for this allegation. Based on the protocol established in the Internal Investigations and Complaints policy (attached) for this type of complaint, the Vice President for Safety and Reform, Dr. Robin Engel, reviewed the completed investigation file for IA-18-06. Attached is the documentation of this review, which found the investigation to have been in accordance with the established protocol in the Internal Investigations and Complaints Policy.”

Data Reviewed

1. IA-18-06 Completed Investigation File
2. Internal Investigations and Complaints Policy
3. OSR Review of IA-18-06

Prior Assessment of Compliance

During Q5 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER. The UCPD policy requires that all complaints of biased policing are reviewed by the Office of Safety and Reform (“OSR”).

Current Assessment of Compliance

In Compliance

As indicated above, the Monitor previously reported that the UCPD was found to be in compliance with the policy requirements of the ER; however no complaints of this nature had been made in order to test the implementation of the policy. During the current quarter, a complaint was made alleging biased policing. The Monitor reviewed the complaint documentation and the documentation illustrating the OSR’s review of that investigation and found the UCPD in compliance with the implementation of the Internal Investigations and Complaints policy.

Concluding Review

While the Monitor had planned to review this ER as needed in connection with any complaints of biased policing. However, given the UCPD’s decision to end the voluntary monitorship at the close of 2018, no further review will be conducted unless another complaint is received related to bias policing prior to the issuance of the Monitor’s final report.

Appendix 3

REPORT CARD MATRIX

2017				2018				2019			
Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec

Section 3 - Review of Use of Force

3.1.A	Combine SOP 1.3.200, and SOP 1.3.400 with SOP PE 05 into a single Use of Force policy covering when force is permitted to be used as well as the investigation and review process.		DW	●			● NFE	-	-	-	-	-	-
3.1.B	The new Use of force policy should emphasize de-escalation (see specific language in Report)		DW	● NFE	-	-	-	-	-	-	-	-	-
3.1.C	The use of force policy should define the following terms: Objectively Reasonable, Active Resistance, Passive Resistance, Serious Bodily Injury.		DW	● NFE	-	-	-	-	-	-	-	-	-
3.1.D	Include a revised use of force continuum or critical decision making model in the use of force policy, which makes clear that the goal of force is to de-escalate any situation, and that only the minimal amount of force necessary should be used to overcome an immediate threat or to effectuate an		DW	● NFE	-	-	-	-	-	-	-	-	-
3.2.A	The SOP on Use of Force should include a series of prohibitions for officer use, and discharge of a firearm.		DW	● NFE	-	-	-	-	-	-	-	-	-
3.3.A	A clear policy statement governing the use of less lethal weapons should be included in the revised use of force policy.		DW	● NFE	-	-	-	-	-	-	-	-	-
3.3.B	Include the following definitions in the revised policy to further enhance clarity. Arcing, Activation, Air Cartridge, Confetti Tags, Cycle, Display, Drive Stun, Duration, CED, Laser Painting, Probes, Probe Mode, Resistance, Active Resistance, Passive Resistance, Serious Bodily Injury, Spark Test.		DW	● NFE	-	-	-	-	-	-	-	-	-
3.3.C	Include a clear policy statement governing the use of CED in the revised use of less lethal weapons policy		DW	● NFE	-	-	-	-	-	-	-	-	-
3.4.A	Consider banning the use of the Kubotan.		●	● NFE	-	-	-	-	-	-	-	-	-
3.5.A	Establish a system for the collection, storage and retrieval of data regarding uses of force by members of the UCPD.						○						
3.5.B	Integrate the use of force data into ARMS.						○						

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
3.6.A	Establish a protocol for the timely review of every use of force to determine its appropriateness from an administrative point of view and whether or not further investigation, including potential criminal investigation, or discipline is appropriate.	DW	Partial	In Compliance			In Compliance	Next Sched'd for Eval					
3.6.B	Provide specialized training to investigators assigned to investigate police uses of force.					Reassess TBD							
3.6.C	Engage an independent consultant to conduct any administrative investigation in use of force cases that result in death, officer involved shootings resulting in serious injury or death, or in-custody deaths.			In Compliance NFE	-	-	-	-	-	-	-	-	
3.6.D	Allow CPD, or the appropriate state agency, to conduct any criminal investigation in cases of use of force resulting in death, officer involved shootings resulting in serious injury or death, or in-custody deaths.		Partial	In Compliance NFE	-	-	-	-	-	-	-	-	
3.6.E	The identity of the officer(s) directly involved in the discharge of a firearm shall be released to the public within 72 hours except in cases where threats have been made toward the officer(s) involved or the department.		Partial	In Compliance NFE	-	-	-	-	-	-	-	-	
3.6.F	Create a Use of Force Review Board (UFRB) to review all cases where members used deadly force or deployed a CED, or any incident that results in serious injury or death.												
3.6.G	The UFRB should be comprised of, at minimum, a high ranking member of UCPD appointed by the Chief of Police, a member appointed by the President of the University, a member of the student body, a patrol officer (or union representative) and a member of the neighboring University of												
3.6.H	Make the findings of Officer Involved Shooting (OIS) investigation public upon completion		Partial	In Compliance NFE	-	-	-	-	-	-	-	-	
3.7.A	Establish training to give all members of UCPD a thorough understanding of the use of force policies and procedures.				In Compliance								
3.8.A	Hold training for sworn personnel twice annually to include live fire exercises and Reality Based Training (RBT).				In Compliance		Next Sched'd for Eval						
3.8.B	Crisis Intervention Team Training (CIT) should be a part of both basic recruit and in-service officer training.					Partial	Next Sched'd for Eval						

COMPLIANCE MEMORANDUM

DATE: MARCH 15, 2018
REC. REF. NO.: 3.8.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not currently employ realistic, scenario-based training.

Exiger Recommendation (“ER”)

Crisis Intervention Team Training (CIT) should be a part of both basic recruit and in-service officer training.

MADC Definition of Compliance

Compliance with this provision will be achieved when Crisis Intervention Team Training (CIT) is part of both basic recruit and in-service officer training.

UCPD Proffer of Compliance

“The UCPD Training Plan (attached), referenced in the Training and Professional Development Policy (attached), requires all new officers be trained in Crisis Intervention within the first 6-9 months of their first year of employment and requires officers to complete refresher training on a biennial basis following the initial training. Page 9 of the Mental Health Response Policy (attached) similarly requires that “Police personnel will receive training on Mental Health Response as part of their initial training and personnel assigned to patrol will receive refresher training at least every two years thereafter.” Although not required by the original Exiger Recommendations, the UCPD’s Annual Training Plan also mandates this training for its dispatchers and makes the training available to its security officers as well.

The attached 2017 Continued Professional Training (CPT) spreadsheet and individual certificates shows the in-service training of sworn law enforcement officers, dispatchers, and security officers in 2017. The majority of UCPD’s sworn personnel were trained during 2017 and March 2018. Currently, at the conclusion of Quarter 5, 61 of 63 sworn officers are CIT-trained.¹ Two additional sworn officers are scheduled for September and November. However, ten sworn officers that were previously CIT trained are overdue for their every 2 years refresher training. At this time the 4-hour refresher course is expected to occur prior to the end of 2018. It is expected that greater than 94% of sworn officers, who are required to attend this training or its refresher training, will have completed it by Q8. UCPD shift lineup sheets denote all CIT-trained personnel. A sample of lineup sheets may be provided to the monitor upon request.

¹ Three UCPD employees hold commissions as sworn officers, but are not currently employed as law enforcement officers. In addition, two UCPD employees are currently completing the Cincinnati Police Department Academy. Neither are included in these total figures.

The two recent apprentice hires will receive 20 hours of Crisis Intervention training as part of their academy training. The academy course materials on this topic are attached. Further, as evidence of their enrollment in the CPD academy, the apprentices' offer and acceptance letters are attached, which specifically state they will be attending the academy as part of the offer letter.

Currently, 10 of 13 dispatchers and 6 of 22 security officers are CIT trained. Due to the limited availability of this course from the outside vendor (Mental Health America of Northern Kentucky and Southern Ohio), the majority of these non-sworn personnel will not be completed until later in 2018, occurring throughout the year on the following dates: May 7-11, September 17-21, and November dates TBD.

The contents of the CIT in-service training are attached and include a number of issues specific to student populations. This training, as noted above, is being provided by Mental Health America of Northern Kentucky and Southern Ohio rather than the UCMC because of the quality of previous trainings provided by the vendor to the UCPD and their consistency with best practices and expertise in the subject matter."

Data Reviewed

1. Training Plan
2. Training and Professional Development Policy
3. Mental Health Response Policy
4. 2017 CPT Spreadsheet
5. 2017 CIT Training Certificates
6. CPD Academy Crisis Intervention Training Materials
7. Certificates for those attending March in-service CIT training (forthcoming)
8. In-Service CIT Curriculum including:
 - CIT: Agitated Psychotic Event
 - CIT: Child and Adolescent
 - CIT: Developmental Disabilities
 - CIT: De-escalation Techniques
 - CIT: Homeless
 - CIT: Suicide
 - CIT: Veteran Affairs
 - CIT: Writing an Effective Hold

Current Assessment of Compliance



Partial Compliance

As described in the UCPD's proffer of compliance (above in italics), and which was confirmed by the Monitor's review of the documentation submitted, a large portion of the UCPD sworn officers and many of the dispatchers and security officers received Crisis Intervention Training in 2017. The training curriculum reviewed and attended was found to be sufficient, included realistic,



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scenario-based training, and covered topics necessary to ensure officers are equipped as first responders when contacting people who may be undergoing a mental health crisis. While the UCPD has demonstrated that CIT Training is in fact part of the new hire and in-service training program, ten sworn officers were certified prior to 2017 and should have, but did not, receive the required refresher training. The Training Unit has indicated that the planning for the refresher training is underway and will consist of a 4-hour block, but has not yet been scheduled due to the many other competing training priorities during this annual period. The UCPD can obtain substantial compliance once quality in-service/refresher training has been developed, scheduled and attended by officers who have not attended training for over two years.

Next Review

The Monitor will again report on the status of compliance of this ER in Q8 (Q4 2018).

COMPLIANCE MEMORANDUM

DATE: JULY 15, 2018
REC. REF. NO.: 3.1.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD's Standard Operating Procedures (SOP) on Use of Firearms and Deadly Force (SOP 1.3.200) and Less Lethal Uses of Force (SOP 1.3.400) are insufficient. These procedures do not reflect current best practices and lack clarity regarding the circumstances under which the use of force is authorized.

Exiger Recommendation ("ER")

UCPD should combine SOP 1.3.200 and SOP 1.3.400 with its policies and procedures regarding Use of Force (SOP PE 05). This single Use of Force policy should cover both when force is permitted to be used as well as the resulting departmental investigation and review process.

MADC Definition of Compliance

Compliance with this provision will be achieved when the following is found:

1. UCPD combines the standard operating procedures on Use of Firearms and Deadly Force, Less Lethal Uses of Force, and Use of Force.
2. UCPD's new procedures reflect current best practices and clearly articulate circumstances under which the use of force is authorized.
3. UCPD's new single Use of Force policy outlines the departmental investigation and review process which follows the Use of Force.
4. UCPD's disseminates the policy/plan/procedures both internally to include all appropriate UCPD personnel, and externally to include posting on web-site.

Note: The training component of this ER is covered in ER 3.7.A.

UCPD Proffer of Compliance

"The UCPD submitted the Use of Force Policy in Q2 and Q3 in Year 1 of the monitorship; the monitor found the UCPD in compliance with ER 3.1.A in Q3. Initially scheduled for annual reassessment in Q7, the UCPD requested early reassessment of this policy based on some important clarifications to the policy on which the UCPD worked collaboratively with the monitor.

Specifically, the UCPD clarified language regarding the reporting and review/investigation standards for un-holstering of a CEW or firearm versus acquiring a target but not discharging

weapon, and actual use of the weapon (see attached Use of Firearm Report and Use of CEW Report updated to reflect these language changes, as well as Use of Force Report). The UCPD Use of Force policy remains consistent with best practices.

The revised Use of Force Policy was re-disseminated to UCPD personnel after the monitor reviewed the revised version of the policy; evidence of such is available to the monitor via Power DMS. In addition, greater than 94% of security officers, law enforcement officers, sergeants, and lieutenants were trained via roll call training on the policy revisions. Evidence of the roll call training (e.g., roll call training slides, Training Section approval of slides, and sign-in rosters) is attached. The updated policy was also updated for the public on the UCPD website.

Data Reviewed

1. Use of Force Policy (SOP 7.1.100)
2. Use of Force Report and Investigation (Form 18A)
3. Use of Firearm Report (Form 18B)
4. Use of CEW Report (Form 18C)
5. Roll Call Training PowerPoint
6. Form 5 Training Section Approval of Roll Call Training
7. Roll Call sign-in rosters for UOF Training

Prior Assessment of Compliance

During Q2 ending June 30, 2017, the Monitor withheld its determination of compliance with this ER as the review of the UCPD's Use of Force (UOF) policies identified several issues that needed to be addressed through substantive revisions to the policy. In response, the UCPD and Office of Safety and Reform collaborated with the Monitoring Team to revise and resubmit the policy addressing the Monitor's concerns. In Q3 ending September 30, 2017, the UCPD formally resubmitted the policy at which time the Monitor found the UCPD in compliance. The UCPD's policy met national best practice standards and clearly communicated the circumstances under which the use of force is authorized.

Current Assessment of Compliance

In Compliance

As indicated in the UCPD's proffer of compliance (above in italics) the UCPD recently revised its policy related to the un-holstering of a firearm or a CEW/Taser, in order to clarify when to report and how to review such occurrences. The genesis of the need for the revision occurred during the Monitor's review of contact cards in connection to a different ER¹, in which an officer erroneously reported that he had used force when rather, the officer had un-holstered his weapon as a means of providing cover for officer safety, and had not actually pointed his weapon at a person (i.e., had not "acquired a target"). The Monitor agreed with the UCPD's re-categorization of these particular acts of un-holstering a weapon and/or target acquisition (i.e., pointing a firearm or CEW/Taser at a person) as opposed to merely reporting "display of weapon" which did not clearly describe the

¹ See the Monitor's Memorandum of assessment of ER 2.1.C in Q5 ending March 31, 2018.

officer's actions. The Monitor commends the UCPD for its command level review of such instances as this is in fact the trend in more forward-thinking police departments nationwide. The clarified language in the policy is in-line with best practice standards; was disseminated to all appropriate UCPD personnel; roll call training was conducted; and, the revised policy is posted on the UC public web-site.

The Monitor did note another incorrect reporting of use of force on a contact card in connection to an un-holstering incident that occurred in April 2018. The officer again checked the boxes "Use of Force" and "Gun" as the type of weapon used even though un-holstering of a weapon is not a use of force and the gun was not used as a weapon of force. While the Monitor understands that the revised policy was not disseminated until June, given that neither the UOF policy nor the training materials addressed the correct manner of completing contact cards in an un-holstering situation, the UCPD should conduct additional roll call briefings and extra levels of supervisory review of the contact cards to address the issue and help ensure accurate reporting going forward.

It should also be noted that during the current quarter, one use of force occurred which was within the UCPD's policy. The Monitor has reviewed the incident to include body camera video and the UCPD's internal investigation and found the investigation was complete, timely, and correctly determined that the use of force by the involved officer was appropriate and justified under the circumstances.²

Concluding Review

This ER is specifically related to the Use of Force policy as opposed to use of force incidents. There will be no further review of this ER unless the UCPD makes noteworthy revisions to the policy. The Monitor will continue to review all use of force incidents upon notification of occurrence throughout the monitorship and will report its findings in ER 3.6.A.

² See the Monitor's Memorandum of assessment of ER 3.6.A in this report for further information on the specific UOF incident.

COMPLIANCE MEMORANDUM

DATE: JULY 13, 2018
REC. REF. NO.: 3.6.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD lacks a clearly defined method of investigating uses of force by its members.

Exiger Recommendation (“ER”)

UCPD should establish a protocol for the timely review of every use of force to determine the appropriateness of such use of force from an administrative point of view and whether or not further investigation, including potential criminal investigation, or discipline is appropriate.

MADC Definition of Compliance

Compliance with this provision will be achieved when the following is found:

1. UCPD has created protocols for the timely review of every use of force incident.
2. UCPD has a thorough and focused review process which will determine whether criminal investigation or discipline is appropriate.

Note: Dissemination is assessed separately under ER 3.1.A and the training of investigators component is covered under ER 3.6.B.

UCPD Proffer of Compliance

“In this biannual period between January 1, 2018 and June 30, 2018, there were two use of force incidents.

- 1) *UOF-18-01: occurred on 3/8/18, Bodily force/takedown, that also included pointing of CEW¹, found to be objectively reasonable and consistent with policy and training*
- 2) *UOF-18-02: occurred on 6/20/18, Hard hands, found to be objectively reasonable and consistent with policy and training*

Additionally, during the same time period, there was one use of CEW report and two use of firearm reports.

- 1) *AR-18-03 use of CEW report (laser light compliance): occurred on 2/26/18; found to be consistent with policy and training*
- 2) *AR-18-04 use of firearm (display of firearm): occurred on 3/25/18; found to be consistent with policy and training*

¹ The pointing of the CEW in and of itself is not a reportable use of force; however, because it occurred as part of an incident that did involve the use of force, it was reported and investigated in conjunction with that force rather than documented on a use of CEW report and reviewed separately.

- 3) *AR-18-06 use of firearm (display of firearm): occurred on 4/23/18; found to be inconsistent with training, Guardian Tracking entry for unsatisfactory tactics and remedial training assigned*

All investigations and administrative reviews of these incidents have been closed and are available to the monitor via Smartsheet.”

Data Reviewed

Completed investigations and use of weapons reports as indicated above.

Prior Assessments of Compliance

During Q1, ending March 31, 2107, the Monitor withheld its determination of compliance of this ER because the policies had not yet been finalized or submitted for review. During Q2, ending June 30, 2017, the Monitor found the UCPD in partial compliance because of its handling of the single UOF, but not yet in full compliance because the policy had not yet been found compliant. During Q3, ending September 30, 2017, there were no reported uses of force, however the Monitor found the UCPD in compliance with its use of force policy as it had addressed all of the agreed upon revisions as discussed over the prior two quarters with the Monitoring team.

Current Assessment of Compliance

In Compliance

Use of Force Investigations

As indicated in the UCPD’s proffer of compliance (above in italics) there have been two uses of force by UCPD officers in this biannual period, ending June 30, 2018.² The Monitor reviewed both of the incidents to include the body worn camera footage for all involved officers. The Monitor also reviewed the UCPD’s investigations of those incidents.

The Monitor agreed with UCPD that both incidents were consistent with its Use of Force policy and training, and were in-line with best practices with regard to the particular force used as well as the tactics leading up to the need for force. The officers in both instances used de-escalation techniques as they have been recently trained in, and exercised restraint and professionalism under the circumstances. The supervisory notification and response were appropriate, and the documented investigations were completed in a timely manner as required.

The investigations both included interviews of witnesses and officers, addressed the evidence (video and photographs of injuries) and, as mentioned above, the investigations included determinations of the appropriateness of the force used and addressed. In one of the incidents, the command review of the investigation addressed a few minor issues with regard to the officer’s

² One UOF incident occurred in Q5 and one UOF incident occurred in Q6. While the Monitor has already reported the Q5 incident in its presentation to the UC Board of Trustees and the Community Advisory Council, a Memorandum of Assessment for ER 3.6.A should have also been, but was not included in its report for the period ending March 30, 2018.



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tactics, the unholstering of the CEW, and also addressed a discrepancy with the investigation wherein one of the interviews was delayed. These issues were addressed internally and once resolved, did not negatively affect the outcome of the investigation. There were no separate disciplinary or criminal issues in either investigation.

Administrative Reviews of Other Incidents

Also indicated in the UCPD's proffer of compliance above, several additional instances of officers un-holstering their weapons occurred. While these incidents are not considered a use of force and do not require a formal investigation, in accordance with the UOF policy, they are reviewed by the UCPD command staff for administrative purposes, and have been titled "Administrative Reviews" (ARs). These additional AR incidents wherein no force was used, justifies a more abbreviated review. The Monitor reviewed the ARs and while some feedback was provided, did not disagree with the outcome of the review.

Continued Review

The Monitor will review this ER again if any use(s) of force occur for the duration of the monitorship.

COMPLIANCE MEMORANDUM

DATE: JULY 13, 2018
REC. REF. NO.: 3.6.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD lacks a clearly defined method of investigating uses of force by its members.

Exiger Recommendation (“ER”)

Investigators assigned to investigate police uses of force should receive specialized training to ensure they understand UCPD policies and procedures and are capable of conducting thorough unbiased investigations.

MADC Definition of Compliance

Compliance with this provision will be achieved when the following is found:

1. UCPD has created a specialized training for investigators assigned to investigate police use of force incidents.
2. UCPD has delivered the specialized training to all investigators who conduct investigations.

UCPD Proffer of Compliance

“Investigations of complaints regarding biased policing are referenced in both the UCPD Bias-free Policing Policy and the more general Internal Investigations and Complaints Policy (both attached), while investigations of use of force are referenced in both the UCPD Use of Force Policy (also attached) and the Internal Investigations and Complaints Policy. Specifically, page 4 of the Bias-Free Policing Policy specifies the complaint process for allegations of profiling or improper biased treatment as well as the investigation and corrective measures for biased policing. Pages 20-24 of the Use of Force Policy specify the investigation process for a use of force. Each of these policies has been disseminated to UCPD personnel and/or is currently being re-disseminated due to policy revisions. Evidence of the policies’ dissemination is available to the monitor via Power DMS.

Below the monitor will find the list of all UCPD employees who would conduct an investigation of bias policing, use of force, or any other internal investigation. Some of the personnel attended the FLETC Internal Affairs Investigations Training Program, while others attended the Southern Police Institute’s Internal Affairs: Policy, Practice and Legal Considerations course.

- *Captain Dudley Smith (SPI IA, October 2017)*
- *Captain Jeff Thompson (FLETC IAITP, July 2017)*
- *Captain Rodney Carter (Institute of Police Technology and Management Police Internal Affairs Course, 2003, as member of another law enforcement agency). Course description available at: <https://www.campusce.net/iptm/course/course.aspx?C=29>*
- *Lieutenant Tim Barge (SPI IA, October 2017)*

- *Lieutenant David Brinker (FLETC IAITP, July 2017)*
- *Lieutenant Chris Elliott (SPI IA, April 2018)*
- *Lieutenant Dave Hoffman (SPI IA, April 2018)*
- *Lieutenant Brian McKeel (SPI IA, April 2018)*
- *Lieutenant William Richey (SPI IA, April 2018)*
- *Lieutenant Stuart Strater (SPI IA, April 2018)*
- *SGT Eric Weibel (SPI IA, April 2018)*
- *Barb Hayes, Night Ride / Campus Watch supervisor (SPI IA, October 2017)*

The FLETC IAITP syllabus is attached. The hard copy of the FLETC participant guide may be reviewed on-site by the monitor. These are the only course materials to which the UCPD Training Section was given access. The SPI IA course description, 23 course modules, and handouts are attached. One of the SPI course modules specifically addresses Use of Force investigations. Certificates of completion for those who attended training prior to 2018 are attached. For the six supervisors who attended the most recent Internal Affairs Investigation training in April, their sign-in rosters for each of the five days of training are attached as their completion certificates are not yet available.

In addition, early in quarter 7, the three UCPD Bureau Commanders will attend a training exercise titled "Inbox Exercise/Critical Incident Review" given by Bayan Lewis, LAPD and LA County, Chief of Police, retired (full bio attached). This training exercise will specifically address the critical thinking and decision making involved in appropriately investigating or evaluating investigations of complaints, uses of force, etc. A brief overview is attached; more detailed presentation/exercise materials are forthcoming."

Data Reviewed

1. Bias Free Policing Policy
2. Internal Investigations and Complaints Policy
3. Use of Force Policy
4. FLETC IAITP Syllabus
5. FLETC IAITP Participant Guide (to be reviewed on site)
6. SPI IA Course description
7. SPI IA Course Material (23 course modules, 1 file of handouts)
8. Training Certificates of Completion
9. Training Sign-In Rosters

Current Assessment of Compliance



In Compliance

During its May 2018 onsite visit, the Monitor reviewed the FLETC IAITP training materials which thoroughly addressed aspects of a quality investigation such as completeness, timeliness and impartiality. The Monitor also reviewed the training materials submitted by the UCPD from the Southern Police Institute covering use of force investigations which appear to address the main



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points. The Monitor is familiar with and supportive of the credentials of the trainer who will conduct the Critical Incident Review training and is confident that once the training is received, future UOF investigations will be complete prior to the administrative review process as was described in the Monitor's memorandum of assessment for ER 3.6.A. The Monitor encourages the UCPD to continually seek out further training and best practice models in this critical area.

Concluding Review

The Monitor had planned to test further implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

Appendix 4

REPORT CARD MATRIX

2017

2018

2019

Q1: Jan-Mar Q2: Apr-Jun Q3: Jul-Sep Q4: Oct-Dec Q5: Jan-Mar Q6: Apr-Jun Q7: Jul-Sep Q8: Oct-Dec Q9: Jan-Mar Q10: Apr-Jun Q11: Jul-Sep Q12: Oct-Dec

Section 4 - Review of Policies and Procedures

4.1.A	Update policies and procedures to reflect campus law enforcement best practices, and assign ongoing responsibility for ensuring that they are kept current.	●			◐	◐	● (NFE)	-	-	-	-	-	-
4.1.B	Establish a policy and procedure review committee consisting of a cross section of the UCPD and appropriate University resources to assist in updating and developing critical policies and procedures.			●			○						
4.1.C	Work with the newly hired Organization Development Coordinator to fully implement the electronic document management software system.		●				● (NFE)	-	-	-	-	-	-
4.1.D	Provide the Coordinator with the resources and support necessary to meet the requirements of his position, and to implement a critical but challenging agenda.	●				●							
4.1.E	Establish a procedure for the review of policies and procedures by appropriate UC personnel including the Vice President for Safety and Reform and General Counsel or his/her designee.			●			○						
4.2.A	Establish adequate and consistent policies and procedures in several key critical areas including officer supervision and accountability, department transparency, effective diversity recruitment and essential goal setting to develop community trust and partnership.	● (NFE)	-	-	-	-	-	-	-	-	-	-	-
4.3.A	Rewrite Field Interrogations policy to require that stops be constitutional and based upon probable cause and reasonable suspicion criteria.				●								
4.3.B	Remove problematic verbiage such as "Persons not fitting the place, time or area."				● (NFE)		-	-	-	-	-	-	-

REPORT CARD MATRIX

		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
4.3.C	Clarify sections in the procedure on when an officer can conduct a “pat down” for officer safety.				● (NFE)	-	-	-	-	-	-	-	
4.4.A	Rewrite the Trespass Warning to articulate tenets of Constitutional policing as the basis for initiating trespassing encounters and clearly articulate probable cause and reasonable suspicion.			● (NFE)	-	-	-	-	-	-	-	-	
4.4.B	Remove contradictory language suggesting both that UC is “public property”, yet, “under the laws of Ohio, UC has the right to forbid a person to come onto this property.”			● (NFE)	-	-	-	-	-	-	-	-	
4.5.A	Limit the number of off-duty hours officers can work to 20-30 hours in addition to their normal work week.				● (NFE)	-	-	-	-	-	-	-	
4.5.B	Require UCPD approval of any collateral employment to prevent conflict of interests.				● (NFE)	-	-	-	-	-	-	-	
4.6.A	Require that officers complete a police/public safety officers’ bike course, and receive a certification prior to being allowed to deploy on a bicycle.	●				● (NFE)	-	-	-	-	-	-	
4.7.A	Rewrite the Unlawful Assemblies policy to include a section on when student assemblies can/should be deemed unlawful.				● (NFE)	-	-	-	-	-	-	-	
4.8.A	Rewrite the Plain Clothes Detail policy to address supervisory oversight, notification protocols (UCPD and CPD), when plain clothes details may be utilized and collateral issues to plain clothes deployment.						●						
4.9.A	Prohibit the use of Confidential Informants (CIs) except in extraordinary circumstances with clearance at the University reporting level.						●						
4.10.A	Rewrite the Gangs policy to focus on what specific behaviors constitute a constitutional stop or other law enforcement encounter with a gang member, and to clarify what constitutes gang activity, and how an individual becomes classified as a known gang member.							○					

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
4.11.A	Revise Active Shooter policy so that the section on tactical responses is consistent with Multi-Assault Counter-Terrorism Capability (MACTAC)	●				◐	◐						
4.12.A	Update Bomb Threats policy to incorporate the likely motivations of modern bomb threat callers and to ensure alignment with current realities of today's domestic and foreign terrorist bombers.				● (NFE)	-	-	-	-	-	-	-	-
4.13.A	Make Clery notifications for reportable only for Clery incidents, and make other crime data available on the University's website	●				●							
4.14.A	Build out a dedicated Emergency Operations Center, designed to facilitate planning and response to both planned and unplanned events in coordination with other federal, state and local agencies.			● (NFE)	-	-	-	-	-	-	-	-	-

COMPLIANCE MEMORANDUM

DATE: FEBRUARY 20, 2018
REC. REF. NO.: 4.1.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD lacks an effective process for developing and managing new policies and procedures, and reviewing and updating existing ones.

Exiger Recommendation (“ER”)

UCPD should update its policies and procedures to reflect campus law enforcement best practices, and assign ongoing responsibility for ensuring that they are kept current.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD develops a process to update its policies and procedures to reflect campus law enforcement best practices, and assigns ongoing responsibility for ensuring that they are kept current.

Proffer of Compliance from UCPD

“Although the Exiger Final Report made recommendations regarding the development or revision of many specific policies, not all policies fall under a specific Exiger Recommendation (ER). In order to demonstrate implementation of the UCPD processes for developing and/or updating policies and procedures (1.1.400 Written Directive System), the UCPD and Exiger have agreed that all policies that are related to the purview of the monitorship but not covered by a specific ER shall be submitted for compliance assessment with best practice standards under ER 4.1.A.

For Q5, the following policies are included:

- *Policy 2.2.200 Arrest, Processing, Transportation, Interview and Interrogation of Detainees*
- *Policy 15.2.100 Divisional Equipment and Uniform Tracking*

Policy 2.2.200 Arrest, Processing, Transportation, Interview and Interrogation of Detainees

The Arrest, Processing, Transportation, Interview, and Interrogation of Detainees Policy was written by the Director of Public Safety, James Whalen, who has over 30 years of experience in law enforcement. In addition to his expertise and his collaboration with the Chief and Assistant Chief of UCPD, this policy is based on the following policies:

- *Cincinnati Police procedure 12.600 Prisoners: Securing, Handling and Transporting*
- *Cincinnati Police procedure 12.555 Arrest/Citation: Processing of Adult Misdemeanor & Felony Offenders*

- *Milwaukee Police General Order 2016-58 Citizen Contacts, Field Interviews, Search & Seizure*
- *Arizona State University Police policy Law Enforcement Role & Authority, Arrests & Bookings*
- *Greenville Police policy 1.2.3 Alternatives to Arrest*
- *IACP Model Policy on Arrest*

Furthermore, a subcommittee of UCPD supervisors (lieutenant and sergeants) and officers reviewed the policy to ensure it matched current practices, referenced the correct UCPD forms associated with processing arrests, and was functional. After the subcommittee met and made recommendations, the policy went through the normal command staff review for final approval. This demonstrates supervisor and officer involvement in the policy development process, which is in accordance with the Written Directive policy. Taken together, this comprehensive approach to policy development ensures that the UCPD's policy is consistent with best practice standards.

The Arrest, Processing, Transportation, Interview, and Interrogation of Detainees Policy was previously submitted to the monitor in Q4. At the time of that assessment, the Monitor noted several areas for needed revisions and found the UCPD to be in partial compliance for the previous quarter. Since then, the monitor worked collaboratively with the UCPD's Organizational Development Coordinator to ensure the policy meets best practice standards and it is now resubmitted for assessment. It will be disseminated to UCPD personnel after the monitor reviews the revised version of the policy and evidence of such will be provided to the monitor via Power DMS at that time. The policy will be covered during roll call training and tested upon in Power DMS at the time of dissemination. Evidence of both will be provided to the monitor after completion.

Policy 15.2.100 Divisional Equipment and Uniform Tracking

Although the Divisional Equipment and Uniform Tracking policy is related to ER 10.5.A to "Evaluate and choose an automated commercial off-the-shelf product for tracking of all equipment," the scope of that ER was limited to the selection of equipment tracking software only. The monitor found that ER in substantial compliance in Q3. Therefore, the policy subsequently developed is submitted for assessment under 4.1.A.

This policy was developed through the combination of: 1) a review of other agency policies, 2) the PMI Evidence Tracker website and user training manual (attached), and 3) the Power DMS command staff workflow / review process (screenshot attached). In addition, a Weapons Tracking Form and Uniform Request / Distribution form were created to align with the new policy and links to the forms are embedded in the policy. Both forms are attached.

The Divisional Equipment and Uniform Tracking policy will be disseminated to UCPD personnel after the monitor reviews it; evidence of such will be provided to the monitor via Power DMS at that time."

Data Reviewed

1. Policy 1.1.600 Obeying Lawful Orders
2. Policy 2.2.200 Arrest, Processing, Transportation, Interview and Interrogation of Detainees
3. Policy 7.2.100 Weapons Management
4. Policy 11.2.800 Command Staff Situational Notification
5. Policy 1.1.400 Written Directive System (reference only)

Prior Assessments of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the UCPD had assigned the Organizational Development Coordinator (“ODC”) responsibility of policy development, revision, and management to ensure the UCPD policies meet best practice standards. The Monitor and the UCPD agreed that reviews of continuous implementation would occur throughout the Monitorship based on policies submitted.

During Q4, ending December 31, 2017, the UCPD submitted several policies that were well written and were clearly based on appropriate model policies. However, one of the policies submitted, the Arrests policy, required more substantive revisions and had not yet been disseminated as of the end of that reporting period. Consequently, the Monitor found the UCPD in partial compliance at that time.

Current Assessment of Compliance



Partial Compliance

During the current quarter the UCPD again submitted several policies for assessment. The Monitoring Team and the ODC collaboratively made a few minor adjustments to ensure the policies met best practice standards and are consistent with comparable policies within the law enforcement community. The Arrests policy was also submitted but not until later in the reporting period and while most of the previously identified revisions had been addressed, a few remained and the UCPD was not able to fully disseminate the policy prior to the end of the reporting period. The UCPD intends to create a training /testing function as part of the dissemination process which will be included in the next assessment. The Monitor confirmed that the other policies submitted were disseminated to appropriate personnel; however due to the status of the Arrests policy the Monitor found the UCPD in partial compliance at this time.

Next Review

The Monitor will again assess the UCPD’s compliance this ER in Q6 ending June 30, 2018.

COMPLIANCE MEMORANDUM

DATE: FEBRUARY 20, 2018
REC. REF. NO.: 4.1.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD lacks an effective process for developing and managing new policies and procedures, and reviewing and updating existing ones.

Exiger Recommendation (“ER”)

Provide the [Organizational Development] Coordinator (“Coordinator”) with the resources and support necessary to meet the requirements of his position, and to implement a critical but challenging agenda.

MADC Definition of Compliance

Compliance with this recommendation will be achieved when the Coordinator is provided with the resources and support necessary to meet the requirements of the position (clerical, special assignment from patrol, etc.), and to implement a critical but challenging agenda.

Proffer of Compliance

“The Department of Public Safety leadership has carefully divided up the Exiger Final Report recommendations related to policy development and revision to personnel with varied expertise throughout the organization as to not overload any one individual. The Organizational Development Coordinator, however, serves as the final reviewer and publisher of the approved policies.

The department also implemented policy committee meetings that include a cross section of agency personnel to assist in updating and developing policies.

A list of recent policy committee meetings is provided below.

- 12/15/17 John, Chief Herold (Promotion Policy)
- 11/21/17 John, Captain Carter (Early Intervention Policy)
- 11/14/17 John, Lt. Barge (In-Car Camera Policy)
- 10/31/17 John, Nicole Smith, Christie Joslin, Ashley Buten (Records Policy)
- 10/25/17 John, Dawn Miles, Lt. Gutierrez (Training and Professional Development Policy)
- 10/20/17 John, Lt. Barge (In-Car Camera Policy)
- 10/17/17 John, Nicole Smith, Christie Joslin, Ashley Buten (Records Policy)
- 10/12/17 John, Lt. Barge (In-Car Camera Policy)

- 9/27/17 John, Chief Carter, AC Herold, Capt. Carter, Capt. Smith, Captain Thompson, Lt. Hoffman, Sgt. Maxwell, Lixuan Zheng (IT support) (Early Intervention Policy/Guardian Tracking)
- 9/18/17 John, Sgt. Weibel, PO Lori Cronin, SO Antione Frye (Uniform Policy)
- 9/13/17 John, Chief Carter, AC Herold, Capt. Carter, Capt. Smith, Captain Thompson, Lt. Hoffman, Sgt. Maxwell, Lixuan Zheng (IT support) (Early Intervention Policy/Guardian Tracking)

To further enhance the agency's ability to conduct policy and procedure research into best practices in policing, UCPD has continued its subscription to IACPNet (see attached documentation).

The department also hired a Training Consultant to perform a variety of professional and administrative management support duties involving assessing, coordinating, developing, researching, and special projects for the Department of Public Safety training program unit. This has reduced the burden of training requirements on the ODC.

Finally, the Chief and Assistant Chief of Police have implemented meetings twice a month with the Organizational Development Coordinator to review and update the status of policy revisions and to ensure the Coordinator is receiving the cooperation, resources and support throughout the organization to implement the policy, IACLEA accreditation and training initiatives."

Data Reviewed

Receipt for Subscription to IACPNet

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER. The UCPD policy development processes clearly illustrated that the ODC was being provided support and adequate resources.

Current Assessment of Compliance

In Compliance

As described in the UCPD's proffer of compliance (above in italics), the Organizational Development Coordinator (ODC) has been charged with managing the development, review, and dissemination of its policies, along with the implementation of the International Association of Campus Law Enforcement Administrators (ICALEA) accreditation program. While no additional staff are directly assigned to the ODC, various support mechanisms are in place such as regular meetings with the UCPD executive staff, the use of online resources, the use of model policies provided in its subscription to International Chiefs of Police (IACP), and the most recently implemented collaborative process between the ODC and the Monitoring team. All told, these processes have proven to be effective in ensuring that UCPD policies are developed with the best and most current law enforcement practices available.



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Next Review

The Monitor will conduct its final assessment of the UCPD's compliance with this ER during Q12 ending December 31, 2019.

COMPLIANCE MEMORANDUM

DATE: FEBRUARY 20, 2018
REC. REF. NO.: 4.6.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD's Bicycle Assignment & Maintenance policy (SOP 41.1.401), which allows officers to deploy bikes for both patrol and general transportation, is not consistent with best practices.

Exiger Recommendation ("ER")

UCPD should require that officers complete a police/public safety officers' bike course, and receive a certification prior to being allowed to deploy on a bicycle.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

1. The revised Bicycle Assignment and Maintenance policy represents best practice including a requirement that officers complete a police/public safety officers' bike course and receive a certification prior to being allowed to deploy on a bicycle; and,
2. Verification that only certified officers are assigned to bike patrol.

Proffer of Compliance from UCPD

"The University of Cincinnati Police Division submitted an updated version of its policy "Bicycles: Assignments, Use and Maintenance" during the first quarter of the monitorship. It is being resubmitted for annual reassessment in Quarter 5 and the most recent version of the policy is attached. The policy includes the requirement for completion of a police mountain biking course prior to being permitted to ride a bicycle on patrol. The instruction required for certification is through the International Police Mountain Biking Association (IPMBA), which has been in existence since 1991 and is considered one of the top organizations to train police for bike patrol. Certified bicycle officers are noted in the far right column on each shift's line-up sheets (see attached). Officers actually assigned to bicycle patrol are noted in the "Bike" column.

UCPD held an IPMBA training in July 2017, taught by in-house IPMBA certified instructor Jeff Polly, to certify five additional personnel as bike officers. The training sign-in roster is attached.

Although the IPMBA certification does not require a refresher training, UCPD policy includes the requirement for refresher training "Every two years from the date of certification" (attached policy, page 2). Unfortunately, this training was not able to be conducted in 2017 due to the in-house instructor being on medically restricted duty following surgery. The in-house instructor is currently developing an 8-hour in-service refresher bike course for all IPMBA certified officers.

This should be completed by Q6. The UCPD is also sending a second officer, Andrew Mueller, to get IPMBA certified as an instructor at the beginning of June 2018.

Data Reviewed

1. Bicycles: Assignments, Use and Maintenance policy 9.2.101
2. Certificates from certified officers
3. Shift line-up sheets from the dates requested by the monitor
4. IPMBA training sign-in roster, July 2017

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the UCPD's revised bicycle patrol policy addressed the requirements of the ER and adequately dealt with training and deployment issues.

Current Assessment of Compliance



In Compliance

During the current period the Monitor reviewed the shift line ups for a period spanning several weeks along with certification documentation, and confirmed that only certified bicycle officers, who are those who have completed the certification course created by the International Police Mountain Bike Association ("IPMBA"), were deployed on bicycles.

Next Reviews

No further review of this ER is needed.

COMPLIANCE MEMORANDUM

DATE: MARCH 31, 2018
REC. REF. NO.: 4.11.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD's Active Shooter policy (SOP 46.1.10) is very general in its scope and not consistent with best practices.

Exiger Recommendation ("ER")

This policy should be revised so that the section on tactical responses is consistent with best practices.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD rewrites its policy on Active Shooters;
- 2) The updated policy has been rewritten so that the section on tactical responses is consistent with best practice; and
- 3) Adequate training on active shooter has been completed and documented.

Proffer of Compliance from UCPD

"Due to the significant amount of training courses that were scheduled for 2017, the UCPD was not able to complete the Active Shooter training that is scheduled to occur annually according to the UCPD Training Plan (see attached) and that is required on page 4 of the Active Threats Policy (attached). The UCPD, did however, devote considerable effort during 2017 to research best practice training options on this topic and has prioritized the decided upon training for 2018.

As part of doing our due diligence in researching the best training to implement department-wide, the Training Section has been working with Eastern Kentucky University, Texas State University, and Ohio State University. Two courses were explored as the primary options: Advance Law Enforcement Rapid Response Training (ALERRT) and Single Officer Response to an Active Threat (SORAT). Based on the initial Course Consideration Analysis (see attached), which included a review of available course material (see attached), it was determined that the UCPD would pursue ALERRT training first. SORAT may be considered for inclusion in the UCPD training curriculum at a later date and two UCPD personnel attended SORAT training in February 2018 (training certificates attached).

The Training Section Supervisor attended the ALERRT course in June 2017 in order to evaluate it (certificate attached). The corresponding Vendor Course Review and New Course Approval forms are attached as evidence of the evaluation and approval process required by the Training

and Professional Development Policy (also attached). UCPD sent two instructors to ALERRT Train-the-Trainer certification in October 2017 (certificates attached). Additionally, two instructors attended Simunition Trainer Certification because simunitions are used during role play scenarios in the ALERRT training.

The ALERRT training requires two full work days and the Training Section needs to ensure that the recently ordered safety and training equipment for the course arrives prior to confirming the training schedule. Currently, the most expedited training schedule possible has this course scheduled as follows as part of a 40 hour in-service training that includes other topics as well:

- 1. ICAT (also referred to as CDM Training) – 2 days*
- 2. ALERRT Level 1 – 2 days*
- 3. CPR – half day*
- 4. Simulator Training and Weapons Handling – half day*

Proposed In-Service Dates (subject to change based on arrival of equipment, availability of trainers):

<i>4/30-5/4</i>	<i>7/30-8/3</i>
<i>5/14-5/18</i>	<i>8/13-8/17</i>
<i>6/18-6/22</i>	<i>8/27-8/31</i>
<i>6/25-6/29</i>	<i>9/10-9/14</i>
<i>7/23-7/27</i>	<i>10/8-10/12</i>

It is anticipated that greater than 94% of UCPD personnel (including ULEOs, security officers, and dispatchers) will complete this training by November 2018. The monitor team is invited to attend this training if desired.

During Quarter 5, the UCPD hosted, with the Department of Homeland Security, a tabletop exercise on active threat/shooter scenarios (see attached invitation/agenda). This was attended by 16 sworn and non-sworn personnel from UC Department of Public Safety and the Police Division (see attached sign-in roster with names and affiliation) as well as personnel from other universities located in Ohio.

Finally, the UCPD also has plans to conduct ongoing simulator sessions (see above schedule), room clearing drills, and active shooter drills during the remainder of 2018. Evidence of these additional training exercises can be provided to the monitor upon their completion (likely in Quarter 8).”

Data Reviewed

- 1. UCPD Training Plan**
- 2. Active Threats Policy**
- 3. Training and Professional Development Policy**
- 4. Course Consideration Analysis for ALERRT and SORAT**
- 5. Vendor Course Review for ALERRT**
- 6. New Course Approval Form for ALERRT**
- 7. ALERRT Level 1 Manual**

8. SORAT Training Curriculum
9. Instructor Certifications: ALERRT
10. Instructor Certifications: Simunition Training
11. Certificates of Completion: SORAT
12. ALERRT attendance records
13. DHS Table Top Exercise 2/12/18 Invitation and Agenda
14. DHS Table Top Exercise 2/12/18 sign in roster

Prior Assessment

In its prior review in Q1 ending March 31, 2017, the Monitor found the UCPD in compliance because its revised policy enumerated the guidelines and philosophies employed as best practice throughout the profession and sufficient documentation was submitted indicating some training was provided. The Monitor noted and the UCPD agreed, that the training provided (the viewing of a video alone) was inadequate and the department should devise a way to conduct live training scenarios in partnership with other agencies that may be involved.

Current Assessment of Compliance



Partial Compliance

As mentioned above in the Monitor's prior assessment, the UCPD has ensured that its policy on Active Shooter response is consistent with the guidelines and philosophies that are employed as best practice throughout the profession and was disseminated to all UCPD personnel. However, for any policy to be effectively implemented adequate and appropriate training must follow the publication of the policy. As agreed upon by the UCPD and the Monitoring team, the MADC and its policy require annual training on this topic. The frequency and type of training needed is completely dependent on the content of the policy. Given today's environment, it is extremely important that sworn officers at a minimum, and security officers and other important players from the campus community whenever possible, have annual training on this topic. All officers who could be called upon to respond to an active shooter incident should receive training in critical tasks, such as assessment of an active shooter scene, room entry techniques, recognition of explosive devices, and the roles of contact teams, evacuation and perimeter teams.

As was stated in the Monitor's prior assessment, the importance of including live training scenarios in a safe environment and in partnership with other agencies that may be involved in this type of incident, cannot be understated. Strong policies and training can help to ensure that, despite the rapidly changing dynamics, an active shooter situation does not result in the worst case scenario. Experts strongly recommend that police agencies also conduct advanced training for active shooter incidents that includes realistic training in the use of firearms in an active shooter incident.

As described in the UCPD's proffer of compliance (above in italics) while research was conducted to ensure that quality training will be delivered in 2018, the UCPD did not conduct Active Shooter training in 2017 even though it is an annual requirement per the UCPD Annual Training Schedule and also based on best practices. The UCPD has indicated that the reason was due to the significant amount of training courses on other topics that were scheduled in 2017. While formalized training was not provided, significant steps were taken towards compliance policy, and therefore the Monitor found the UCPD in partial compliance for this assessment.



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Next Review

The Monitor will assess the UCPD's compliance with this recommendation again in Q6 ending June 30, 2018, and report any progress in this area until substantial compliance is achieved.

COMPLIANCE MEMORANDUM

DATE: FEBRUARY 10, 2018
REC. REF. NO.: 4.13.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD has historically made Clery¹ notifications for non-Clery-reportable off-campus crimes.

Exiger Recommendation (“ER”)

UCPD should only make Clery notifications for reportable Clery incidents. Other crime data should be made available on the University’s website.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD procedures reiterates that Clery notifications will only be made for appropriately "Timely Warning" Clery incidents; and crimes which do not require "Timely Warning" are made available on the University's website; and, the UCPD's incident reporting is consistent with its policy and procedures.

Proffer of Compliance

“The UCPD Timely Warning and Emergency Notifications SOP was revised slightly since the Q1 assessment of ER 4.13.A. The updated version of the policy is attached. It clearly states that Clery notifications will only be made for appropriate “timely warning” Clery incidents on pages 2-3. This policy was fully disseminated to UCPD personnel and evidence of such is available to the monitor via Power DMS. This policy specifically references the University of Cincinnati Jeanne Clery Disclosure of Campus Safety Policy and it was revised since Q1 as well; therefore, that updated policy is also attached.

The Department of Public Safety’s link to Clery safety notices can be found here:

<http://www.uc.edu/publicsafety/clery/safety-notices.html>; it includes a link to an archive of Clery notices by month at: <https://listserv.uc.edu/scripts/wa.exe?A0=SAFETYNOTICE>.

The website link for a listing of crimes which do not require timely warning, and which is searchable by date range, is available at:

<http://www.uc.edu/webapps/publicsafety/policelog2.aspx>. Also attached is the 2017 Annual Security and Fire Safety Report, which is required by the Clery Act, and released annually on or before October 1st. This report contains campus crime and fire statistics for the previous three

¹The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act, signed in 1990, is a federal statute codified at 20 U.S.C. Sec 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46. The Clery Act requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses. Compliance is monitored by the United States Department of Education, which can impose civil penalties up to \$35,000 per violation, against institutions for each infraction and can suspend institutions from participating in federal student financial aid programs.

years on all UC campuses, as well as descriptions of: UC Public Safety services; Fire Policies; Safety Equipment; and University Safety Programs.”

Data Reviewed

1. UCPD Policy 16.3.200 Timely Warning and Emergency Notifications, updated 3/23/17
2. University of Cincinnati Jeanne Clery Disclosure of Campus Safety Policy
3. 2017 Annual Security and Fire Safety Report

Prior Assessment of Compliance

During Q1, ending March 31, 2017, the Monitor found that the UCPD appropriately provided Timely Clery Act alerts and notifications, and posted crime information for public availability on the UC's Public Safety website.

Current Assessment of Compliance



In Compliance

The Monitor reviewed both the UCPD's and the University's revised policies covering the Clery Act notification requirements. The Monitor confirmed consistency with the reporting requirements and specific crimes listed in the Clery Act. The Monitor also reviewed the UCPD's crime statistics for 2017 as contained in the UCPD's Annual Security and Fire Safety Report as compared to the Safety Alert notifications contained on the UC's website for the same time-period and found no inconsistencies.

Next Review

The Monitor will conduct its final assessment of the UCPD's compliance with this ER during Q9 ending March 31, 2019.

COMPLIANCE MEMORANDUM

DATE: JULY 6, 2018
REC. REF. NO.: 4.1.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD lacks an effective process for developing and managing new policies and procedures, and reviewing and updating existing ones.

Exiger Recommendation (“ER”)

UCPD should update its policies and procedures to reflect campus law enforcement best practices, and assign ongoing responsibility for ensuring that they are kept current.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD develops a process to update its policies and procedures to reflect campus law enforcement best practices, and assigns ongoing responsibility for ensuring that they are kept current.

Proffer of Compliance from UCPD

“Although the Exiger Final Report made recommendations regarding the development or revision of many specific policies, not all policies fall under a specific Exiger Recommendation (ER). In order to demonstrate implementation of the UCPD processes for developing and/or updating policies and procedures (1.1.400 Written Directive System) as well as progress toward IACLEA accreditation (ER 1.3.B), the UCPD and monitor have agreed that all policies that are related to the purview of the monitorship but not covered by a specific ER shall be submitted for compliance assessment with best practice standards under ER 4.1.A.

For Q6, the following policies are included:

- *Policy 2.2.200 Arrest, Processing, Transportation of Detainees*
- *Policy 16.1.100 Records Management*
- *Policy 13.3.100 Victim Services*

Policy 2.2.200 Arrest, Processing, Transportation of Detainees

The Arrest, Processing, Transportation, of Detainees Policy was written by the Director of Public Safety, James Whalen, who has over 30 years of experience in law enforcement. In addition to his expertise and his collaboration with the Chief and Assistant Chief of UCPD, this policy is based on the following policies:

- *Cincinnati Police procedure 12.600 Prisoners: Securing, Handling and Transporting*

- *Cincinnati Police procedure 12.555 Arrest/Citation: Processing of Adult Misdemeanor & Felony Offenders*
- *Milwaukee Police General Order 2016-58 Citizen Contacts, Field Interviews, Search & Seizure*
- *Arizona State University Police policy Law Enforcement Role & Authority, Arrests & Bookings*
- *Greenville Police policy 1.2.3 Alternatives to Arrest*
- *IACP Model Policy on Arrest*

Furthermore, a subcommittee of UCPD supervisors (lieutenant and sergeants) and officers reviewed the policy to ensure it matched current practices, referenced the correct UCPD forms associated with processing arrests, and was functional. After the subcommittee met and made recommendations, the policy went through the normal command staff review for final approval. This demonstrates supervisor and officer involvement in the policy development process, which is in accordance with the Written Directive policy. Taken together, this comprehensive approach to policy development ensures that the UCPD's policy is consistent with best practice standards.

The Arrest, Processing, Transportation of Detainees Policy was previously submitted to the monitor in Quarters 4 and 5. At the time of those assessments, the Monitor noted some needed revisions and found the UCPD to be in partial compliance. Since then, the monitor worked collaboratively with the UCPD's Organizational Development Coordinator to ensure the policy meets best practice standards and it is now resubmitted for assessment. It will be disseminated to UCPD personnel after the monitor reviews the revised version of the policy and evidence of such will be provided to the monitor via Power DMS at that time. The policy will be covered during roll call training and tested upon in Power DMS at the time of dissemination. Evidence of both will be provided to the monitor after completion.

Policy 16.1.100 Records Management

The Records Management policy was developed based on the following best practice standards and other resources:

- *IACLEA Standard 16 Records and Information Management*
- *Ohio revised Code sections 149.38 and 31130.32*
- *CALEA accredited agencies Dublin, OH Division of Police General Order 82 Records policy and The Ohio State University Police General Order 82 Records policy*

In addition to the Organizational Development Coordinator, the policy committee included: Christie Joslin, Associate Director of Business Affairs; Ashley Buten, Records Manager; Nicole Smith, Clery Act Compliance Coordinator; and Diane Brueggemann, Technical Services Manager. The Records Management policy will be disseminated to UCPD personnel after the monitor reviews it; evidence of such will be provided to the monitor via Power DMS at that time.

Policy 13.3.100 Victim Services

The Victim Services policy was developed based on the following best practice standards and other resources:

- *IACP Model Policy: Response to Victims of Crime (attached)*
- *IACLEA Standard 13.3 Victim Services*
- *Ohio Attorney General's Crime Victims' Rights publication (attached)*
- *Ohio Revised Code 2930.04(B)*

In addition to the Organizational Development Coordinator, the policy committee included: Jennifer Rowe (Crime Victim Services Coordinator) and Lt. Dave Brinker (Investigations Supervisor). The Victim Services policy will be disseminated to UCPD personnel after the monitor reviews it; evidence of such will be provided to the monitor via Power DMS at that time."

Data Reviewed

1. Arrest, Processing, Transportation, of Detainees Policy 2.2.200
2. UCPD Form-4 Consent to Search without a Warrant
3. Records Management Policy 16.1.100
4. Victim Services Policy 13.3.100
5. IACP Policy Response to Victims of Crime
6. Ohio Attorney General's Crime Victim's Rights publication (reference)

Prior Assessments of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the UCPD had assigned the Organizational Development Coordinator ("ODC") responsibility of policy development, revision, and management to ensure the UCPD policies meet best practice standards. The Monitor and the UCPD agreed that reviews of continuous implementation would occur throughout the Monitorship based on policies submitted.

During Q4 and Q5, ending December 31, 2017 and March 30, 2018 respectively, the UCPD submitted several policies that were well written and were clearly based on appropriate model policies. However, one of the policies submitted, the Arrests policy, required more substantive revisions and had not yet been disseminated as of the end of that reporting period. Consequently, the Monitor found the UCPD in partial compliance for both Q4 and Q5.

Current Assessment of Compliance

In Compliance

As indicated above, during the current quarter the UCPD submitted its Victim Services and Records Management, and resubmitted its Arrests policy, for assessment. The Victim Services and Records Management policies were both consistent with best practices. In addition to addressing issues from the Monitor's prior assessment, the Arrests policy included a new section covering persons who have either been detained and are brought into the UCPD Headquarters facility for questioning prior to transport for booking into the county jail facilities, or who are awaiting other transport such as minor's awaiting pick up by their parents. The Monitor again made several suggestions to the aforementioned section pertaining to detainees to ensure clarity in



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procedures, and to ensure the policy met best practice standards and legal requirements regarding the detention of individuals. At the close of the reporting period, all of the policies had been finalized including dissemination and informal training or introduction to appropriate staff.

Concluding Review

The Monitor will perform a final concluding assessment of the UCPD's implementation of this ER during the period ending December 31, 2018.

COMPLIANCE MEMORANDUM

DATE: JUNE 12, 2018
REC. REF. NO.: 4.1.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD lacks an effective process for developing and managing new policies and procedures, and reviewing and updating existing ones.

Exiger Recommendation (“ER”)

Working with the newly hired Organization Development Coordinator (“ODC”), UCPD should fully implement the electronic document management software system which it has recently begun utilizing.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD works with the newly hired Organization Development Coordinator to fully implement the electronic document management software system, which it has recently begun utilizing; and the system is being used effectively.

Proffer of Compliance from UCPD

“PowerDMS is a single, secure, online location for the organization, management and distribution of the UCPD’s policies and procedures. The documents can be accessed online anytime and from anywhere. The UCPD continues to use PowerDMS as a read and sign distribution system for new and revised policies and procedures. The UCPD also continues to use PowerDMS to distribute training and testing regarding policies and procedures and other topics. The UCPD continues to use the workflow feature of PowerDMS to allow for key individuals and the chain of command to review and revise new and current policies and procedures. Finally, the Organizational Development Coordinator (ODC) created an IACLEA certification plan to track the division’s progress toward achieving compliance with the 215 IACLEA standards (see ER 1.3.B assessed in Q4). The Organizational Development Coordinator can provide any further demonstration of PowerDMS capabilities during the monitor team’s on-site visit in May and/or the monitor team can conduct remote testing on the above described uses of PowerDMS via their access to the program.”

Data Reviewed

None

Current Assessment of Compliance

 **In Compliance**



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As is indicated in the UCPD's proffer of compliance (above in italics), the Monitor has remote access and is continually viewing and assessing the ODC's use of PowerDMS. The Monitor is confident that the ODC and UCPD are now using PowerDMS as their electronic document management system, and using the testing mechanism contained therein to ensure that all newly created and revised policies are being reviewed and understood by UCPD personnel.

Concluding Review

While the Monitor will continually access the PowerDMS system during the final months of the voluntary monitorship, no specific review of this ER will be conducted.

COMPLIANCE MEMORANDUM

DATE: JUNE 11, 2018
REC. REF. NO.: 4.8.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD's policy on Plain Clothes Detail (SOP 41.2.109), which addresses one of the most dangerous areas in law enforcement, is not detailed enough and is not consistent with best practices.

Exiger Recommendation ("ER")

UCPD should rewrite the policy to address issues such as supervisory oversight, notification protocols (UCPD and CPD), when plain clothes details may be utilized and collateral issues to plain clothes deployment.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD rewrites its policy on Plain Clothes Detail;
- 2) The updated policy appropriately addresses issues such as supervisory oversight, notification protocols (UCPD and CPD), when plain clothes details may be utilized and collateral issues to plain clothes deployment; and
- 3) The updated policy meets best practices in the industry.

Proffer of Compliance from UCPD

"The UCPD Plain Clothes Details policy has been renamed Surveillance Operations and revised to be consistent with best practices. Specifically, the UCPD Organizational Development Coordinator and the policy committee for this topic used the IACP Model policy on Surveillance to guide their revision of this policy. The revisions also reflect the Exiger recommendations to appropriately address supervisory oversight, notification protocols, and the circumstances under which these types of operations may be utilized.

In addition to the Organizational Development Coordinator, the Surveillance Operations policy committee included Lt. Dave Brinker, Sgt. Eric Weibel, Off. Victoria Brizzolara, and Off. Rick Rowan, all of whom are assigned to UCPD Investigations. Following their collaborative work, the draft policy was put in a PowerDMS workflow for Command Staff review and approval. The Surveillance Operations policy will be disseminated to UCPD personnel after the monitor reviews it and evidence of such will be provided to the monitor via Power DMS at that time. In addition to dissemination in Power DMS, roll call training was conducted by the Criminal Investigations Unit Lieutenant for all CI Unit personnel. The training slides for this roll call training are attached, as is the Training Section's approval of the training and the sign-in rosters. Furthermore, based on

feedback from the monitor that training should be conducted for patrol officers as well, roll call training slides were developed specifically for that audience. These training slides and the Training Section's approval of this roll call training are also attached."

Data Reviewed

- 1.
2. *Slides and Training Section Approval for CI Unit Roll Call Training*
3. *CI Unit Roll Call Training Sign-In Roster*
4. *Slides and Training Section Approval for Patrol Roll Call Training*

Current Assessment of Compliance



In Compliance

During the current quarter the UCPD submitted its policy addressing plain clothes operations. The Monitor reviewed the policy and made a few suggestions in order to ensure the policy verbiage was clear and consistent with best practice standards. As described above in the UCPD's proffer of compliance (above in italics), the policy covers surveillance operations including appropriate supervisory oversight and procedures for notification. The Monitor found both the finalized policy and the roll call training provided to its personnel to be consistent with best practices in the law enforcement community.

Concluding Review

The Monitor had planned to test implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

COMPLIANCE MEMORANDUM

DATE: JUNE 11, 2018
REC. REF. NO.: 4.9.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD's policy on Use and Control of Confidential Informants (SOP 42.2.900) is not consistent with best practices, and requires more inquiry.

Exiger Recommendation ("ER")

UCPD should, because of risk and perceptual concerns, consider prohibiting the use of Confidential Informants (CIs) except in extraordinary circumstances with clearance at the University reporting level.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD rewrites its policy on Use and Control of Confidential Informants;
- 2) UCPD considers prohibiting the use of Confidential Informants (CIs) except in extraordinary circumstances with clearance at the University reporting level; and
- 3) The updated policy meets best practices in the industry.

Proffer of Compliance from UCPD

"The UCPD Confidential Informants policy has been revised to be consistent with best practices. The policy and the associated forms for use with confidential informants referenced in the policy are attached. Specifically, the UCPD Organizational Development Coordinator and the policy committee for this topic used the IACP Model policy on Confidential Informants to guide their revision of this policy. In addition to the Organizational Development Coordinator, the Confidential Informant policy committee included Lt. Dave Brinker, Sgt. Eric Weibel, Off. Victoria Brizzolara, and Off. Rick Rowan, all of whom are assigned to UCPD Investigations. Following their collaborative work, the draft policy was put in a PowerDMS workflow for Command Staff review and approval. The UCPD administration did consider university-level approval of the use of confidential informants, but ultimately decided to leave approval at the Police Chief level with required notification to the Director of Public Safety, as described on page 3 of the policy. The Confidential Informants policy will be disseminated to UCPD personnel after the monitor reviews it and evidence of such will be provided to the monitor via Power DMS at that time. In addition to dissemination in Power DMS, roll call training was conducted by the Criminal Investigations Unit Lieutenant for all CI Unit personnel. The training slides for this roll call training are attached, as is the Training Section's approval of the training and the training sign-in roster. Furthermore, based on feedback from the monitor that training should be conducted for patrol officers as well, roll call training slides were developed specifically for that audience. These training slides and the Training Section's approval of this roll call training are also attached.

Data Reviewed

1. Policy 13.2.200 Use and Control of Confidential Informants
2. Initial Suitability Report Form 13A
3. Continuing Suitability Report Form 13B
4. Confidential Informant Agreement Form 13C
5. Confidential Informant Individual Release of All Claims Form 13D
6. Slides and Training Section Approval for CI Unit Roll Call Training
7. CI Unit Roll Call Training Sign-In Roster
8. Slides and Training Section Approval for Patrol Roll Call Training

Current Assessment of Compliance

In Compliance

During the current quarter the UCPD submitted its updated policy addressing the use of confidential informants which was modeled on a policy exemplar from the *International Associations of Chiefs of Police*. The Monitor reviewed the policy and forms, and made a few suggestions edits in order to ensure the policy verbiage and definitions were clear. As described in the UCPD's proffer of compliance (above in italics), the policy now covers the approval process and level of approval, and adequate notification procedures. The Monitor found both the finalized policy and the roll call training provided to its personnel to be consistent with best practices in the law enforcement community.

Concluding Review

This is the first and only assessment of this ER. Given the UCPD's decision to end the voluntary monitorship early, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JULY 15, 2018
REC. REF. NO.: 4.11.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD's Active Shooter policy (SOP 46.1.10) is very general in its scope and not consistent with best practices.

Exiger Recommendation ("ER")

This policy should be revised so that the section on tactical responses is consistent with best practices.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD rewrites its policy on Active Shooters;
- 2) The updated policy has been rewritten so that the section on tactical responses is consistent with best practice; and
- 3) Adequate training on active shooter has been completed and documented.

Proffer of Compliance from UCPD

"The UCPD is in the process of completing annual Active Threat training for 2018, as required by the Active Threats Policy (most recent version attached). This policy recently underwent minor revisions and was re-disseminated to UCPD personnel. Evidence of policy dissemination is available to the monitor via PowerDMS.

Previously in quarter 5, the UCPD provided documentation of the Level 1 ALERRT training manual, as well as attendance during 2017 at the ALERRT Level 1 course for the Training Section Supervisor and one additional supervisor and the completion of the ALERRT train-the-trainer course by two UCPD personnel. Two additional officers also completed the ALERRT training prior to the course being instructed in-house. Their certificates of completion are attached.

The ALERRT Level 1 training is now being instructed internally by the two trained instructors and scheduled as part of an ongoing 40-hour in-service training. Three in-service training sessions were completed in Quarter 6 during the weeks of May 14-18, June 18-22, and June 25-29. A total of 24 lieutenants, sergeants and law enforcement officers completed the two-day ALERRT training as part of these sessions, which (in addition to those previously trained in 2017) brings the UCPD to 48% of sworn personnel (captains, lieutenants, sergeants, and law enforcement officers)

ALERRT-trained as of June 30, 2018.¹ Twenty additional sworn members are scheduled for upcoming sessions during quarter 7, including: July 23-27, July 30-August 3, August 13-17, August 27-31, and September 10-14. It is anticipated that approximately 75% of required personnel will be trained by the conclusion of the next reporting quarter. The UCPD has requested ongoing assessment by the monitor of this ER quarters 6, 7, and 8 to report the continued progress toward having greater than 94% of UCPD sworn personnel ALERRT-trained by November 2018.

In addition to the ALERRT training, four employees (Director Whalen, Lt. Brinker, Sergeant Zacharias, and Officer Willison) also attended the WAVR-21 training in Quarter 6. WAVR-21 (the Workplace Assessment of Violence Risk) is the first scientifically developed instrument for assessing the risk of violence in the workplace and campus targeted violence risk (<http://www.wavr21.com/>). Lt. Brinker will provide an overview of the training to all supervisors during the monthly supervisors meeting in August.”

Data Reviewed

1. Active Threats Policy
2. ALERRT 2017 certificates of completion, two officers
3. ALERRT 2018 in-service attendance records, 24 employees
4. Email exemption for UCPD Chief
5. WAVR-21 certificates of completion

Prior Assessment

In its prior review in Q1 ending March 31, 2017, the Monitor found the UCPD in compliance because its revised policy enumerated the guidelines and philosophies employed as best practice throughout the profession and sufficient documentation was submitted indicating some training was provided. The Monitor noted and the UCPD agreed, that the training provided (the viewing of a video alone) was inadequate and the department should devise a way to conduct live training scenarios in partnership with other agencies that may be involved.

In Q5 ending March 31, 2018, the Monitor found the UCPD in partial compliance because while the UCPD had not yet conducted training, steps towards compliance had been taken and the training was scheduled for the coming months.

Current Assessment of Compliance



Partial Compliance

As indicated in the UCPD’s proffer of compliance (above in italics) and confirmed by the Monitor through its review of the documentation submitted, the UCPD has now conducted several training sessions in 2018 in addition to the personnel sent to the course towards the end of 2018. In total, 30 of its sworn personnel have now attended the ALERRT training course (6 in 2017 and 24 in 2018). The UCPD has indicated that all remaining sworn officers will be trained in by the end of 2018 and appropriate civilian personnel, such as security officers, will attend a different course, the timing and content is yet to be determined. As was stated in prior assessments and agreed upon

¹ The UCPD Police Chief has been exempted from attending this training by the Director of Public Safety due to having already attended comparable training (see attached email).



Office of the Independent Monitor
University of Cincinnati Police Department

by the UCPD and the Monitoring team, the annual training on this topic is critical given today's environment, which should include security officers and other important players from the campus community whenever possible.

Continued Review

The Monitor will continue to review this ER and report the progress towards compliance for the duration of the monitorship.

Appendix 5

REPORT CARD MATRIX

2017

2018

2019

Q1: Jan-Mar
Q2: Apr-Jun
Q3: Jul-Sep
Q4: Oct-Dec
Q5: Jan-Mar
Q6: Apr-Jun
Q7: Jul-Sep
Q8: Oct-Dec
Q9: Jan-Mar
Q10: Apr-Jun
Q11: Jul-Sep
Q12: Oct-Dec

Section 5 - Review of Officer Recruitment, Hiring, Promotion, and Retention

5.1.A	Update hiring policy by requiring diversity applicants throughout the police officer candidate recruitment process.											
5.1.B	Partner with well-established minority groups who will share and forward the UCPD's recruitment advertisements.		 NFE	-	-	-	-	-	-	-	-	-
5.2.A	Work with officers, student population, and community members to craft a UCPD mission statement that states the reason that UCPD exists, what IT does, and reflects its basic philosophy.		 NFE	-	-	-	-	-	-	-	-	-
5.2.B	Develop a strong employer brand that will contribute to its becoming the law enforcement employer of choice in Cincinnati.											
5.3.A	Expand the search for police officer candidates by partnering with well-established groups to share and forward recruitment advertisement to a broader community network.		 NFE	-	-	-	-	-	-	-	-	-
5.3.B	Target all groups including women, Hispanic, Asian, AA and LGBTQ both in the community and on campus.											
5.3.C	Increase recruitment efforts among the more diverse pool of UCPD campus security officers and other university employees who serve in different campus departments who may have demonstrated commendable performance and good judgment.		 NFE	-	-	-	-	-	-	-	-	-
5.3.D	Ensure that recruitment campaigns reflect UCPD's commitment to diversifying and market values like community engagement, partnerships, shared responsibility for crime prevention, etc.											
5.3.E	Leverage, to the greatest extent possible, its family tuition payment program, in an attempt to bring seasoned, diverse, mission-appropriate candidates into the recruitment mix.		 NFE	-	-	-	-	-	-	-	-	-
5.4.A	Revise and update the current hiring policy to a true best practice recruitment and selection plan that acknowledges the need for diversity and sets diversity as a goal.											



- In Compliance



NFE - No Further Evaluation



- Partial Compliance



DW - Determination Withheld



















- Next Sched'd for Eval

X - Non-Compliant



? - Reassess TBD

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
5.5.A	Explore the adoption of the Community Collaboration Model for recruitment.			-	-	-	-	-	-	-	-	-	-
5.5.B	Ensure that recruitment outreach is inclusive of all on and off campus communities including the LGBTQ community.				-	-	-	-	-	-	-	-	-
5.5.C	Carefully select and train officers who attend recruiting events like career fairs.												
5.5.D	Establish recruitment ambassadors, comprised of University staff, students and community members, that will work with officers and on their own to help recruit applicants.												
5.5.E	Work toward making recruitment part of UCPD officers' regular interactions with the community.				-	-	-	-	-	-	-	-	-
5.6.A	Track the performance of former Security Officers to assess any impact of the streamlined hiring process.			-	-	-	-	-	-	-	-	-	-
5.6.B	Use lateral and retired officers, after careful screening to ensure that their qualifications and background are consistent with the mission and philosophy of UCPD.				-	-	-	-	-	-	-	-	-
5.6.C	Consider a relocation bonus for lateral hires.		-	-	-	-	-	-	-	-	-	-	-
5.6.D	Build a process that gives priority to Cincinnati residents (1) at the beginning of a career or (2) in transition from a previous career and whose career aspirations are consistent with the mission and philosophy of UCPD.			-	-	-	-	-	-	-	-	-	-
5.6.E	Actively work with local high schools to identify and work with young people who may aspire to a career consistent with the UCPD mission and philosophy.												
5.6.F	Consider creating a UCPD Police Cadet program and a student intern program.												

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
5.6.G	Consider offering a free Candidate Applicant Preparation Program						○						
5.7.A	Ensure that the annual evaluation process proposed in the Diversity Plan include the collection of data at every step, test, and exclusion point in the hiring process, including those who voluntarily drop out of the process. Use this data to continuously improve the hiring process.												
5.8.A	Consider developing and providing support mechanisms for all applicants to reduce the number of no shows and failures.						○						
5.8.B	Ensure that the proposed suitability assessments of the applicants to the agency is preceded by the adoption of a roadmap to change existing culture to the extent necessary to align it with that of the newly defined mission of the department.				●								
5.8.C	Screening of candidates with prior law enforcement experience.			● NFE	-	-	-	-	-	-	-	-	
5.8.D	The panel interview should be conducted by a diverse panel.				●								
5.8.E	Review of contractor process for bias and mission.				●								
5.9.A	Define the desired traits and qualifications for a supervisor, and those should be reflected in assessment center exercises, interview questions and scoring protocol.				●								
5.10.A	Ensure that the process for promotion is evaluated annually by the Chief, Assistant Chief and Lieutenants, and consider annual review of both the promotion and career development process by both the Chief and the Director of Public Safety			● DW	●								
5.11.A	Use students and community members in the assessment center exercises and in the interview processes.				●								
5.12.A	Update the promotional policies and procedures to reflect the position of Sergeant.			● NFE	-	-	-	-	-	-	-	-	

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
5.13.A	Select a turnover/attrition metric to identify and react to deviations from the expected rate.						○						
5.13.B	Enhance the recruitment and hiring process to ensure that candidates have proper expectations and are the right fit the job.						○						
5.13.C	Conduct, maintain and analyze exit interviews in order to better understand any deviations from the expected attrition rate.												

COMPLIANCE MEMORANDUM

DATE: FEBRUARY 26, 2018
REC. REF. NO.: 5.10.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Current procedures for review of promotion decisions and the promotion/ career development process are inadequate.

Exiger Recommendation (“ER”)

UCPD should ensure that as required by the current SOP, the process for promotion is evaluated annually by the Chief, Assistant Chief, and Lieutenants. Additionally, UCPD should consider annual review of both the promotion and career development process by both the Chief and the Director of Public Safety.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) In practice, the process for promotion is evaluated annually by the Chief, Assistant Chief and Lieutenants;
- 2) UCPD gives meaningful consideration to requiring an annual review of both the promotion and career development process by both the Chief and the Director of Public Safety.

UCPD Proffer of Compliance

“The Law Enforcement Supervisor promotional process (SOP 3.1.300) was originally submitted to the monitor for assessment in Q3. The Monitor withheld its determination of compliance during this period due to the revisions needed to ensure the policy is consistent with best practices.

During Q4, the Monitor and the UCPD command staff and Policy Review Committee collaborated on these revisions and the UCPD resubmitted the Law Enforcement Supervisor Promotional Process for compliance assessment. At that time, the monitor approved the content of the policy (including the annual evaluation of the process for promotion), but found the UCPD in partial compliance because the revised policy had not yet been disseminated to UCPD personnel. The policy is now fully disseminated to UCPD personnel and evidence of such is available to the monitor via Power DMS.

In addition, since the Monitor’s Q4 assessment of this ER, the UCPD has completed the promotional process for one lieutenant position and one sergeant position. The documentation for each of these promotions is attached.”

Data Reviewed

1. Law Enforcement Supervisor promotional process (SOP 3.1.300)
2. Lieutenant Promotional Process Documents
3. Sergeant Promotional Process Documents

Prior Assessment of Compliance

During Q4 ending September 30, 2017, the Monitor found the UCPD in partial compliance with this ER as the policy had not yet been fully disseminated.

Current Assessment of Compliance

In Compliance

During the current quarter, the Monitor confirmed that the policy has been fully disseminated and reviewed the promotion documents submitted by the UCPD. The documents support that the process being followed is on par with best practices as compared with other law enforcement organizations, and appear to be fair and consistent in the manner administered. The Monitor will continue to review the examination process and promotions made during the monitorship period.

Next Review

The Monitor will conduct a final assessment of the UCPD's compliance with this ER in Q9 for the period ending March 31, 2019.

Appendix 6

REPORT CARD MATRIX

2017

2018

2019

Q1: Jan-Mar Q2: Apr-Jun Q3: Jul-Sep Q4: Oct-Dec Q5: Jan-Mar Q6: Apr-Jun Q7: Jul-Sep Q8: Oct-Dec Q9: Jan-Mar Q10: Apr-Jun Q11: Jul-Sep Q12: Oct-Dec

Section 6 - Review of Training

		Q1: Jan-Mar	Q2: Apr-Jun	Q3: Jul-Sep	Q4: Oct-Dec	Q5: Jan-Mar	Q6: Apr-Jun	Q7: Jul-Sep	Q8: Oct-Dec	Q9: Jan-Mar	Q10: Apr-Jun	Q11: Jul-Sep	Q12: Oct-Dec
6.1.A	Draft and adopt consistent policies and procedures for the development and approval of all UCPD courses and ensure that all courses are consistent with UCPD mission and philosophy.				●								
6.1.B	Ensure appropriate oversight of outside training to ensure it is consistent with Department Mission, Vision and Values.		●					○					
6.1.C	Require proper tracking, and evaluation of all courses and instructors.						● ?						
6.1.D	Require instructors to attend a certified instructor development course.		●					○					
6.1.E	Ensure training is consistent with officer tasks and competencies to successfully serve in an urban and campus environment in a manner consistent with Department Mission, Vision and Values.				●								
6.1.F	Establish and maintain a “lessons learned” program.							○					
6.1.G	Establish a Training Committee responsible for review of training policies and procedures, curricula development and course delivery.		●					○					
6.1.H	Ensure that training opportunities are available to all employees both sworn and unsworn.						● ?						
6.2.A	Locate the training office within headquarters and create a state of the art on-campus learning environment by identifying a professional setting for in-service training.			●				○					
6.3.A	Develop a portion of the 80-hour class in an e-learning format, to be delivered immediately upon swearing in, so as to allow for appropriate orientation before the commencement of patrol functions.							○					

REPORT CARD MATRIX

		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
6.4.A	Develop introductory curricula, with time allotment and method of delivery (e-learning versus classroom) for the Clery Act; Mission, Vision and Values of UCPD; and community relations for inclusion in orientation training.					●	○						
6.5.A	Design courses to specifically meet unique training needs including courses addressing the unique intersection of urban and university policing, and training designed to promote effective interactions with diverse populations.				◐								
6.6.A	Build on the recommendations of this report relative to needs assessment and conduct a formal review of training, to be repeated on an annual basis.						○						
6.6.B	Develop an annual training plan consisting of goals and strategy based on an annual formal needs assessment, with input from the Chief of Police, a training committee comprised of UCPD personnel, training unit officer-in-charge, and the community.						○						
6.7.A	Develop as part of the annual training plan a mandatory training curriculum in modular format, to be reviewed and modified annually, including the state-mandated training as well as those courses which are determined to be best suited for UCPD-mandated annual training.						○						
6.7.B	Infuse the curriculum developed with elements of community policing, including a clear and unified message as to the UCPD's commitment to community policing, as well as with critical thinking and problem solving skills training throughout.	●				● NFE	-	-	-	-	-	-	
6.7.C	Develop a series of elective courses in different relevant subject matter areas all of which would have to be completed over a three-year period.						○						
6.7.D	Consider courses for the mandatory training that include updates on trends and innovations in both municipal and university policing, an update on Ohio criminal law, a use of force update including de-escalation techniques, community and problem solving policing updates, and anti-bias training.						○						
6.7.E	Elective courses should include: Community-police relations; Building partnerships with communities both on and off campus; Critical thinking and problem solving; Ethics and Integrity; Diversity; Biased policing; Substance Abuse; Date rape; Leadership; De-escalation skills through						○						
6.7.F	Determine the appropriate split of total mandatory annual training hours between mandatory and elective courses.						○						
6.7.G	Increase diversity and biased policing training and require these subject to be recurrent training annually.	●				●							

REPORT CARD MATRIX

		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
6.7.H	Centralize and maintain records of all training in an electronic format which becomes part of an Officer's personnel package					● ?							
6.8.A	Develop a process by which UCPD develops its curricula.			●									
6.9.A	Establish a lessons learned program, derived from UCPD uses of force, post-incident debriefings, employee suggestions, personnel complaints and case law updates.						○						
6.10.A	Develop a list of tasks and skill competencies expected of an FTO.			●			○						
6.10.B	Create a selection process to assess whether an applicant has the skills necessary to train new officers.			●			○						
6.10.C	Ensure that all FTO's support the Mission, Vision and Values of UCPD and will be a strong role model for new employees.			●			○						
6.10.D	Ensure that the selection process includes a detailed review of the disciplinary and merit file of the candidate.			●			○						
6.10.E	Ensure that there is a policy that requires a timely suitability review of any FTO in the case of a sustained complaint involving that FTO.			●			○						
6.11.A	Require instructors to be OPOTC Certified Instructors.				●								
6.12.A	Require all courses taught by UCPD instructors to have written lesson plans that include clearly stated, realistic performance objectives and learning activities that utilize multiple learning modalities.				●								
6.12.B	Base the training approach on the tenets of adult education, promoting decision-making and critical thinking.						○						

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
6.12.C	Develop problem-based scenarios and case studies that allow the student to apply problem solving skills & knowledge of diverse populations.	●				●		○					
6.12.D	Require curriculum review before a class is taught.		●		●	●	?						
6.12.E	Observe instructors and rate performance.				●								
6.12.F	Survey students relative to the performance of their instructor.				●								
6.13.A	Ensure that community relations issues are included in use of force courses and that unique campus life issues are included in the defensive tactics course.												
6.14.A	Require by policy that all non-UCPD training be reviewed and approved prior to authorizing attendance at such program, and that a syllabus of such training be obtained for inclusion in the attending employee's file.	●				◐	?						
6.15.A	Ensure that the training lieutenant is devoted primarily, if not exclusively, to all of the tasks attendant to training.		● (NFE)	-	-	-	-	-	-	-	-	-	
6.15.B	Re-establish the Training Review Committee under the direction of the training lieutenant and include a member from the university and two members from the community.		●					○					
6.15.C	Ensure that an annual Continuing Education Plan and Learning Needs Assessment is conducted.							○					
6.15.D	Review, approve, and maintain the curriculum of every outside course approved for attendance by a UCPD officer.	●				◐	?						
6.16.A	Obtain a Learning Management System (LMS) to track all training records, retain expanded course outlines and lesson plans, allow for automated employee training requests and approvals.						?						

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
6.16.B	Use best practice templates to design training, evaluate training delivery and instructors.		●				● NFE	-	-	-	-	-	-
6.16.C	Complete regular assessments of courses and training delivery. Ensure curricula includes relevant and realistic officer tasks and competencies.	●				○ DW							
6.16.D	Training Unit lieutenant should approve all internal courses and lesson plans, and approve all outside courses prior to employees being allowed to attend to ensure consistency with UCPD policies, procedures, and agency mission, vision and values.	●				●							
6.17.A	Identify the actual training budget for equipment and off-site training each year and hold the department accountable for working within its training budget.			●									
6.18.A	Develop a policy with respect to the selection of instructors and for the evaluation of their performance.				●								
6.19.A	Develop a policy which charges the training lieutenant with mandatory attendance (either by himself or an appropriate designee) of training in order to evaluate, in writing, its effectiveness.	●				○ ●							
6.20.A	Extensively collaborate with the University on issues of training and should consider the creation of a Community-Police Academy for surrounding communities and a Student Community-Police Academy for campus communities.							○					
6.21.A	Collaborate with CPD on issues of training							○					
6.22.A	Utilizing the Claremont Campus OPOTC-certified Police Academy as its own internal academy where sponsored/hired cadets could attend.					●							

COMPLIANCE MEMORANDUM

DATE: MARCH 30, 2018
REC. REF. NO.: 6.4.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Several critical areas appear to be missing from the orientation training such as community relations, the Clery Act, and a statement of mission, vision, and values of UCPD. It is unlikely that the 80-hours of training provide sufficient time to cover the additional subjects that new hires should receive.

Exiger Recommendation (“ER”)

Develop introductory curricula, with time allotment and method of delivery (e-learning versus classroom) for inclusion in orientation training; curricula should include the Clery Act; Mission, Vision, and Values of UCPD; and community relations.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD develops introductory curricula for the following areas: (1) the Clery Act; (2) Mission, Vision, and Values of UCPD; and (3) community relations;
- 2) UCPD sets aside time during the 80-hour orientation training for the new curricula; and
- 3) We determine whether the new introductory curricula is being taught during the orientation training.

UCPD Proffer of Compliance

“The University of Cincinnati Police Division has implemented a Training and Professional Development policy that requires an introductory 80-hour orientation training for any newly hired University Law Enforcement Officer that is the precursor to the new officer’s PTO program. The Annual Training Plan, contained within the Training Policy, outlines a total of 93 hours of training for new officers, 80 hours of which are taught in-person or online as the introductory orientation. The specific method of delivery is listed by topic in the table below. Note that some training is always conducted in person, while other training may be conducted online (e-learning format). The UCPD preference, however, is for all training to occur in person when instructor availability permits.

Topic	Method of Delivery
<i>Verbal Defense & Influence</i>	<i>If taught by outside vendor, could be in-person or online If taught in-house, will always be in person</i>
<i>Firearms</i>	<i>Always in person</i>
<i>Defensive Tactics</i>	<i>Always in person</i>



<i>ARMS</i>	<i>Always in person</i>
<i>Driving</i>	<i>Always in person</i>
<i>Fair and Impartial Policing</i>	<i>Always in person</i>
<i>Report Writing</i>	<i>Could be either</i>
<i>Clery</i>	<i>Could be either</i>
<i>LGBTQ</i>	<i>Could be either</i>
<i>CPR</i>	<i>Always in person</i>
<i>Active Threat</i>	<i>Always in person</i>
<i>ICS Dashboard</i>	<i>Always in person</i>
<i>Radiation Safety</i>	<i>Could be either</i>
<i>Title IX</i>	<i>Could be either</i>
<i>Cultural Diversity</i>	<i>Could be either; online if completed through OPOTA, but other similar courses available in person</i>

The most recent hire for the position of University Law Enforcement Officer began the week of October 29, 2017 and completed 80 hours of training between then and November 11, 2017. The curriculum was as follows (see attached documentation):

- 8 hours – Verbal Defense and Influence*
- 8 hours – Firearms*
- 8 hours – Defensive Tactics*
- 8 hours – Driving*
- 8 hours – Fair and Impartial Policing*
- 8 hours – Taser*
- 6 hours – Report Writing*
- 6 hours – Power DMS and Policy Review*
- 4 hours – ARMS*
- 4 hours – Human Resources Orientation*
- 2 hours – Police Training Officer Review*
- 2 hours – Use of Force Policy Review (Proof of UOF Policy Test in Power DMS)*
- 2 hours – Clery Act*
- 1 hours – LGBTQ*
- 1 hour – Union Briefing*
- 1 hour – Victim Services*
- 1 hour – Welcome and Mission, Vision, and Value Review*
- 1 hour – Radio Training from Dispatch*

In the training of this employee, all training courses were delivered in person. The hours are different than those noted in the Annual Training Plan due to training being conducted one-on-one instead of in a group setting. Further, please note that this list does not exactly match the list in the Annual Training Plan because some of the topics covered were not in existence or use by the UCPD at the time of the ATP’s development (e.g. Taser; Mission, Vision, Values; PTO program). The Training Plan is a living document and is expected to undergo revisions to reflect these new additions in the next 3 months.

As listed above, the introductory curricula includes training regarding the Clery Act as well as the Mission, Vision, and Values of UCPD. Although a specific course on Community Relations is not included, both the Verbal Defense and Influence curriculum and the Fair and Impartial Policing curriculum emphasize appropriate treatment of people and are infused with the importance of establishing positive relationships with the community.

Explicit examples from the VDI curriculum can be found on the following pages:

Day 1 Power Point : universal greeting (slide 8), tactical peace phrases (slide 60), treatment of others (slides 73 & 74), communicating under pressure (slides 79-81);

Day 2 Power Point: needs assessment activity considering both police and citizen points of view (slide 4), active listening and art of paraphrasing (slides 20-24), redirection, responding to verbal abuse, and deflection, (slides 51, 65-72) debriefing (slides 129-130).

Explicit examples from the FIP curriculum can be found on the following pages:

Module 2 as a whole (pages 1-19) discusses the impact of biased policing on community members.

Module 3 discusses slowing down interactions with citizens and the importance of engaging with the community as well as examples of how officers can do that (pages 15-18).

Data Reviewed

1. Training and Professional Development Policy
2. Annual Training Plan
3. Orientation Training Roster
4. Verbal Defense and Influence Power Point Presentations Days 1 & 2
5. Fair and Impartial Policing Curriculum

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics) the 80-hour orientation curriculum for newly hired officers has been supplemented with information on the Clery Act and the UCPD's Mission, Vision, Values as required by this ER. The UCPD has indicated which courses are required to be conducted in-person versus those that may be conducted online when practical. With regard to Community relations, the Monitor agrees that elements of the topic are covered within the Fair and Impartial Policing, and the Verbal Defense and Influence training. However, given the concentrated community environment as is the case in university campus settings, the Monitor suggests that going forward at least a small portion of the 80 hours is dedicated specifically to community relations as the department seeks to build, enhance and expand the UCPD's relationships with the diverse local communities and student population.

Next Review

The Monitor will again assess the UCPD's compliance with this ER in Q9 (Q1 2019).

COMPLIANCE MEMORANDUM

DATE: MARCH 13, 2018
REC. REF. NO.: 6.7.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the hours of mandatory in-service training required of all UCPD employees (16 hours beyond the 2015 State mandated training and 9 hours beyond the new 2016 requirement) is sufficient, additional training time would be beneficial.

Exiger Recommendation (“ER”)

The curriculum developed should be infused with elements of community policing, including a clear and unified message as to the UCPD’s commitment to community policing, as well as with critical thinking and problem solving skills training throughout.

MADC Definition of Compliance

Compliance with this recommendation will occur when the UCPD develops a policy requiring inclusion of principles into training and when curriculum is infused with elements of the stated principles.

UCPD Proffer of Compliance

“The Training and Professional Development (TPD) policy begins with a purpose statement that includes the following statement:

“Policing requires a unique set of problem-solving and critical thinking skills. Problem Oriented Policing (POP) is the UCPD’s primary strategy for crime prevention and organizational improvement. This strategy aligns department policies and procedures with UCPD’s core guiding principles, including, but not limited to, developing and attending innovative training and building positive community partnerships.”

In the Q1 assessment of this Exiger Recommendation, the monitor provided feedback that the UCPD had not fully infused community policing but was reliant on Problem Solving. As described in detail below, the Chief of the UCPD conceptualizes community policing as falling under the umbrella of problem-oriented policing.

Community Oriented Policing (COP) and Problem Oriented Policing (POP), although sometimes described as theoretically distinct policing strategies, are regularly used in tandem with each other to address problems. There is disagreement (in both practice and literature) concerning whether POP falls under the umbrella of COP or whether COP is an element of POP. UCPD's objective is to build community relations, promote critical thinking, AND solve problems; therefore,

Problem Oriented Policing will serve as the Department's overarching strategy for the following reasons: (1) POP requires police to regularly engage in COP, but COP does not require police to engage in POP, (2) POP explicitly stresses the importance of critical thinking, and (3) there is little to no evidence that COP can solve crime problems, while research shows that POP is a highly effective crime reduction strategy.

1. POP requires police to regularly engage in COP, but COP does not require police to engage in POP.

While COP focuses on relationship building between police and the individuals/organizations they serve, POP is a strategy that allows police to effectively respond to crime and disorder problems. To reduce crime, POP responses often require extensive community outreach and, through implementation, POP efforts effectively build positive and meaningful police-community relationships. As explained by Michael Scott (Director of the Center for Problem-Oriented Policing) and Herman Goldstein (the architect of Problem-Oriented Policing), "Problem-oriented policing depends heavily on strong, mutually trusting partnerships among police and other entities and constituencies," to identify problems, bring stakeholders to the table, and, "adopt responses to community problems that are more equitable and effective," in the communities that they serve (2005, p. 5). Police-community relationship building (the focus of COP) is a function of POP, but COP does not require that police engage in systematic problem-solving (the focus of POP).

Scott, M. S., & Goldstein, H. (2005). Shifting and Sharing Responsibility for Public Safety Problems. Problem-Oriented Guides for Police Response Guide Series (No. 3). Washington, DC: U.S. Dept. of Justice, Community Oriented Policing Services.

2. POP explicitly stresses the importance of critical thinking.

The COPS office, in conjunction with the Police Foundation, describe the role of critical thinking as, "...one of the most important skills in conducting problem analysis. Critical thinking is not knowledge about a problem but is a skill of examining and thinking about a problem. It begins with questioning what others believe to be fact and realizing that there is more than one way of examining a problem," (Boba, 2003, p. 25). Problem analysis represents the second step of the SARA model, a commonly used problem-solving method used to develop and execute POP interventions.

Boba, R. (2003). Problem Analysis in Policing. Washington, DC: U.S. Dept. of Justice, Community Oriented Policing Services, Police Foundation.

3. There is little to no evidence that COP can solve crime problems, while research shows that POP is a highly effective crime reduction strategy.

Research fails to find that COP, by itself, can be used reliably to achieve crime reduction. Recent systematic research reviews show that community-oriented policing (COP) strategies have the potential to increase citizen satisfaction with police, as well as positively affect citizen perceptions of disorder and police legitimacy; however, COP strategies have limited effects on crime and fear of crime (e.g., Gill et al. 2014). Alternatively, systematic research reviews have shown that problem-oriented policing (POP) strategies are overwhelmingly effective in reducing crime and disorder (e.g., Weisburd et al., 2010). POP requires police to do what is best for the community, and this includes, but extends beyond, enhancing police-community relations. Adopting POP rather than COP as UCPD's primary strategy for crime prevention and organizational improvement is aligned with an evidence-based approach to developing effective police policy and practice.

Gill, C., Weisburd, D., Telep, C. W., Vitter, Z., & Bennett, T. Community-Oriented Policing to Reduce Crime, Disorder and Fear and Increase Satisfaction and Legitimacy among Citizens: A Systematic Review. Journal of Experimental Criminology, 10(4): 399–428.

Weisburd, D., Telep, C. W., Hinkle, J. C. & Eck, J. E. (2010). Is Problem-Oriented Policing Effective in Reducing Crime and Disorder?. Criminology & Public Policy, 9(1): 139–172.

Furthermore, it is the Chief's preference to leave training-specific information as the focus of the TPD Policy; information regarding the division's approach to problem solving (as summarized above) more appropriately belongs in a stand-alone policy, to which the TPD policy will refer once completed. This new policy is expected to be completed and ready for assessment in Q7. The TPD Policy includes the following on the list of competencies for all patrol officers (pages 5-6), all of which are related to critical thinking, problem solving and/or community policing:

- *Conflict resolution*
- *Problem Solving*
- *Community-Specific Problems*
- *Cultural Diversity and Special Needs Groups*
- *Communication*
- *Team Work*

All training (see attached UCPD Training Plan) is evaluated for its support of these competencies as well as for consistency with the UCPD Vision, Mission Statement, and Core Principles (provided to the monitor in Quarter 2 for ER 1.1.A/5.2.A), the latter of which explicitly references transparency, partnering with the community, and collaborative problem solving through community involvement. Therefore, even training courses that are not specifically labeled as community policing, problem solving, or community relations/engagement routinely incorporate skills and tactics for critical thinking, problem solving, appropriate customer service, de-escalation, and respectful interactions with the community. See for example the curriculums of the following training: Fair and Impartial Policing, Verbal Defense and Influence, and Crisis Intervention Team. These skills are emphasized for and expected of all employees.

In addition, the PTO program for new hires is a problem-based learning model based on

community policing and collaborative problem solving principles (p.4 TPD Policy), the Community Advisory Council has a sitting member on the Training Committee (p.4 TPD Policy) and trends in campus community crime and disorder is listed as one of the topic for consideration in the annual Training Needs Analysis (p.10 TPD Policy).

2018 training focused on these principles (labeled Problem Solving Refresher 4 hrs on the attached Annual Training Plan) has not yet been determined, but will likely occur in the fall. Recognizing the importance of a quality relationship between all UCPD personnel and the UC community, this training is required of all UCPD employees (e.g., supervisors, law enforcement officers, security officers, and dispatchers). The monitor will be advised as to the contents of this training and its scheduled date once it is available.”

Data Reviewed

UCPD Training and Development Policy dated March 22, 2017

Prior Assessment of Compliance

The Monitor last assessed the UCPD’s compliance with this ER in Q1, ending March 31, 2017. At that time the Monitor found the UCPD in compliance but suggested that UCPD’s policy place a stronger emphasis on the concept that all UCPD officers are responsible for on-going community policing, as opposed to referring only to the problem solving function which is sometimes seen as a singular task-oriented type of activity – i.e., once a particular problem is solved, community policing is done. Regardless of the terminology used, the Monitor recognized that the UCPD was in fact “infusing” its training with elements of community policing such as problem solving skills and critical thinking.

Current Assessment of Compliance

In Compliance

As described in the UCPD’s proffer of compliance (above in italics), the UCPD has continued to include community policing as a guiding principle for its training program and has included problem solving and critical thinking within the courses it chooses for its officers to attend as these are important tools to further build positive community relations. It is the Monitor’s belief that the UCPD command staff truly strives for a quality relationship between all officers and the UC campus community.

Next Review

No further review of this ER is necessary.

COMPLIANCE MEMORANDUM

DATE: MARCH 31, 2018
REC. REF. NO.: 6.7.G
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the hours of mandatory in-service training required of all UCPD employees (16 hours beyond the 2015 State mandated training and 9 hours beyond the new 2016 requirement) is sufficient, additional training time would be beneficial.

Exiger Recommendation (“ER”)

Increase diversity and biased policing training and require these subjects to be recurrent training annually.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD implements a policy requiring that diversity training and biased policing training occur annually.

Proffer of Compliance from UCPD

“The University of Cincinnati Police Division implemented a policy regarding bias-free policing in May 2016 that explicitly states that officers may not use race, color, ethnicity, or national origin, to any extent or degree (see page 2 of attached Bias-Free Policing policy). The most recent version of this policy was published and fully disseminated to UCPD personnel in December 2017. Evidence of such is available to the monitor via PowerDMS.

This policy requires annual refresher training on bias-free policing on page 4 as well as initial bias-free policing training to new officers. As required by the Bias-Free Policing Policy and the Training and Professional Development policy (also attached), every new officer hired by UCPD has been trained in Fair and Impartial policing. This 8-hour training course is included in the 80 hours of training required of new hires before going out with a training officer. One of the two certified Fair and Impartial Policing (FIP) trainers provided the 8 hours of this training for newly hired officers in 2017. Their instructor training certificates, Fair and Impartial Policing Lesson Plans and Curriculum, and FIP Scenario Training and Case Study Guidebook were all previously submitted in Q1. The training documentation for these new officers is attached. In 2017, the annual refresher training (4 hours) on this topic was covered by the OPOTA-mandated training for Procedural Justice and Police Legitimacy. This training was mandatory for every Ohio officer to keep their commission; attached are the sign-in sheets and lesson plans regarding what the state required.

In February 2018, 19 of 22 security officers were trained in Fair and Impartial Policing as mandated by the UCPD Training Plan. Their training sign-in rosters are attached. The remaining security officers were unable to complete the training at this time due to lack of coverage at a branch campus (2 SOs) and being on leave during the training (1 SO). At this time, an annual refresher training is only required for law enforcement officers.

Additionally, beginning in January 2018, all dispatchers will attend multiple classes hosted by the University of Cincinnati Office of Equity and Inclusion (OEI) as these classes are much more relevant to their position; the FIP course is much more applicable to those specifically involved with law enforcement. In 2018, the refresher training will be covered by the OEI.”

Data Reviewed

1. Bias Free Policing Policy 4.1.300
2. Training Policy 6.1.100
3. Fair and Impartial Policing New Hire Roster
4. Fair and Impartial Policing Security Roster (forthcoming in late February)
5. OPOTA Power Point with Lesson Plan in note section
6. OPOTA Rosters

Prior Assessment of Compliance

The Monitor first assessed the UCPD’s compliance with ER 6.7.G in Q1 ending March 31, 2017, finding the UCPD in compliance as quality diversity and bias policing training had increased and had been delivered to all UCPD employees in 2016.

Current Assessment of Compliance



In Compliance

As described in the UCPD’s proffer of compliance (above in italics), the UCPD ensures that both new sworn officers and in-service officers receive diversity and bias policing as required by this ER. The documentation submitted in connection with the 2017 4-hour annual refresher training on this topic was covered by the OPOTA-mandated training for Procedural Justice and Police Legitimacy. While this training was mandatory for every Ohio commissioned officer and clearly covered important topics such as the “Peelian” principles; positive versus negative community contacts; trustworthiness; and, treating people with respect - the course did not truly speak to issues surrounding biases or diversity. The word diversity was not used and the word bias was used once within the presentation in relation to being neutral, transparent, consistent in enforcement, loyal only to the law, and “free from bias.” The Monitor suggests that the refresher training for 2018 be more carefully evaluated to ensure it clearly and specifically covers diversity and biased policing.

Next Review

The Monitor will again assess the UCPD’s compliance with this ER in Q9 (Q1 2019).

COMPLIANCE MEMORANDUM

DATE: APRIL 15, 2018
REC. REF. NO.: 6.12.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Training delivery currently is left to the discretion of each individual instructor at UCPD. There is no standard requirement that the training include role play, scenarios or table top exercises and no indication that adult learning methodology is consistently applied.

Exiger Recommendation (“ER”)

Develop problem-based scenarios and case studies that allow the student to apply problem solving skills and knowledge of diverse populations.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a policy requiring that training include problem-based scenarios and case studies that allow the student to apply problem solving skills and knowledge of diverse populations; and
- 2) UCPD training courses include problem-based scenarios and case studies that allow the student to apply problem solving skills and knowledge of diverse populations.

Note: The above requirements are meant to apply to any training taught/delivered by UCPD instructors with the exception of OPOTA mandated curriculum.

UCPD Proffer of Compliance

“The University of Cincinnati Police Division has developed a Training and Professional Development policy, which incorporates several Exiger recommendations. The policy component of compliance with 6.12.C begins on page 11 under the “Approval” section. The policy specifically lists the “inclusion of problem-based scenarios” as one of the minimum requirements that must be met before a course will be added to the UCPD curriculum.

In order to ensure vendor-developed training includes problem-based scenarios as required, the course review/approval forms used by the Training Section specifically include reference to this:

- *Course Consideration Analysis Form 100A (used for vendor developed training that may be delivered by vendor or by in-house certified instructor; completed in advance of attendance at the training):*
 - *delivery method (whether PowerPoint, scenario-based, practical application),*
 - *review of participant guide and facilitator guide when available,*
 - *whether course includes practical application,*
 - *whether course includes problem solving, and*

- *how course supports the UCPD vision statement, mission statement, and core principles/values.*
- *Vendor Course Review Form 100B (used for vendor developed training that may be delivered by vendor or by in-house certified instructor; completed during attendance at the training)*
 - *Delivery Method*
 - *Provides participants adequate time to practice the new skill*
 - *Incorporates reality based scenarios and/or case studies*

As required on page 13 of the TPD policy, “All internally developed courses will adhere to the minimum approval requirements,” which as stated above include problem-based scenarios. Although the UCPD has not yet developed internal training courses, the Internal Course Review Form 100C and New Course Approval Form 100D ensure problem-based scenarios are included in internally developed and delivered training).

- *Internal Course Review Form 100C includes:*
 - *Whether tell/show/do format is incorporated*
 - *Whether course allows for critical thinking*
 - *Whether course incorporates problem solving opportunities*
 - *Whether activities include real-world examples of how the learning can be applied?*
- *New Course Approval Form 100D includes:*
 - *Space to fill in related Competencies fulfilled by this course (problem solving is among the competencies listed in the TPD policy),*
 - *Delivery method,*
 - *And an affirmative statement that “The course listed above has been fully vetted and is consistent with UCPD policies and procedures as well as the agency mission, vision, and values,” with appropriate supporting vetting documentation attached.*

Furthermore, as required by policy on page 15, “the Training Unit Lieutenant or designee will use the Trainer Observation and Evaluation (Form 100I) to formally evaluate all UCPD and Vendor trainers against six training competencies: preparedness, creating a comfortable learning environment, classroom management control, communication, facilitation, and content knowledge. Two of these are specifically related to ensuring the use of problem-based scenarios:

- *Facilitation: Allowed time for learners to practice their new skill/knowledge; Reviewed instructions for all activities; Debriefed all activities and tied the learning to the objectives*
- *Content Knowledge: Presented content accurately; Followed the outline in the Facilitator Guide*

The 2017 Training courses that were UCPD-delivered and non-OPOTA mandated included the following: Taser and Glock range training. The training for both of these weapons is required by the manufacturers and their curriculum must be used. The instructor booklet, PowerPoint, scenarios, syllabus and attendance rosters for the Taser course were previously submitted to the monitor in Q4 in conjunction with ERs 1.7.C and 10.1.C. The Glock range training material is

attached. In the decision-making process to use these weapons, however, the Training unit ensured that the training meets the requirements of the Exiger recommendations and/or supplemented it where possible. For example, the in-house Taser instructors supplemented with additional scenario-based training that the monitor team observed. In light of the different sources of training that the UCPD delivers and attends, the Training Section is in the process of modifying their review and approval documentation to streamline the process in collaboration with the monitor.

Finally, this review and approval process was completed for the ALERRT and ICAT training courses in preparation for them to be delivered by in-house UCPD instructors in 2018 (see Forms 100A, B, and D submitted in connection to ER 4.11.A for ALERRT and Forms 100A and D for ICAT) and was also completed for the FLETC supervisory training in anticipation of sending new supervisors to that outside vendor training in 2018 (see Forms 100A and D submitted in connection to ER 6.14.A, 6.15.D).

Data Reviewed

1. Training and Development Policy
2. Course Consideration Analysis Form 100A
3. Vendor Course Review Form 100B
4. Internal Course Review Form 100C
5. New Course Approval Form 100D
6. Trainer Observation and Evaluation Form 100I
7. Glock range training material

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the policy required that training include problem-based scenarios and specific case studies that reinforce knowledge of diverse populations, the responsibility of which was given to the Training Unit.

Current Assessment of Compliance



In Compliance

During the current period, in order to test implementation of the policy, the Monitor reviewed the curriculum for the Taser training which clearly includes problem-based scenarios. The Monitor also happened to attend at least one of these training sessions and observed the delivery which did in fact allow students to apply problem solving skills and was clearly meant to test the students' knowledge of dealing with different members of the campus community.

While a review of the above curriculum demonstrated compliance, during its review the Monitor noted several areas for improvements in the manner that the curriculum is acquired, retained and/or reviewed. As an example, there currently are at least six different forms for basically documenting similar steps in the evaluation and review of training, but the specific form to be used depends on the circumstance surrounding the training causing the process to be onerous and unwieldy. In summary, the Monitor and the UCPD agreed to address the above and other issues in a collaborative manner in the coming weeks, but at a minimum, going forward, documentation similar to the Taser training curriculum should be provided on all courses taught by UCPD



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instructors regardless of how many officers attended, or whether or not it is meant to be added to the training scheduled. Further, the UCPD must develop a comprehensive list to include all training attended by UCPD personnel.

Next Review

The Monitor will again assess the UCPD's compliance with ER 6.12.C in Q9 (Q1 2019.)

COMPLIANCE MEMORANDUM

DATE: APRIL 16, 2018
REC. REF. NO.: 6.12.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Training delivery currently is left to the discretion of each individual instructor at UCPD. There is no standard requirement that the training include role play, scenarios or table top exercises and no indication that adult learning methodology is consistently applied.

Exiger Recommendation (“ER”)

Require curriculum review before a class is taught.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a policy requiring that curriculum be reviewed before a class is taught;
and
- 2) UCPD has assigned the task of reviewing curriculum to an individual or group of individuals who are qualified and knowledgeable about best practices in training and policing in an urban campus environment.

Note: The above requirements are meant to apply to any training taught/delivered by UCPD instructors with the exception of OPOTA mandated curriculum.

UCPD Proffer of Compliance

“The University of Cincinnati Police Division’s Training and Professional Development Policy (attached) requires that all non-OPOTA mandated training be reviewed and approved by the Training Section Supervisor or his/her designee, prior to the course being taught. Currently, before a course is taught by an in-house instructor, the training is reviewed through the Course Consideration Analysis Form 100A and/or the Vendor Course Review Form 100B; the determination on how to review is made based on whether or not there are similar courses for the purposes of comparison. Attached are examples of a recent course consideration analysis, completed by the Training Consultant for new supervisory training, as well as the course description and syllabus and new course approval form. No additional course consideration analyses have been conducted since the monitor’s Q4 assessment of ER 6.12.D.”

Data Reviewed

1. Training Policy
2. Course Consideration Analysis, Course Approvals, and Courses Descriptions for Active Shooter Training

Prior Assessment of Compliance

During Q2 ending June 30, 2017, the Monitor found the UCPD in compliance with this ER as the policy requirements and standards at the time of the review had been met. The Monitor noted that while the Training Review Committee, which was determined to be the mechanism for course evaluation had not yet convened or reviewed any training.

During Q4 ending December 31, 2017, the Monitor and UCPD clarified that the responsibility for the review of training curriculum before a class was taught rested with the Training Section (“TS”) Supervisor, the TS Coordinator, the Training Review Committee, and finally, the UCPD Command staff – all of whom combined are qualified and knowledgeable about best practices in training and policing in an urban campus environment. The Monitor noted that the many forms referenced in the policy and used to document this review had been updated for consistency.

Current Assessment of Compliance



In Compliance

During the current period, in order to test the documentation associated with implementation of the UCPD’s policy, the Monitor requested a list of all training provided from which it would randomly select training for a more thorough review.¹ After reviewing some documentation and having several follow-up discussions it was determined that the best examples of UCPD’s compliance with this ER is the curricula review of the planned Active Shooter Training titled “*Advanced Law Enforcement Rapid Response Training*” (ALERRT) and “*Integrating Communications, Assessment and Tactics*” (ICAT). These courses will be taught by UCPD instructors after having attended train-the-trainer course and were clearly evaluated prior to being delivered.

While the above documentation demonstrates compliance, during its review the Monitor noted several areas of the UCPD’s policy and processes that are in need of clarification and streamlining. Specifically, the manner in which curriculum is requested, acquired, and retained including the documented review. As an example, even though the Taser training was required in order to deploy Tasers, and the curriculum was created by Taser and delivered by UCPD’s weapons instructors, according to the Training Unit, a review of the curriculum was not conducted prior to the course being taught.

As a result of its review this period, the Monitor and the UCPD have agreed to address these and other issues in a collaborative manner in the coming weeks. At a minimum, going forward, documentation similar to the ALERRT and ICAT should be provided on all courses that are taught by UCPD instructors. And the UCPD must develop a comprehensive listing that includes any and

¹ After reviewing the UCPD’s submission and after several follow-up discussions, it was decided that this ER was meant to address only those courses and training taught by UCPD instructors because the review of training taught by outside vendors is covered by a ER 6.14.A. As a result the MADC were modified to reflect this point.



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all training attended by its members and ensure such information is included in the new Learning Management System going forward.

Next Review

The Monitor will assess compliance with this ER on an on-going basis to include a review of all training courses taught by UCPD instructors. At a minimum, the next scheduled review will be in Q9 ending March 31, 2019.

COMPLIANCE MEMORANDUM

DATE: APRIL 10, 2018
REC. REF. NO.: 6.14.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

The majority of continuing education training for all employees is conducted off-site, by non-UCPD instructors and without any requirement that the curricula be reviewed or approved by UCPD or that officers who attend such training bring a copy of the syllabus back for their training files.

Exiger Recommendation (“ER”)

UCPD should require by policy that all non-UCPD training [outside vendor] be reviewed and approved prior to authorizing attendance at such program, and that a syllabus of such training be obtained for inclusion in the attending employee’s file.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a policy requiring that all non-UCPD training be reviewed and approved prior to authorizing attendance at such program, and that a syllabus of such training be obtained for inclusion in the attending employee’s file;
- 2) We obtain proof that the policy is being followed in practice;
- 3) UCPD has assigned the task of reviewing and approving non-UCPD training to an individual or group of individuals who are qualified and knowledgeable about best practices in training and policing in an urban campus environment.

Note: This is not meant to cover OPOTA or other state of Ohio mandated training.

UCPD Proffer of Compliance

“The University of Cincinnati Police Division’s Training and Professional Development Policy (attached) requires that all non-UCPD training be reviewed and approved prior to authorizing attendance at such program. Currently, all courses are reviewed through the training request and/or through the Course Consideration Analysis; the determination on how to review is made on whether or not there are similar courses for the purposes of comparison. Every training request must also include the course description with its syllabus/curriculum to be taught. Attached are examples of a recent course consideration analysis, course approval, and a course description with syllabus to show the implementation of this recommendation. Additional documents may be requested by the monitor for courses listed in the Training Request Tracker (attached), but no additional course consideration analyses have been conducted since the monitor’s Q4 assessment of ER 6.12.D.”

Data Reviewed

1. Training Policy

2. Training request Tracker
3. New Supervisor Course Consideration Analysis
4. New Supervisor Course Approval
5. FLETC Description with syllabus

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the policy requirements and standards at the time of the review had been met. The Monitor noted that the policy outlined the evaluation process for outside vendor taught courses and provided feedback that the documentation needed additional detail to ensure proper tracking. Lastly, a syllabus or copy of the course content must be maintained and associated with the attending employee.

Current Assessment of Compliance



Partial Compliance

As stated in the UCPD's proffer of compliance (above in italics), the UCPD submitted the course consideration analysis, evaluation and approval documentation for the supervisory course (FLETC) as an example of compliance. The Monitor reviewed that documentation and except for not identifying the person who conducted the analysis, the documentation was sufficient for that particular course. To further test implementation, the Monitor requested follow-up documentation from the UCPD's list of training. Specifically the Monitor randomly selected a few vendor courses that were listed as having been attended – one on sexual assault response and investigation, and one on crowd control, and requested a copy of the syllabus for the course on the Glock firearms to ensure it was retained as an accurate record of employee training as required.

The Training Unit forwarded the Glock syllabus which demonstrated compliance with keeping training records attached to employee files, but was not able to provide similar evaluation documentation ("course consideration analysis and evaluation") for those two courses. Rather, the UCPD submitted the associated training request forms which do indicate supervisory approval but does not adequately document an assessment. The Training Unit staff indicated that the sexual assault investigation course was only offered one time by CPD and the UC Title IX office which prevented a full evaluation prior to attendance, and the crowd control course was not evaluated because the Chief said the course had to be done immediately as it related to a specific time sensitive events and was critical to have officers attend the training expeditiously.

While the above documentation demonstrates partial compliance, during its review the Monitor noted several areas of the UCPD's policy and processes that are in need of clarification and streamlining. Specifically, the manner in which curriculum is requested, acquired, and retained including the documented review. As a result, the Monitor and the UCPD have agreed to address these and other issues in a collaborative manner in the coming weeks.

Next Review

The Monitor will assess the UCPD's compliance with this ER in Q7 ending September 30, 2018.

COMPLIANCE MEMORANDUM

DATE: APRIL 16, 2018
REC. REF. NO.: 6.15.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

There are serious deficiencies noted in command oversight of training including: the lack of a Training Committee (despite it being named in the SOP); the lack of review (or available evidence of review) of course curricula by the TU Lieutenant or Training Committee; the lack of an annual Continuing Education Plan and Learning Needs Assessment; and the lack of oversight over outside training.

Exiger Recommendation (“ER”)

UCPD should review, approve, and maintain the curriculum of every outside course approved for attendance by a UCPD officer.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD implements a policy requiring that it review, approve, and maintain the curriculum of every outside course approved for attendance by a UCPD officer; and, is in practice, reviewing, approving, and maintaining the curriculum of every outside course approved for attendance by a UCPD officer.

UCPD Proffer of Compliance

“The University of Cincinnati Police Division’s Training and Professional Development Policy (attached) requires that all non-UCPD training be reviewed and approved prior to authorizing attendance at such program. Currently, all courses are reviewed through the training request and/or through the Course Consideration Analysis; the determination on how to review is made on whether or not there are similar courses for the purposes of comparison. Every training request must also include the course description with its syllabus/curriculum to be taught. Attached are examples of a recent course consideration analysis, course approval, and a course description with syllabus to show the implementation of this recommendation. Additional documents may be requested by the monitor for courses listed in the Training Request Tracker (attached), but no additional course consideration analyses have been conducted since the monitor’s Q4 assessment of ER 6.12.D.”

Data Reviewed

1. Training Policy
2. Training request Tracker
3. New Supervisor Course Consideration Analysis
4. New Supervisor Course Approval
5. FLETC Description with syllabus

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the policy outlined the process to be followed to review, approve and retain training curricula as required. The UCPD submitted examples course curricula as a means of demonstrating their requirement to retain such materials.

Current Assessment of Compliance

Partial Compliance

The icon consists of a circle with a vertical green-to-white gradient.

As stated in the UCPD's proffer of compliance (above in italics), the UCPD submitted the outside training course syllabus for the supervisory course (FLETC) as an example of compliance. To further test implementation, the Monitor requested follow-up documentation from the UCPD's list of training, specifically curriculum for the outside vendor courses listed as having been attended by UCPD employees, one on sexual assault response and investigation and one on crowd control. While the Training Unit provided a flyer that contained an outline of the sexual assault course, it was not able to provide similar the curriculum for the crowd control course stating that often they do not was not evaluated because the Chief said the course had to be done immediately as it related to a specific time sensitive issue.

While the above documentation demonstrates partial compliance, during its review the Monitor noted several areas of the UCPD's policy and processes that are in need of clarification and streamlining. Specifically, the manner in which curriculum is requested, acquired, and retained including the documented review. As a result, the Monitor and the UCPD have agreed to address these and other issues in a collaborative manner in the coming weeks.

Next Review

The Monitor will again assess the UCPD's compliance with this recommendation in Q7 ending September 30, 2018.

COMPLIANCE MEMORANDUM

DATE: APRIL 16, 2018
REC. REF. NO.: 6.16.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

The Training Unit lacks basic management practices including: the lack of creation, maintenance and retention of curriculum, expanded course outlines, and/or lesson plans for courses; best practice templates for the design and evaluation of training; and regular course assessments.

Exiger Recommendation (“ER”)

UCPD should complete regular assessments of courses and training delivery and ensure that curricula include relevant and realistic officer tasks and competencies.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements policies and procedures requiring regular assessments of courses and training;
- 2) The policy assures that the assessments are conducted in such a way to ensure that a curriculum includes relevant and realistic officer tasks and competencies;
- 3) These assessments are, in practice, being performed in such a way to ensure that curricula includes relevant and realistic officer tasks and competencies (on-going)
- 4) The individuals assigned to conduct these assessments are qualified and knowledgeable about best practices in training and policing in an urban campus environment (on-going)

UCPD Proffer of Compliance

“The University of Cincinnati Police Division has created a Training and Professional Development Policy (attached) that requires all internal and external courses, as well as instructors, to be evaluated. Instructors are evaluated by the students when completing a course, as well as evaluated by the Training Section Supervisor or his/her designee on an annual basis (see attached Forms 100H and 100I). In the past, evaluations have been completed on paper, but the new Learning Management System (LMS) has the ability to ensure reviews are completed anonymously by the officer and that the class will not show as completed until the review is completed. Attached the monitor will find the 2017 Training Request Tracker and the 2017 Continuing Professional Development spreadsheet, listing trainings attended and from which the monitor may request additional documentation to show the UCPD’s compliance with the implementation of the evaluation processes.

The completion of these evaluation forms on an ongoing basis provides one of the many sources of information included for review and consideration during the annual Training Needs Analysis (see page 14 of the TPD policy). As described on pages 9 and 10 of the TPD policy, “In an effort to maintain a curriculum that continually aligns with UCPD’s mission, vision, and values, and

includes relevant and realistic employee tasks, the Training Committee will conduct an annual Training Needs Analysis (TNA). The results of this analysis will determine whether courses are to be continued, updated, or retired.” The 2018 annual Training Needs Analysis is not scheduled until June 2018, so further documentation of this process is not expected to be available to the monitor until late in Q6 or Q7. Furthermore, due to the large number of new trainings that have been implemented in the last two years, there has not been a recent annual review of an ongoing course.

Data Reviewed

1. Training Policy
2. 2017 CPT spreadsheet
3. 2017 Training Request Tracker
4. Trainer Observation and Evaluation (Form 100I)
5. Student Course and Trainer Evaluation (Form 100H)

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the policy outlined the process to be followed to complete regular assessments of courses and training delivery and ensure that curricula include relevant and realistic officer tasks and competencies as required. The UCPD submitted an Annual Training Schedule as part of the Training policy which included the task and competencies for officers, sergeants, security officers and dispatchers and explained that the established Training Review Committee appointed by the Chief of Police includes the key members of the Department including the Training Unit staff, other members of the UCPD (an officer, a sergeant, a union representative, and a dispatch officer) and outside elements to include a member of the Student Safety Board and the Community Advisory Council.

Current Assessment of Compliance

DW - Determination Withheld

As stated in the UCPD’s proffer of compliance (above in italics), the UCPD specifically requires training courses be evaluated on an ongoing basis and has completed some documentation in that regard. However, the Training Needs Analysis (TNA) which is purported to be conducted by the Training Review Committee which is an integral part of the process as articulated by UCPD in its policy and its Q1 proffer of compliance, has not yet been completed. The TNA is currently scheduled to be complete in June 2018. Consequently the Monitor is withholding its determination of compliance until documented evidence of compliance is submitted.

Next Review

The Monitor will again assess the UCPD’s compliance with this recommendation in Q7 ending September 30, 2018.

COMPLIANCE MEMORANDUM

DATE: APRIL 10, 2018
REC. REF. NO.: 6.16.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

The Training Unit lacks basic management practices including: the lack of creation, maintenance and retention of curriculum, expanded course outlines, and/or lesson plans for courses; best practice templates for the design and evaluation of training; and regular course assessments.

Exiger Recommendation (“ER”)

Ensure that the TU Lieutenant approve all internal courses and lesson plans, and approve all outside courses prior to employees being allowed to attend to ensure consistency with UCPD policies, procedures, practices and agency mission, vision, and values.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a policy requiring that the TU Lieutenant approve all internal courses and lesson plans;
- 2) UCPD implements a policy requiring that the TU Lieutenant approve all outside courses prior to employees being allowed to attend;
- 3) The TU Lieutenant is, in fact, approving all internal courses and lesson plans, and approving all outside courses prior to employees being allowed to attend; and
- 4) When approving courses, the TU Lieutenant is ensuring consistency with UCPD policies, procedures, practices and agency mission, vision, and values.

UCPD Proffer of Compliance

“The University of Cincinnati Police Division has created a Training and Professional Development Policy (attached) that requires all courses, internal and external, to be reviewed and approved by the Training Lieutenant or an assigned delegate prior to attendance.

The training policy requires the mandatory attendance by the training Lieutenant or an appropriate delegate for the purpose of evaluation. This evaluation will help to ensure that any training implemented is effective along with being in alignment with the UCPD mission and values. Prior to attendance at a course, a Course Consideration Analysis is completed. Once the course is attended the evaluation is completed by a designated delegate. This allows for future consideration of the course and whether UCPD will continue with specific courses.

The training policy also specifically requires training courses and instructors to be evaluated. Evaluation, assessment, and implementation are completed on an ongoing basis. Instructors are evaluated by the students when completing a course, as well as evaluated by the Training Lieutenant or an appropriate delegate on a yearly basis. In the past, reviews have been completed on paper, but the new Learning Management System (LMS) has the ability to ensure reviews are

completed anonymously by the officer and that the class will not show as completed until the review is completed.

Template documents for these processes are listed below. Some were previously provided to the monitor for these specific recommendations in Q1, while others were previously submitted in support of other training-related recommendations. Attached the monitor will find the 2017 Training Request Tracker, from which the monitor may request additional documentation to show the UCPD's compliance with the implementation part of the review, approval, and evaluation processes."

- *Form 100A Course Consideration Analysis*
- *Form 100B Vendor Course Review*
- *Form 100C Internal Course Review*
- *Form 100D New Course Approval*
- *Form 100E Public Safety Training Request*
- *Form 100H Student Course and Trainer Evaluation*
- *Form 100I Trainer Observation and Evaluation*

Data Reviewed

1. UCPD Training and Development Policy dated March 22, 2017
2. UCPD Training Course Approval Draft

Prior Assessment of Compliance

The Monitor last assessed the UCPD's compliance with this requirement in Q1 ending March 31, 2017 and found that the UCPD met the policy requirements but needed to conduct a more in-depth evaluation of the implementation of the procedures during its next review as such procedures had not yet been fully implemented.

Current Assessment of Compliance



In Compliance

During the current period, in order to test the documentation associated with implementation of the UCPD's policy, the Monitor requested a list of all training provided from which it would randomly select training for a more thorough review. After reviewing the documentation submitted and having several follow-up discussions it was determined that for the most part, the documentation demonstrates that the TU Lieutenant is in fact approving training to ensure consistency with UCPD policies, procedures, practices and agency mission, vision, and values.

While a review of the above curriculum demonstrated compliance the manner in which the approval of training courses and lesson plans is documented is inconsistent and differs depending on too many variables making the process of documentation retention onerous and unwieldy. As stated elsewhere in this report, the Monitor's review noted several areas of the UCPD's policy and processes that are in need of clarification and streamlining. The Monitor and the UCPD have agreed to address these and other issues in a collaborative manner in the coming weeks.



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Next Review

The Monitor will again assess the UCPD's compliance with this recommendation in Q9 ending March 31, 2019.

COMPLIANCE MEMORANDUM

DATE: MARCH 29, 2018
REC. REF. NO.: 6.19.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

There is no policy that requires the TU Lieutenant to attend training for the purpose of oversight of the training being presented.

Exiger Recommendation (“ER”)

Ensure that UCPD develops a policy which charges the TU Lieutenant or appropriate designee with mandatory attendance of training in order to evaluate, in writing, its effectiveness.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a policy which charges the TU Lieutenant with mandatory attendance of training in order to evaluate, in writing, its effectiveness;
- 2) The policy is in line with best practices in the industry; and
- 3) The policy is being followed in practice.

Note: This recommendation is not meant to require that UCPD evaluate any OPOTA training.

UCPD Proffer of Compliance

“The University of Cincinnati Police Division has created a Training and Professional Development Policy (attached) that requires all courses, internal and external, to be reviewed and approved by the Training Lieutenant or an assigned delegate prior to attendance.

The training policy requires the mandatory attendance by the training Lieutenant or an appropriate delegate for the purpose of evaluation. This evaluation will help to ensure that any training implemented is effective along with being in alignment with the UCPD mission and values. Prior to attendance at a course, a Course Consideration Analysis is completed. Once the course is attended the evaluation is completed by a designated delegate. This allows for future consideration of the course and whether UCPD will continue with specific courses.

The training policy also specifically requires training courses and instructors to be evaluated. Evaluation, assessment, and implementation are completed on an ongoing basis. Instructors are evaluated by the students when completing a course, as well as evaluated by the Training Lieutenant or an appropriate delegate on a yearly basis. In the past, reviews have been completed on paper, but the new Learning Management System (LMS) has the ability to ensure reviews are completed anonymously by the officer and that the class will not show as completed until the review is completed.

Template documents for these processes are listed below. Some were previously provided to the monitor for these specific recommendations in Q1, while others were previously submitted in support of other training-related recommendations. Attached the monitor will find the 2017 Training Request Tracker, from which the monitor may request additional documentation to show the UCPD's compliance with the implementation part of the review, approval, and evaluation processes.

- *Form 100A Course Consideration Analysis*
- *Form 100B Vendor Course Review*
- *Form 100C Internal Course Review*
- *Form 100D New Course Approval*
- *Form 100E Public Safety Training Request*
- *Form 100H Student Course and Trainer Evaluation*
- *Form 100I Trainer Observation and Evaluation*

Data Reviewed

1. UCPD Training and Development Policy dated March 22, 2017
2. Training Request Tracker

Prior Assessment

The Monitor last assessed the UCPD's compliance with this ER in Q1 ending March 31, 2017, finding the UCPD in compliance as its Training policy adequately outlined the duties and responsibilities of the Training Unit lieutenant or designee to personally observe and evaluate every UCPD and outside/Vendor.

Current Assessment of Compliance



Partial Compliance

While the UCPD's proffer of compliance (above in italics), states that the policy requires the mandatory attendance by the training Lieutenant or an appropriate delegate for the purpose of evaluation, currently the documentation does not adequately demonstrate that this process has been fully implemented. Based on follow-up conversations with UCPD staff, it appears that some exceptions based on the unnecessary step of attending obvious reliable courses such as those designed by reputable Federal and/or State agencies and other exceptions exists wherein logistical constraints need to be factored into the process. As stated elsewhere in this report, the Monitor's review noted several areas of the UCPD's policy and processes that are in need of clarification and streamlining. The Monitor and the UCPD have agreed to address these and other issues in a collaborative manner in the coming weeks.

Next Review

The Monitor will again assess the UCPD's compliance with this ER in Q7, ending September 30, 2018.

COMPLIANCE MEMORANDUM

DATE: FEBRUARY 20, 2018
REC. REF. NO.: 6.22.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

The UCPD currently has a basic OPOTC-certified Police Academy located on its Clermont campus which is unused by UCPD.

Exiger Recommendation (“ER”)

UCPD should consider utilizing the Clermont Campus OPOTC-certified Police Academy as its own internal academy where UCPD sponsored/hired cadets could attend.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD proves that it gave meaningful consideration to utilizing the Clermont Campus OPOTC-certified Police Academy as its own internal academy where UCPD sponsored/hired cadets could attend.

UCPD Proffer of Compliance

“UC Public Safety Department leadership thoroughly investigated and considered the possibility of utilizing the Clermont Campus OPOTA-certified police academy where sponsored cadets could attend. After careful consideration, it was determined that the best police training available in this region is available at the Cincinnati Police Academy. Arrangements have been made for UC police new-hires to attend CPD’s Academy for basic certification training. In fact, UCPD has two recruits currently attending CPD’s Academy. Additionally, CPD has made substantial initial investment in creating a regional police academy for all agencies in this region. From a quality training perspective as well as a reasonable and efficient business decision, UC will utilize CPD’s Academy for police new hires.”

Data Reviewed

No additional materials were reviewed.

Current Assessment of Compliance

In Compliance

As described in the UCPD’s proffer of compliance (above in italics) the UCPD has decided to use the Cincinnati Police Department’s police academy, which is also certified by the Ohio Peace Officer Training Commission (OPOTC), to train all of its newly hired police recruits. The Monitor applauds the decision as it will ensure that its new officers receive quality training consistent with other agencies in the region.



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Next Review

No further review of this ER is needed.

COMPLIANCE MEMORANDUM

DATE: JULY 17 2018
REC. REF. NO.: 6.1.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Training Policies and Procedures are generic and out dated and do not meet the needs of UCPD.

Exiger Recommendation (“ER”)

UCPD should require proper tracking and evaluation of all courses and instructors.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD drafts a policy requiring the tracking of students’ evaluation of all training courses and instructors, and when this policy is being followed in practice.

Proffer of Compliance

“The Training and Professional Development Policy requires the use of a template to ensure developed training is designed based on best practices as well as tracking and evaluation of all training courses and instructors. The University of Cincinnati Police Division has created a “Facilitator Guide Template” in order to assist instructors with designing lesson plans for trainings (see page 14 in policy and attached Form 100J). The template is modeled after the OPOTA template, but modifications were made to ensure it is consistent with best practices. Recent examples are attached. As described in the policy, in order to ensure internally developed courses adhere to the established approval requirements, UCPD has created templates for Internal Course Review (attached Form 100C), which is used for review by the Training Committee, and the New Course Approval (attached Form 100D), which documents UCPD chain of command approval prior to a course being included in the curriculum. Recent examples are attached.

The Training Section also utilizes two forms for evaluating training courses as well as training delivery by instructors (see pages 17-19 in policy). The first evaluation form, Trainer Observation and Evaluation (attached Form 100I), is completed by the Training Section Commander or a designee at least annually for each trainer. For instructors who teach multiple courses, they are evaluated in one course per year on a rotating basis. This form is used to formally evaluate all UCPD trainers against six training competencies: preparedness, comfortable learning environment, classroom management, communication, facilitation, and content knowledge. Vendor trainers may also be evaluated on the Form 100I by the Training Section Supervisor or designee when they train a course internally; if any vendor trainer is not evaluated, a Form 5 will document the reasoning. The completed Form 100Is will also be used to determine whether trainers will continue to instruct courses for UCPD. Completed Trainer Observation and

Evaluation Forms were previously submitted to the monitor in Q4 (ER 6.12.E/6.18.A) for three UCPD instructors (Polly, Richey, and Wiehe) and one third party instructor (Young from Vistelar). The only evaluation completed since then is for Fair and Impartial Policing instructed by John Dejarnette (attached). An additional evaluation for ALERRT, instructed by Lt McKeel and Officer Reeme, will be completed June 22, 2018 and can be provided to the monitor at that time.

The second evaluation form, Student Course & Trainer Evaluation (attached Form 100H), is completed by each student to evaluate the course and the instructor from their perspective. This form is completed by students following each training they attend, whether it was taught internally or by a third-party vendor. The evaluation process is now completed via the Learning Management System and students do not receive credit for the course being completed until their evaluation is completed. The evaluation form includes key performance indicators related to the following five areas, as required by policy: 1) Subject Knowledge, 2) Organization, 3) Communication, 4) Learner Engagement, and 5) Facilitation Skills.

Copies of Student Course Evaluation Forms for the following courses were previously submitted to the monitor in Q4: Practical Application of Use of Force, Taser Training, ALERRT (Advanced Law Enforcement Rapid Response Training), and Internal Affairs Investigation Training. A sample of additional completed Student Course and Trainer Evaluations (Form 100H) can be provided to the monitor based on the attached list of trainings. Attached the monitor will also find examples of a summary report produced in the Learning Management System of these evaluations for selected instructors.

The Training and Professional Development Policy was recently revised and will be re-disseminated to UCPD personnel via Power DMS after the monitor reviews it; evidence of such will be provided to the monitor via Power DMS at that time.”

Data Reviewed

1. Training and Professional Development Policy
2. Facilitator Guide Template Form 100J
3. Completed Form 100J: Practical Application of Force; Radio Etiquette
4. Internal Course Review Form 100C
5. New Course Approval Form 100D
6. Completed Form 100C: Practical Application of Force; Radio Etiquette
7. Trainer Observation and Evaluation Form 100I
8. Completed Trainer Observation and Evaluation Form: Dejarnette, forthcoming for McKeel & Reeme
9. Student Course & Trainer Evaluation Form 100H
10. List of 2017-2018 trainings to date
11. Summary Report of Student Evaluations for Richey, McKeel, Dejarnette

Current Assessment of Compliance



In Compliance



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The UCPD recently implemented a Learning Management System (LMS) "Success Factors" in collaboration with the University of Cincinnati's Office of Human Resources. The LMS has the capability to track all training records including student evaluations of courses attended. The UCPD Training policy has also been revised to require the tracking of the various evaluation forms for courses and instructors, as well as student attendance records which is described in detail above in the UCPD's proffer of compliance. The Monitor has reviewed the documentation submitted, to include complete course and student evaluations and printouts of the LMS record keeping for randomly selected personnel. Consistent with the revised policy, the Monitor found that the UCPD is appropriately tracking training evaluations and courses as required by this ER.

Concluding Review

While the Monitor planned to review the continued implementation of this ER through an annual review, given the UCPD's decision to end the voluntary monitorship early, the Monitor will not conduct any further review but suggests the UCPD/OSR conduct internal inspections of this topic.

COMPLIANCE MEMORANDUM

DATE: JULY 1, 2018
REC. REF. NO.: 6.1.H
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Training Policies and Procedures are generic and out dated and do not meet the needs of UCPD.

Exiger Recommendation (“ER”)

Ensure that training opportunities are available to all employees both sworn and unsworn.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD drafts a policy that makes training opportunities available to all employees, including both sworn and unsworn officers.

Proffer of Compliance

“The management of the Training Section is consistent with the UCPD’s Vision Statement, Mission Statement, and Core Principles (VSMV), which indicates that “We support our personnel and invest heavily in our training and education to enhance the quality of service we provide.”

The policy statement of the Training and Professional Development policy states the following: “It is the policy of the UCPD to emphasize training as an integral component of employee development. From the time employees are initially hired until the end of their careers, training impacts every aspect of their job. The UCPD has developed this training policy to ensure its employees are equipped with the skill, knowledge, and ability required to decisively and correctly respond to a broad spectrum of situations.”

Both the VSMV and the TPD policy refer to investing in training for all personnel and employees, not just sworn officers.

It is important to note, however, that while training opportunities are available to all employees, this does not necessarily mean that all employees have the same training opportunities as the target audiences for specific trainings may be specialized. Where the content of the training has been appropriate for non-sworn personnel, in 2017 and 2018, a number of training courses have been extended to security officers and/or dispatchers, in addition to sworn law enforcement officers. Recent examples of this include: CIT Training for security officers and dispatchers (see documents submitted for 3.8.B/9.4.A), FIP training for security officers, and the ongoing Office of Equity and Inclusion training workshops for security officers and dispatchers (see documents submitted for 2.2.B/6.7.G). Furthermore, the ongoing in-service training (May-October) includes training on the critical decision-making model (ICAT) and CPR and will be offered to law enforcement officers, security officers, and dispatchers. The ALERRT training that is scheduled

for the second half of the week-long in-service training is for law enforcement officers only, so the Training Section is currently researching courses related to that topic that are appropriate for dispatchers. Finally, those personnel undergoing CPR instructor training include three law enforcement officers, two dispatchers, and two UCPD staff.

The UCPD Training Section maintains two training boards in both the Patrol station and the Communications Center (see attached for photos of the boards). This is one of the Training Section's primary ways of advertising available training to UCPD employees. The Training Section is also utilizing the new Learning Management System to communicate with employees regarding available classes. When employees are interested in an advertised training, they complete a Training Request Form 100E to the Training Section. The attached Training Request Trackers for 2017 and 2018 show diversity in the personnel submitting training requests & being granted approvals. Specifically, it includes training requests from sworn law enforcement officers and non-sworn dispatchers. It also includes training requests from non-sworn employees in the Training Section and Field Operations Bureau, as well as non-sworn employees employed in various Offices of the Department of Public Safety (e.g., Business Affairs, Business Continuity & Emergency Management, Public Information, IT/Technical Services).

Data Reviewed

1. Vision Statement, Mission Statement and Core Principles
2. Training and Professional Development Policy
3. Photos of training boards in UCPD Communication Center and UCPD Patrol Station
4. 2017 and 2018 Training Request Tracker

Current Assessment of Compliance

In Compliance

As was encouraged by the Monitor through a continual dialog with the UCPD, the UCPD now offers several training opportunities which were traditionally offered to sworn officers only, to appropriate civilian staff. This is important for individual professional development, divisional teambuilding, but more importantly, is critical to the safety of the UC community. Many of the policing issues cross-over into the duties and responsibilities of both security and dispatch officers such as response to active shooter situations. The Monitor commends the UCPD for including these and other affected personnel in relevant training events.

Concluding Review

While the Monitor planned to review the continuing implementation of this ER through an annual review, given the UCPD's early withdraw from the voluntary monitorship, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JULY 1, 2018
REC. REF. NO.: 6.7.H
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the hours of mandatory in-service training required of all UCPD employees (16 hours beyond the 2015 State mandated training and 9 hours beyond the new 2016 requirement) is sufficient, additional training time would be beneficial.

Exiger Recommendation (“ER”)

Centralize and maintain records of all training in an electronic format which becomes part of an Officer’s personnel package.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a policy requiring that all records of training are centralized and maintained in an electronic format which becomes part of an Officer’s personnel package;
- 2) All records of training at UCPD are centralized and maintained in an electronic format and become part of a UCPD Officer's personnel package.

Proffer of Compliance

“The UCPD Training and Professional Development Policy includes requirements on page 20 for documenting training attendance for both internal and external courses and states that “Course completion records for each employee will be maintained in the LMS for a period of five years post separation of employment.” Note that the training records are maintained separately from the personnel records maintained by Office of Business Affairs, but the information can be linked through the employee’s name.

The UCPD Training Section is in the process of implementing the "Success Factors" Learning Management System (LMS) in collaboration with the University of Cincinnati’s Office of Human Resources. The LMS has the capability to track all training records. As of February 1, 2018, all new training initiatives are being recorded as they occur.

For all current employees, the training documents for the last two years have been entered into the LMS and the Training Section can provide a sample of employee training records entered to date upon request. The Training Section anticipates that the full historical data for all current employees will be entered into the LMS by early Quarter 7 to ensure accurate personnel training histories, but a sample of these full employee training records will not be available for the monitor

until that time. The monitor team may also view LMS employee training records during future onsite visits.

As described on page 20, training documentation for employees who left the UCPD prior to the implementation of the LMS is maintained on hard copies. Employees who leave the UCPD from this point forward will be deactivated in the LMS, but their records will be maintained electronically and remain accessible for the five-year post-separation period.”

Data Reviewed

1. Training and Professional Development Policy
2. LMS Employee Training Records (sample provided upon request)

Current Assessment of Compliance

In Compliance

The UCPD recently implemented a Learning Management System (LMS) "Success Factors" in collaboration with the University of Cincinnati's Office of Human Resources. The LMS tracks all training records including student's attendance of training courses. The UCPD Training policy has also been revised to require the tracking of student attendance records which is described in detail above in the UCPD's proffer of compliance. The Monitor has reviewed the documentation submitted, to include printouts of the LMS training records for randomly selected personnel and compared courses attended with those with the manual tracking system. Consistent with the revised policy, the Monitor found that the UCPD is appropriately tracking courses attended as required by this ER.

Concluding Review

While the Monitor planned to review the continuing implementation of this ER through an annual review, given the UCPD's decision to end the voluntary monitorship early, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JULY 23, 2018
REC. REF. NO.: 6.12.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Training delivery currently is left to the discretion of each individual instructor at UCPD. There is no standard requirement that the training include role play, scenarios or table top exercises and no indication that adult learning methodology is consistently applied.

Exiger Recommendation (“ER”)

Require curriculum review before a class is taught.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a policy requiring that curriculum be reviewed before a class is taught;
and
- 2) UCPD has assigned the task of reviewing curriculum to an individual or group of individuals who are qualified and knowledgeable about best practices in training and policing in an urban campus environment.

Note: The above requirements are meant to apply to any training taught/delivered by UCPD instructors with the exception of OPOTA mandated curriculum.

UCPD Proffer of Compliance

“The University of Cincinnati Police Division’s Training and Professional Development Policy (attached) requires curriculum review before a class is taught by a UCPD instructor. The review and approval process depends on whether the course is externally or internally developed. For a course that is developed by a third party vendor but that will be delivered by a UCPD instructor (after attending a train-the-trainer certification), the Training Section utilizes the Course Consideration Analysis and Vendor Course Review (Forms 100A and B). Since the last assessment of this ER, no new externally developed courses that would have been instructed by a UCPD instructor have been reviewed.

For a course that is developed internally, the UCPD’s Training and Professional Development Policy (attached) requires on page 14 that: 1) the course be developed based on the Facilitator Guide Template (Form 100J), 2) the course be reviewed by the Training Committee or Training Section using the Internal Course Review Form 100C, and 3) the course be approved using the New Course Approval Form 100D prior to it being included in the curriculum and taught to UCPD employees. Since the last assessment of this ER, the only internally developed training that falls in

this category is Radio Etiquette. The documents for its development, review and approval were submitted to the monitor under ER 6.16.B/6.1.C this quarter.

Roll call training is a noted exception to this process on page 14. The review and approval process for roll call training is described on page 21 of the policy:

Once the training topic and the trainer are identified, the trainer will create the training content utilizing the approved training format and standards. The trainer will complete an Internal Correspondence Memo, Form-5 and include a list of SPOs, a summary of the training, and the estimated training completion date. The trainer will also provide a copy of the training content.

The Training Section Supervisor or designee will review the training to ensure it meets Division training format and standards. Once it is determined that the training meets the minimum requirements, the Training Section Supervisor or designee will approve the training and maintain a copy for the Training Section records.

Examples of roll call training developed in Quarter 6 and the Form 5's documenting the review and approval of the trainings by the Training Section are available to the monitor under the ERs associated with Mental Health Calls for Service (9.5.B), Use of Force policy revisions (3.1.A), Surveillance and Confidential Informants Policies (4.8.A and 4.9.A), and Arrest (4.1.A)."

Data Reviewed

1. Training Policy
2. Course Consideration Analysis 100A
3. Vendor Course Review 100B
4. Internal Course Review Form 100C
5. New Course Approval Form 100D
6. Completed Forms 100C, D, and J: Radio Etiquette (uploaded under 6.16.B/6.1.C)

Prior Assessment of Compliance

The Monitor assessed the UCPD's compliance with this ER during Q2 ending June 30, 2017, Q4 ending December 31, 2017, and Q5 ending March 31, 2018. While the Monitor found the UCPD in compliance with the policy requirements at the time of those reviews, during Q5 the Monitor noted several areas that needed to be clarified regarding curriculum requests and retention.

Current Assessment of Compliance

In Compliance

As described in the UCPD's proffer of compliance (above in italics), during the current period the Monitor reviewed the documentation submitted and confirmed that the UCPD now has a process in place to review curriculum prior to being taught by UCPD instructors, regardless of who developed the curriculum, and whether it is developed for formalized training or roll call briefings.



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This curriculum review is the responsibility of the Training Unit lieutenant or his designee, typically the Training Consultant, both of whom are qualified to do so.

Next Review

The Monitor had planned to test further implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

COMPLIANCE MEMORANDUM

DATE: JULY 23, 2018
REC. REF. NO.: 6.14.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

The majority of continuing education training for all employees is conducted off-site, by non-UCPD instructors and without any requirement that the curricula be reviewed or approved by UCPD or that officers who attend such training bring a copy of the syllabus back for their training files.

Exiger Recommendation (“ER”)

UCPD should require by policy that all non-UCPD training [outside vendor] be reviewed and approved prior to authorizing attendance at such program, and that a syllabus of such training be obtained for inclusion in the attending employee’s file.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a policy requiring that all non-UCPD training be reviewed and approved prior to authorizing attendance at such program, and that a syllabus of such training be obtained for inclusion in the attending employee’s file;
- 2) We obtain proof that the policy is being followed in practice;
- 3) UCPD has assigned the task of reviewing and approving non-UCPD training to an individual or group of individuals who are qualified and knowledgeable about best practices in training and policing in an urban campus environment.

Note: This is not meant to cover OPOTA or other state of Ohio mandated training.

UCPD Proffer of Compliance

“As recommended in 6.14.A and 6.15.D, the University of Cincinnati Police Division’s Training and Professional Development Policy (attached) requires that all non-UCPD training be reviewed and approved by the Training Section Supervisor or his/her designee prior to authorizing third party training for UCPD employees division-wide or individual attendance at third party training (see pages 12-15). Currently, all non-UCPD developed courses are reviewed either through the Course Consideration Analysis Form 100A and/or Vendor Course Review Form 100B OR through the Training Request Form 100E (all forms attached).

The review of external courses that are being considered by the Training Section to be offered to all UCPD officers is documented on the Course Consideration Analysis Form 100A and/or Vendor Course Review Form 100B, while the approval is documented on the New Course Approval Form 100D. In order to show implementation of this in Quarter 6, attached is the only Vendor Course Review Form 100B completed during the recent three-month period. This course is not being pursued further based on its review; therefore, there is no corresponding approval Form 100D.

The review of external courses that officers request to individually attend are documented on the Form 100E. This form must also include the course description and a syllabus or curriculum if available. The form also lists the training provider and includes the employee's description of how it benefits them and supports the UCPD mission and core principles. Finally, it includes documentation for the reason for approval/denial of training by the requesting employee's chain of command as well as the Training Section. The approval or denial of Form 100E training requests is documented on the Training Section's Training Request Tracker spreadsheet. Additional documents such as a sample of Form 100Es and their attached course descriptions may be requested for courses listed in the 2017-2018 list of training provided to the monitor.

The UCPD has previously discussed with the monitor the difficulties the Training Section has faced in obtaining syllabi and curricula from outside vendors. Typically, due to proprietary issues, all that is available to the Training Section for review and maintenance is a course description, schedule, or outline. Therefore, rather than requiring the maintenance of curriculum as recommended by 6.14.A and 6.15.D, the Training and Professional Development Policy requires on pages 20 and 22 that a course description for all approved courses for attendance will be manually entered and maintained in the LMS. Due to the configuration of the LMS, the course description information is not included in each individual employee's file, as the employee training file only lists course names, but descriptions can be easily retrieved from the master list of course descriptions.

It is important to note that the recently revised Training and Professional Development Policy now also includes two exempting provisions (pages 13-14) to the formal review and approval process described above and in the policy. First, "courses provided by national or state recognized organizations that are considered Best Practice do not require the formal evaluation and approval process as outlined in this policy. Examples of these organizations include, but are not limited to, the Federal Bureau of Investigations (FBI), Southern Police Institute (SPI), Ohio Peace Officer Training Academy (OPOTA), Police Executive Research Forum (PERF) and the Federal Law Enforcement Training Center (FLETC)." The policy requires documentation of these exemptions either on an Internal Correspondence Memo Form 5 (for training to be brought in-house) or the Form 100E (for individual training requests to attend a best practice course). Second, there is a Chief's exemption provision in the case of "an urgent and immediate need for training to be conducted." In these cases, the policy requires that the Training Section maintain documentation of the directive to conduct the training and the urgent need to bypass the normal process on an Internal Correspondence Memo, Form-5. An example of training that was approved via this exemption in Quarter 6 is the FEMA Irradiator Alarm Training (see attached Form 5), which was a mandated training provided by a nationally recognized organization for specific personnel."

Data Reviewed

1. Training and Professional Development Policy
2. Course Consideration Analysis Form 100A
3. Vendor Course Review Form 100B
4. New Course Approval Form 100D
5. Training Request Form 100E

6. Vendor Course Review Form 100B: Supervising the Toxic Officer
7. FEMA Irradiator Alarm Training Form 5 exemption

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the policy requirements and standards at the time of the review had been met. During Q5 ending March 31, 2018, the Monitor found partial compliance as its documentation review noted several areas in need of clarification.

Current Assessment of Compliance



In Compliance

As stated in the UCPD's proffer of compliance (above in italics), during the current period the Monitor reviewed the documentation submitted and confirmed that the UCPD now has a process in place to review outside vendor courses prior to attendance by UCPD personnel and to maintain copies of training materials that were approved. The Monitor agrees with the exemption related to vendors that are soundly reputable. While, the Monitor understands that on rare occasion there may be a need for expedited training to occur thereby delaying a full course review in advance of the training; there are no circumstances in which training should be attended by UCPD personnel without adequate review and oversight. Based on this feedback the UCPD revised its Training policy and will ensure that reviews do occur but could be delayed based on urgent circumstances.

As was agreed upon with the UCPD, any of the training materials reviewed for purposes of review and approval, whether those materials are titled "course outline", "student objectives" or "syllabus" should be maintained by the UCPD Training Unit in connection to the relevant employee's training records.

Next Review

The Monitor had planned to test further implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

COMPLIANCE MEMORANDUM

DATE: JULY 23, 2018
REC. REF. NO.: 6.14.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

The majority of continuing education training for all employees is conducted off-site, by non-UCPD instructors and without any requirement that the curricula be reviewed or approved by UCPD or that officers who attend such training bring a copy of the syllabus back for their training files.

Exiger Recommendation (“ER”)

UCPD should require by policy that all non-UCPD training [outside vendor] be reviewed and approved prior to authorizing attendance at such program, and that a syllabus of such training be obtained for inclusion in the attending employee’s file.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a policy requiring that all non-UCPD training be reviewed and approved prior to authorizing attendance at such program, and that a syllabus of such training be obtained for inclusion in the attending employee’s file;
- 2) We obtain proof that the policy is being followed in practice;
- 3) UCPD has assigned the task of reviewing and approving non-UCPD training to an individual or group of individuals who are qualified and knowledgeable about best practices in training and policing in an urban campus environment.

Note: This is not meant to cover OPOTA or other state of Ohio mandated training.

UCPD Proffer of Compliance

“As recommended in 6.14.A and 6.15.D, the University of Cincinnati Police Division’s Training and Professional Development Policy (attached) requires that all non-UCPD training be reviewed and approved by the Training Section Supervisor or his/her designee prior to authorizing third party training for UCPD employees division-wide or individual attendance at third party training (see pages 12-15). Currently, all non-UCPD developed courses are reviewed either through the Course Consideration Analysis Form 100A and/or Vendor Course Review Form 100B OR through the Training Request Form 100E (all forms attached).

The review of external courses that are being considered by the Training Section to be offered to all UCPD officers is documented on the Course Consideration Analysis Form 100A and/or Vendor Course Review Form 100B, while the approval is documented on the New Course Approval Form 100D. In order to show implementation of this in Quarter 6, attached is the only Vendor Course Review Form 100B completed during the recent three-month period. This course is not being pursued further based on its review; therefore, there is no corresponding approval Form 100D.

The review of external courses that officers request to individually attend are documented on the Form 100E. This form must also include the course description and a syllabus or curriculum if available. The form also lists the training provider and includes the employee's description of how it benefits them and supports the UCPD mission and core principles. Finally, it includes documentation for the reason for approval/denial of training by the requesting employee's chain of command as well as the Training Section. The approval or denial of Form 100E training requests is documented on the Training Section's Training Request Tracker spreadsheet. Additional documents such as a sample of Form 100Es and their attached course descriptions may be requested for courses listed in the 2017-2018 list of training provided to the monitor.

The UCPD has previously discussed with the monitor the difficulties the Training Section has faced in obtaining syllabi and curricula from outside vendors. Typically, due to proprietary issues, all that is available to the Training Section for review and maintenance is a course description, schedule, or outline. Therefore, rather than requiring the maintenance of curriculum as recommended by 6.14.A and 6.15.D, the Training and Professional Development Policy requires on pages 20 and 22 that a course description for all approved courses for attendance will be manually entered and maintained in the LMS. Due to the configuration of the LMS, the course description information is not included in each individual employee's file, as the employee training file only lists course names, but descriptions can be easily retrieved from the master list of course descriptions.

It is important to note that the recently revised Training and Professional Development Policy now also includes two exempting provisions (pages 13-14) to the formal review and approval process described above and in the policy. First, "courses provided by national or state recognized organizations that are considered Best Practice do not require the formal evaluation and approval process as outlined in this policy. Examples of these organizations include, but are not limited to, the Federal Bureau of Investigations (FBI), Southern Police Institute (SPI), Ohio Peace Officer Training Academy (OPOTA), Police Executive Research Forum (PERF) and the Federal Law Enforcement Training Center (FLETC)." The policy requires documentation of these exemptions either on an Internal Correspondence Memo Form 5 (for training to be brought in-house) or the Form 100E (for individual training requests to attend a best practice course). Second, there is a Chief's exemption provision in the case of "an urgent and immediate need for training to be conducted." In these cases, the policy requires that the Training Section maintain documentation of the directive to conduct the training and the urgent need to bypass the normal process on an Internal Correspondence Memo, Form-5. An example of training that was approved via this exemption in Quarter 6 is the FEMA Irradiator Alarm Training (see attached Form 5), which was a mandated training provided by a nationally recognized organization for specific personnel."

Data Reviewed

1. Training and Professional Development Policy
2. Course Consideration Analysis Form 100A
3. Vendor Course Review Form 100B
4. New Course Approval Form 100D
5. Training Request Form 100E

6. Vendor Course Review Form 100B: Supervising the Toxic Officer
7. FEMA Irradiator Alarm Training Form 5 exemption

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the policy requirements and standards at the time of the review had been met. During Q5 ending March 31, 2018, the Monitor found partial compliance as its documentation review noted several areas in need of clarification.

Current Assessment of Compliance



In Compliance

As stated in the UCPD's proffer of compliance (above in italics), during the current period the Monitor reviewed the documentation submitted and confirmed that the UCPD now has a process in place to review outside vendor courses prior to attendance by UCPD personnel and to maintain copies of training materials that were approved. The Monitor agrees with the exemption related to vendors that are soundly reputable. While the Monitor understands that on rare occasion there may be a need for expedited training to occur, thereby delaying a full course review in advance of the training; there are no circumstances in which training should be attended by UCPD personnel without adequate review and oversight. Based on this feedback the UCPD revised its Training policy and will ensure that reviews do occur but could be delayed based on urgent circumstances.

As was agreed upon with the UCPD, any of the training materials reviewed for purposes of review and approval, whether those materials are titled "course outline", "student objectives" or "syllabus" should be maintained by the UCPD Training Unit in connection to the relevant employee's training records.

Next Review

The Monitor had planned to test further implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

COMPLIANCE MEMORANDUM

DATE: JULY 23, 2018
REC. REF. NO.: 6.15.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

There are serious deficiencies noted in command oversight of training including: the lack of a Training Committee (despite it being named in the SOP); the lack of review (or available evidence of review) of course curricula by the TU Lieutenant or Training Committee; the lack of an annual Continuing Education Plan and Learning Needs Assessment; and the lack of oversight over outside training.

Exiger Recommendation (“ER”)

UCPD should review, approve, and maintain the curriculum of every outside course approved for attendance by a UCPD officer.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD implements a policy requiring that it review, approve, and maintain the curriculum of every outside course approved for attendance by a UCPD officer; and, is in practice, reviewing, approving, and maintaining the curriculum of every outside course approved for attendance by a UCPD officer.

UCPD Proffer of Compliance

“As recommended in 6.14.A and 6.15.D, the University of Cincinnati Police Division’s Training and Professional Development Policy (attached) requires that all non-UCPD training be reviewed and approved by the Training Section Supervisor or his/her designee prior to authorizing third party training for UCPD employees division-wide or individual attendance at third party training (see pages 12-15). Currently, all non-UCPD developed courses are reviewed either through the Course Consideration Analysis Form 100A and/or Vendor Course Review Form 100B OR through the Training Request Form 100E (all forms attached).

The review of external courses that are being considered by the Training Section to be offered to all UCPD officers is documented on the Course Consideration Analysis Form 100A and/or Vendor Course Review Form 100B, while the approval is documented on the New Course Approval Form 100D. In order to show implementation of this in Quarter 6, attached is the only Vendor Course Review Form 100B completed during the recent three-month period. This course is not being pursued further based on its review; therefore, there is no corresponding approval Form 100D.

The review of external courses that officers request to individually attend are documented on the Form 100E. This form must also include the course description and a syllabus or curriculum if available. The form also lists the training provider and includes the employee's description of how it benefits them and supports the UCPD mission and core principles. Finally, it includes

documentation for the reason for approval/denial of training by the requesting employee's chain of command as well as the Training Section. The approval or denial of Form 100E training requests is documented on the Training Section's Training Request Tracker spreadsheet. Additional documents such as a sample of Form 100Es and their attached course descriptions may be requested for courses listed in the 2017-2018 list of training provided to the monitor.

The UCPD has previously discussed with the monitor the difficulties the Training Section has faced in obtaining syllabi and curricula from outside vendors. Typically, due to proprietary issues, all that is available to the Training Section for review and maintenance is a course description, schedule, or outline. Therefore, rather than requiring the maintenance of curriculum as recommended by 6.14.A and 6.15.D, the Training and Professional Development Policy requires on pages 20 and 22 that a course description for all approved courses for attendance will be manually entered and maintained in the LMS. Due to the configuration of the LMS, the course description information is not included in each individual employee's file, as the employee training file only lists course names, but descriptions can be easily retrieved from the master list of course descriptions.

It is important to note that the recently revised Training and Professional Development Policy now also includes two exempting provisions (pages 13-14) to the formal review and approval process described above and in the policy. First, "courses provided by national or state recognized organizations that are considered Best Practice do not require the formal evaluation and approval process as outlined in this policy. Examples of these organizations include, but are not limited to, the Federal Bureau of Investigations (FBI), Southern Police Institute (SPI), Ohio Peace Officer Training Academy (OPOTA), Police Executive Research Forum (PERF) and the Federal Law Enforcement Training Center (FLETC)." The policy requires documentation of these exemptions either on an Internal Correspondence Memo Form 5 (for training to be brought in-house) or the Form 100E (for individual training requests to attend a best practice course). Second, there is a Chief's exemption provision in the case of "an urgent and immediate need for training to be conducted." In these cases, the policy requires that the Training Section maintain documentation of the directive to conduct the training and the urgent need to bypass the normal process on an Internal Correspondence Memo, Form-5. An example of training that was approved via this exemption in Quarter 6 is the FEMA Irradiator Alarm Training (see attached Form 5), which was a mandated training provided by a nationally recognized organization for specific personnel."

Data Reviewed

1. Training and Professional Development Policy
2. Course Consideration Analysis Form 100A
3. Vendor Course Review Form 100B
4. New Course Approval Form 100D
5. Training Request Form 100E
6. Vendor Course Review Form 100B: Supervising the Toxic Officer
7. FEMA Irradiator Alarm Training Form 5 exemption

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the policy requirements and standards at the time of the review had been met. During Q5 ending

March 31, 2018, the Monitor found partial compliance as its documentation review noted several areas in need of clarification.

Current Assessment of Compliance

In Compliance

As stated in the UCPD's proffer of compliance (above in italics), during the current period the Monitor reviewed the documentation submitted and confirmed that the UCPD now has a process in place to review outside vendor courses prior to attendance by UCPD personnel. While the Monitor agrees with the exemption related to vendors that are soundly reputable and understands that on rare occasion there may be a need for expedited training to occur thereby delaying a full course review in advance of the training - there are no circumstances in which outside training should be attended by UCPD personnel without adequate review and oversight.

Next Review

The Monitor had planned to test further implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

COMPLIANCE MEMORANDUM

DATE: JULY 23, 2018
REC. REF. NO.: 6.15.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

There are serious deficiencies noted in command oversight of training including: the lack of a Training Committee (despite it being named in the SOP); the lack of review (or available evidence of review) of course curricula by the TU Lieutenant or Training Committee; the lack of an annual Continuing Education Plan and Learning Needs Assessment; and the lack of oversight over outside training.

Exiger Recommendation (“ER”)

UCPD should review, approve, and maintain the curriculum of every outside course approved for attendance by a UCPD officer.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD implements a policy requiring that it review, approve, and maintain the curriculum of every outside course approved for attendance by a UCPD officer; and, is in practice, reviewing, approving, and maintaining the curriculum of every outside course approved for attendance by a UCPD officer.

UCPD Proffer of Compliance

“As recommended in 6.14.A and 6.15.D, the University of Cincinnati Police Division’s Training and Professional Development Policy (attached) requires that all non-UCPD training be reviewed and approved by the Training Section Supervisor or his/her designee prior to authorizing third party training for UCPD employees division-wide or individual attendance at third party training (see pages 12-15). Currently, all non-UCPD developed courses are reviewed either through the Course Consideration Analysis Form 100A and/or Vendor Course Review Form 100B OR through the Training Request Form 100E (all forms attached).

The review of external courses that are being considered by the Training Section to be offered to all UCPD officers is documented on the Course Consideration Analysis Form 100A and/or Vendor Course Review Form 100B, while the approval is documented on the New Course Approval Form 100D. In order to show implementation of this in Quarter 6, attached is the only Vendor Course Review Form 100B completed during the recent three-month period. This course is not being pursued further based on its review; therefore, there is no corresponding approval Form 100D.

The review of external courses that officers request to individually attend are documented on the Form 100E. This form must also include the course description and a syllabus or curriculum if available. The form also lists the training provider and includes the employee's description of how it benefits them and supports the UCPD mission and core principles. Finally, it includes

documentation for the reason for approval/denial of training by the requesting employee's chain of command as well as the Training Section. The approval or denial of Form 100E training requests is documented on the Training Section's Training Request Tracker spreadsheet. Additional documents such as a sample of Form 100Es and their attached course descriptions may be requested for courses listed in the 2017-2018 list of training provided to the monitor.

The UCPD has previously discussed with the monitor the difficulties the Training Section has faced in obtaining syllabi and curricula from outside vendors. Typically, due to proprietary issues, all that is available to the Training Section for review and maintenance is a course description, schedule, or outline. Therefore, rather than requiring the maintenance of curriculum as recommended by 6.14.A and 6.15.D, the Training and Professional Development Policy requires on pages 20 and 22 that a course description for all approved courses for attendance will be manually entered and maintained in the LMS. Due to the configuration of the LMS, the course description information is not included in each individual employee's file, as the employee training file only lists course names, but descriptions can be easily retrieved from the master list of course descriptions.

It is important to note that the recently revised Training and Professional Development Policy now also includes two exempting provisions (pages 13-14) to the formal review and approval process described above and in the policy. First, "courses provided by national or state recognized organizations that are considered Best Practice do not require the formal evaluation and approval process as outlined in this policy. Examples of these organizations include, but are not limited to, the Federal Bureau of Investigations (FBI), Southern Police Institute (SPI), Ohio Peace Officer Training Academy (OPOTA), Police Executive Research Forum (PERF) and the Federal Law Enforcement Training Center (FLETC)." The policy requires documentation of these exemptions either on an Internal Correspondence Memo Form 5 (for training to be brought in-house) or the Form 100E (for individual training requests to attend a best practice course). Second, there is a Chief's exemption provision in the case of "an urgent and immediate need for training to be conducted." In these cases, the policy requires that the Training Section maintain documentation of the directive to conduct the training and the urgent need to bypass the normal process on an Internal Correspondence Memo, Form-5. An example of training that was approved via this exemption in Quarter 6 is the FEMA Irradiator Alarm Training (see attached Form 5), which was a mandated training provided by a nationally recognized organization for specific personnel."

Data Reviewed

1. Training and Professional Development Policy
2. Course Consideration Analysis Form 100A
3. Vendor Course Review Form 100B
4. New Course Approval Form 100D
5. Training Request Form 100E
6. Vendor Course Review Form 100B: Supervising the Toxic Officer
7. FEMA Irradiator Alarm Training Form 5 exemption

Prior Assessment of Compliance

During Q1 ending March 31, 2017, the Monitor found the UCPD in compliance with this ER as the policy requirements and standards at the time of the review had been met. During Q5 ending

March 31, 2018, the Monitor found partial compliance as its documentation review noted several areas in need of clarification.

Current Assessment of Compliance



In Compliance

As stated in the UCPD's proffer of compliance (above in italics), during the current period the Monitor reviewed the documentation submitted and confirmed that the UCPD now has a process in place to review outside vendor courses prior to attendance by UCPD personnel. The Monitor agrees with the exemption related to vendors that are soundly reputable. While the Monitor understands that on rare occasion there may be a need for expedited training to occur, thereby delaying a full course review in advance of the training; there are no circumstances in which training should be attended by UCPD personnel without adequate review and oversight. Based on this feedback the UCPD revised its Training policy and will ensure that reviews do occur but could be delayed based on urgent circumstances.

Next Review

The Monitor had planned to test further implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

COMPLIANCE MEMORANDUM

DATE: JULY 1, 2018
REC. REF. NO.: 6.16.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

The Training Unit lacks basic management practices including: the lack of creation, maintenance and retention of curriculum, expanded course outlines, and/or lesson plans for courses; best practice templates for the design and evaluation of training; and regular course assessments.

Exiger Recommendation ("ER")

UCPD should obtain a Learning Management System (LMS) (or utilize the University's LMS *Blackboard* if appropriate) to track all training records, retain expanded course outlines and lesson plans, allow for automated employee training requests and approvals.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a Learning Management System (LMS);
- 2) The LMS tracks all training records;
- 3) The LMS retains expanded course outlines and lesson plans; and
- 4) The LMS allows for automated employee training requests and approvals.

UCPD Proffer of Compliance

"The UCPD Training Section is in the early stages of implementing the "Success Factors" Learning Management System (LMS) in collaboration with the University of Cincinnati's Office of Human Resources. The Training Section Supervisor and Training Consultant completed a 32-hour training session for system administrators (December 11-14, 2017). An introduction to the LMS and user guides are available to all UCPD employees (see attached).

The LMS is currently incorporated into the revised Training and Professional Development Policy on pages 4, 16-24. The policy addresses the following topics related to the LMS: documenting training in the LMS (p.16, 21), completion of student course and trainer evaluations (p.17), training attendance records (p.19-20), scheduling training (p. 22), and different levels of administrative, supervisory, and user access within the LMS (pp.23-24). Some of the functionality of the LMS is still waiting to be configured and tested by UC HR; therefore, UCPD necessarily will have to wait until these processes are complete before additional capabilities of the LMS can be described and formalized in the Training and Professional Development Policy (see for example, automated training requests and approvals below).

The LMS is helping the Training Section with record keeping, including tracking attendance and generating certificates of completion for attended training. The LMS has the capability to track

all training records. For all current employees, the training documents for the last two years have been entered into the LMS and the Training Section anticipates that the full historical data for all current employees will be entered into the LMS by UC HR early during Quarter 7 to ensure accurate personnel training histories. Training documentation for employees who left the UCPD prior to the implementation of the LMS is maintained on hard copies. As of February 1, 2018, all new training initiatives are being recorded as they occur. The UCPD Training Section can provide a sample of employee training records entered to date upon request and/or can provide a sample of complete training histories after they are entered by UC HR in Quarter 7. The monitor team may also view LMS employee training records during future onsite visits.

Unfortunately, the LMS does not provide the capability of storing lesson plans and course outlines as recommended by the Exiger Report. As required by the Training and Professional Development Policy, however, brief course descriptions for internally and externally attended courses are maintained in the LMS. Currently there are over 900 courses stored in the LMS.¹ Information regarding lesson plans and course outlines are instead stored in SharePoint, which is a UC internal share drive with different folders, including for Public Safety overall, and subfolders for the Training Section management and Training Courses for instructors. A listing of course outlines and lesson plans stored in SharePoint is attached. Lesson plans are maintained for all internally trained courses, but the Training Section is typically not provided this information by a third-party vendor trainer due to proprietary issues. If provided, however, it is maintained.

The LMS has the capability for automated training requests and approvals, but UC HR is still in the process of configuring this capability with an unknown completion date at this time. Once it is made available, the UCPD Training Section will test it and train UCPD personnel on how to use it. Once configured and trained upon, UCPD personnel will be able to request the scheduling of courses that are currently in the system if a session is not currently offered OR submit a training request for an outside training offered by a third party. The system will be configured for a five-level approval process for an outside training request. Until this capability is available within the LMS, the Training Section is still processing all training requests and approvals on the Form 100E and Training Request Tracker spreadsheet uploaded this quarter in conjunction with ER 6.1.H.

The LMS also has additional capabilities not specifically included in the original Exiger Recommendation. Currently, students are able to provide confidential course and instructor evaluations, while instructors are able to manage rosters, show training as completed, and add any additional notes that may be necessary pertaining to a specific employee. As the LMS becomes fully functional, students will be able to complete online training courses and test their knowledge of received training and instructors will be able to complete an instructor task list when an employee must demonstrate hands-on technique to ensure proficiency.

Data Reviewed

1. Training and Professional Development Policy
2. Introduction to the LMS PowerPoint

¹ The historical course records date back to the 1980s. Some of these courses do not have a description, but each of these is annotated with the need to update the description of the course if it is attended again in the future.

3. Success Factors End User Guide
4. Success Factors Supervisor Learning Guide
5. A listing of course outlines and lesson plans contained in Sharepoint

Current Assessment of Compliance

In Compliance

As is very clearly described in the UCPD's proffer of compliance (above in italics), and was confirmed by the Monitor during demonstrations, the UCPD is in the process of further refining its collaboratively developed Learning Management System (LMS) with the UC HR department that will house and track all UCPD employee training records. While not fully developed, the LMS will also eventually allow for automated employee training requests and approvals. Even though the LMS does not store actual training materials such as outlines and lesson plans, it does contain course descriptions and as noted, the training course outlines and lesson plans are available in an electronic format in the UCPD's shared drive system.

Concluding Review

The Monitor had planned to test further implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

COMPLIANCE MEMORANDUM

DATE: JULY 19, 2018
REC. REF. NO.: 6.16.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

The Training Unit lacks basic management practices including: the lack of creation, maintenance and retention of curriculum, expanded course outlines, and/or lesson plans for courses; best practice templates for the design and evaluation of training; and regular course assessments.

Exiger Recommendation (“ER”)

UCPD should use best practice templates to design training, and evaluate training delivery and instructors.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD's templates to design training, and to evaluate training delivery and instructors, meet best practices in the industry.

UCPD Proffer of Compliance

“The Training and Professional Development Policy requires the use of a template to ensure developed training is designed based on best practices as well as tracking and evaluation of all training courses and instructors. The University of Cincinnati Police Division has created a “Facilitator Guide Template” in order to assist instructors with designing lesson plans for trainings (see page 14 in policy and attached Form 100J). The template is modeled after the OPOTA template, but modifications were made to ensure it is consistent with best practices. Recent examples are attached. As described in the policy, in order to ensure internally developed courses adhere to the established approval requirements, UCPD has created templates for Internal Course Review (attached Form 100C), which is used for review by the Training Committee, and the New Course Approval (attached Form 100D), which documents UCPD chain of command approval prior to a course being included in the curriculum. Recent examples are attached.

The Training Section also utilizes two forms for evaluating training courses as well as training delivery by instructors (see pages 17-19 in policy). The first evaluation form, Trainer Observation and Evaluation (attached Form 100I), is completed by the Training Section Commander or a designee at least annually for each trainer. For instructors who teach multiple courses, they are evaluated in one course per year on a rotating basis. This form is used to formally evaluate all UCPD trainers against six training competencies: preparedness, comfortable learning environment, classroom management, communication, facilitation, and content knowledge. Vendor trainers may also be evaluated on the Form 100I by the Training Section Supervisor or designee when they train a course internally; if any vendor trainer is not evaluated, a Form 5 will document the reasoning. The completed Form 100Is will also be used to determine whether

trainers will continue to instruct courses for UCPD. Completed Trainer Observation and Evaluation Forms were previously submitted to the monitor in Q4 (ER 6.12.E/6.18.A) for three UCPD instructors (Polly, Richey, and Wiehe) and one third party instructor (Young from Vistelar). The only evaluation completed since then is for Fair and Impartial Policing instructed by John Dejarnette (attached). An additional evaluation for ALERRT, instructed by Lt McKeel and Officer Reeme, will be completed June 22, 2018 and can be provided to the monitor at that time.

The second evaluation form, Student Course & Trainer Evaluation (attached Form 100H), is completed by each student to evaluate the course and the instructor from their perspective. This form is completed by students following each training they attend, whether it was taught internally or by a third-party vendor. The evaluation process is now completed via the Learning Management System and students do not receive credit for the course being completed until their evaluation is completed. The evaluation form includes key performance indicators related to the following five areas, as required by policy: 1) Subject Knowledge, 2) Organization, 3) Communication, 4) Learner Engagement, and 5) Facilitation Skills.

Copies of Student Course Evaluation Forms for the following courses were previously submitted to the monitor in Q4: Practical Application of Use of Force, Taser Training, ALERRT (Advanced Law Enforcement Rapid Response Training), and Internal Affairs Investigation Training. A sample of additional completed Student Course and Trainer Evaluations (Form 100H) can be provided to the monitor based on the attached list of trainings. Attached the monitor will also find examples of a summary report produced in the Learning Management System of these evaluations for selected instructors.

The Training and Professional Development Policy was recently revised and will be re-disseminated to UCPD personnel via Power DMS after the monitor reviews it; evidence of such will be provided to the monitor via Power DMS at that time.”

Data Reviewed

1. Training and Professional Development Policy
2. Facilitator Guide Template Form 100J
3. Completed Form 100J: Practical Application of Force; Radio Etiquette
4. Internal Course Review Form 100C
5. New Course Approval Form 100D
6. Completed Form 100C: Practical Application of Force; Radio Etiquette
7. Trainer Observation and Evaluation Form 100I
8. Completed Trainer Observation and Evaluation Form:Dejarnette, forthcoming for McKeel & Reeme
9. Student Course & Trainer Evaluation Form 100H
10. List of 2017-2018 trainings to date
11. Summary Report of Student Evaluations for Richey, McKeel, Dejarnette

Prior Assessment of Compliance

During Q2 ending June 30, 2017, the Monitor found the UCPD in compliance as the templates/forms submitted were designed based on Ohio Peace Officers Training Academy and were to be used to evaluate existing training courses. The Monitor noted that the forms needed modification to ensure the evaluation criteria was consistent with the Training policy.

Current Assessment of Compliance

In Compliance

During the current period, the Monitor again reviewed the templates and forms submitted along with examples of completed forms for Training section evaluation of internal and outside courses; for both UCPD instructors and vendor instructors; and, for student evaluations of courses attended. As described by the UCPD (above in italics) within its proffer of compliance, the templates/forms were designed based on Ohio Peace Officers Training Academy and were modified to enhance the forms in an appropriate fashion. The examples provided clearly demonstrate the use of the forms to design training as well as evaluate training delivery and instructors.

Concluding Review

Given the UCPD's decision to end the voluntary monitorship early, the Monitor will not conduct any further review of this ER but suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance.

Appendix 7

REPORT CARD MATRIX























2017

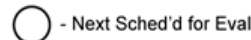
2018

2019

Q1: Jan-Mar
Q2: Apr-Jun
Q3: Jul-Sep
Q4: Oct-Dec
Q5: Jan-Mar
Q6: Apr-Jun
Q7: Jul-Sep
Q8: Oct-Dec
Q9: Jan-Mar
Q10: Apr-Jun
Q11: Jul-Sep
Q12: Oct-Dec

Section 7 - Review of Accountability Mechanisms

7.1.A	Each of the three patrol shifts should be made up of two squads of officers, with each squad having a permanently assigned sergeant who works the same rotating schedules as their officers.		-	-	-	-	-	-	-	-	-	-
7.1.B	Consider redesigning the Organization chart so that it is comprised of sub charts showing Field Operations and Support Services in greater detail, and should be updated to reflect latest changes and clearly reflect each squad sergeant and the officers assigned to the squad.		-	-	-	-	-	-	-	-	-	-
7.1.C	Conduct a comprehensive review of the patrol chart to determine if it deploys the patrol force and the supervisors in the most effective manner.											
7.2.A	Finalize the Managing Performance and Early Intervention policy and procedure that documents the use of Guardian Tracking.						-	-	-	-	-	-
7.3.A	Develop a list of critical duties and responsibilities for these positions.			-	-	-	-	-	-	-	-	-
7.3.B	Consider requiring that patrol sergeants perform documented visits, preferably in the field, to each subordinate during their shift.											
7.4.A	Implement a quality control process to ensure compliance with the performance evaluation requirements, and incorporate related duties on the list of supervisor responsibilities.						-	-	-	-	-	-
7.5.A	Draft Complaint Initiation Policies and Procedures that (a) call out the different methods of initiating/receiving complaints; (b) allow for the receipt of anonymous complaints; (c) provide for walk-in complaints at UCPD headquarters; (d) prohibit any attempt to dissuade an individual from											
7.5.B	Draft Complaint Investigation Policies and Procedures that (a) requires the categorization of complaints; (b) defines the workflow of the different categories of complaints from investigation to adjudication; (c) provides time frames for the investigative process; and (d) establishes complaint											
7.5.C	Draft Complaint Adjudication Policies and Procedures that (a) set forth the standard of proof; (b) prohibit automatic credibility preference being given to an officer's recitation of facts; (c) define the categories of potential disposition; (d) define the timeframe in which adjudication should be											



- Reassess TBD

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
7.6.A	Compile complaint information into a simple database, which can be accessed by the ICS system, and includes several fields (year, date of complaint, nature of the complaint, employee, investigating supervisor, disposition and date completed).												
7.7.A	Develop brochures, in hard copy and for inclusion on UCPD's website, about the complaint process and complaint forms and make such materials available and include as a requirement in a new SOP governing civilian complaints.												
7.8.A	Consider establishing a subgroup of the CAC to review the UCPD'S investigation of complaints made against employees.												
7.9.A	Create a separate SOP detailing how disciplinary matters should be handled by UCPD. Such a procedure should include creating a form that summarizes details of an allegation of misconduct and creates a log listing the number of the issue starting at 001 of year and including the name of												
7.10.A	Establish an Inspectional Services or Audit unit, reporting directly to the Vice President for Public Safety and Reform.												
7.11.A	Enter into a voluntary independent monitorship which would provide regular status updates to the Board of Trustees and the public relative to the progression of reform within the Department		-	-	-	-	-	-	-	-	-	-	

COMPLIANCE MEMORANDUM

DATE: APRIL 10, 2018
REC. REF. NO.: 7.2.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD uses Guardian Tracking, a tracking and management software program designed to assist supervisors in their duties of documenting and monitoring their subordinate employee's performance.

Exiger Recommendation ("ER")

UCPD should integrate aspects of the Guardian system with the ICS data system in order to build a comprehensive EWS.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD integrate aspects of the Guardian system with the ICS data system in order to build a comprehensive EWS.

UCPD Proffer of Compliance

"The Guardian Tracking performance management software is used by the UCPD to document both positive and negative aspects of employee performance. The most recent paid invoice for this software is attached. The UCPD's use of the Guardian Tracking software was previously hampered by software designs that produced an unwieldy number of categories from which supervisors could select and resulted in inconsistent use across users. In an attempt to remedy these issues and as part of a full review of the capabilities of the Guardian Tracking System, the UCPD designated an internal Performance Improvement Team (PIT) to work collaboratively with the software developer on improvements needed for the division's advanced analytical demands. Due to the non-renewal of the ICS contract (see DR 0164), rather than explore the potential for interface with the ICS tool as originally recommended, the UCPD PIT instead sought to increase its capabilities within the Guardian Tracking software, including as an early warning system as recommended in ER7.2.A.

The Organizational Development Coordinator was charged with chairing the PIT. Other members included: Former Chief Carter, Chief Herold, Acting Assistant Chief Dudley Smith, Captain Carter, Captain Thompson, LT Hoffman, SGT Maxwell, Kimberly Willis, and Lixuan Zheng (IT). The team met on the following dates: 9-13-17, 9-27-17, 10-11-17, 11-7-17, and 11-29-17, while the ODC took the lead on collaborating with the Guardian Tracking representatives in between these meetings. The PIT's most cumbersome task was to significantly streamline the existing 92 categories, many of which were ambiguous and/or overlapping (see attached). Their work resulted in paring these down into eight main categories with subcategories for each (see attached for revised list). Once the new categories were established, the historical data previously entered was converted into the new categories (see attached for recoding guide).

The PIT team also worked with Guardian Tracking to increase the software's capabilities as an early intervention system with supervisory alerts to potentially at-risk behavior by officers. The Early Intervention System policy (attached) specifically includes a protocol for the resolution of threshold notifications of potentially at-risk officers on pages 4-5. In PowerDMS, the monitor may access the list of categories and how they contribute to an early intervention flag (i.e., how they are weighted). A screenshot is also attached. The Early Intervention System policy will be disseminated to UCPD personnel after the monitor reviews it and evidence of such will be provided to the monitor via Power DMS at that time. The Managing Performance policy (ER 7.4.A), which will include procedures for monthly evaluations, awards and commendations, will be completed and submitted for assessment in Quarter 6 (April-June 2018) and subsequently disseminated after the monitor reviews it.

The PIT team also collaborated with Guardian Tracking to improve the software's capabilities for supervisory evaluations of subordinates. Specifically, they were able to transform supervisory monthly evaluations from two different paper forms to an electronic process completed and stored within the Guardian Tracking System (see attached for monthly evaluation template).

Finally, the Guardian Tracking System's staff visited the UCPD HQ to conduct supervisory training on the revised performance management categories and new capabilities of the software on December 14, 2017. This was preceded by an email to supervisors from the ODC to explain the category overhaul, the software improvement process, and provide a link to a training video that would supplement Guardian's on-site supervisory training (all attached)."

Data Reviewed

1. Invoice for Guardian Tracking annual subscription
2. Previous Guardian Tracking Categories
3. Revised Guardian Tracking Categories
4. Guardian Tracking Category Recoding Guide
5. Early Intervention System Policy
6. Notification Threshold Screenshot
7. Monthly Evaluation Template
8. Email to Supervisors
9. Training Video for Supervisors

Current Assessment of Compliance



Partial Compliance

As is clearly described in the UCPD's proffer of compliance (above in italics), and was confirmed by the Monitor by way of its collaborative review of and revisions to the Early Intervention System policy and its review of the ample documentation submitted - the UCPD is taking affirmative steps towards the buildout of a comprehensive Early Warning System. While the ICS data will no longer be a factor in the EWS buildout, the Monitor understands that the newly hired Crime Analyst is working on a dashboard to include monthly activities by officer. That type of information/data can and should be used in place of the ICS data in order to get an accurate picture of officer



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performance. The Monitor understands that the UCPD has opted to draft a separate policy to cover the Performance Evaluation aspects of the system and ER requirements. While UCPD supervisors are currently completing and documenting the evaluations within the GTS, the policy and protocol has yet to be finalized. The Monitor looks forward to reviewing that policy in the coming weeks once it is submitted for assessment.

Next Review

The Monitor will again review compliance with ER 7.2.A in Q6 (Q2 2018.)

COMPLIANCE MEMORANDUM

DATE: MARCH 31, 2018
REC. REF. NO.: 7.3.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Despite the requirement that written statements of the duties and responsibilities of each specific position be maintained, there appears to be no current listing of duties and responsibilities for Sergeants and Lieutenants other than a general listing of duties for persons seeking the promotion/position.

Exiger Recommendation (“ER”)

Consider requiring that patrol sergeants (supervisors) perform documented visits, preferably in the field, to each subordinate during their shift.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD considers requiring that patrol sergeants perform documented visits, preferably in the field, to each subordinate during their shift and/or considers alternative plans to ensure appropriate field supervision. Consideration should include a determination of the adequacy of supervisory training.

UCPD Proffer of Compliance

“On February 16, 2017 Patrol Bureau Commander Captain Jeff Thompson issued a patrol directive regarding the expectation of supervisors to conduct field visits to employees assigned on the shift at least one time during the shift (directive previously provided in Q1). The purpose of these visits is to ensure officers are in compliance with policies, procedures, and practices of the department and are providing the customer service expected of a UCPD employee. These visits are documented in a check box in the “Field Visit” column on the shift line up sheet (see attached line up sheets for each shift from the requested time period).

After discussion with the Monitor team regarding their Q1 memorandum of assessment concerns that “the quality of field supervision cannot be measured by a lineup checkmark alone,” UCPD recently implemented a new Shift Supervisor Recap addendum to the regular line up sheets where supervisors document in more detail the many activities and tasks associated with their duties as supervisors (see attached for a sample of revised line up sheets with completed shift summary recaps; also see Supervisory job descriptions submitted to the monitor under Recommendation 7.3.A. in Q3). The shift summary recap process began following the monthly supervisors’ meeting on February 22, 2018, where the Patrol Bureau Commander reviewed with supervisors the following directives associated with the new shift recap:

- *The recap should be completed by the Sergeant who is responsible for running the shift. If a Lieutenant is running the shift with no Sergeants, then the Lieutenant will be responsible for filling out the recap.*
- *All the new shift line ups/ Supervisor recap sheets are located on the P drive.*
- *Items that should be documented in the Recap:*
 1. *Equipment checks*
 2. *Inspections of officers at roll call*
 3. *Off property and Regional Campus checks*
 4. *Field visits were completed*
 5. *Field sick call offs when they come in and document arrange shift coverage if needed*
 6. *Meeting with officers at a scene when they need the attention of a supervisor*
 7. *Any follow up from previous shifts for instance, missing persons, etc.*
 8. *Document any complaints that come into the lobby or over the phone*
 9. *Anything reported to the command staff during your shift, example robberies, serious nature items, etc.*

Finally, there have been two recent promotions of supervisors, one sergeant and one lieutenant. Both attended a new supervisor training course provided by the Federal Law Enforcement Training Center (FLETC). This course was selected after completing a course consideration analysis and comparison to other available courses (see documentation provided this quarter under Recommendations 6.14.A/6.15.D). A brief overview of the content of the FLETC training is attached. The new supervisors will each be with a senior supervisor of their rank for a period of time prior to being on their own. The next step toward full compliance with ER 7.3.B will be the internal development of new supervisor orientation training. It is anticipated this will be ready for assessment in Q7.”

Data Reviewed

1. Directive to Supervisors 2/6/17 (previously provided)
2. 1st shift line-up sheets from May 1-15, 2017
3. 2nd shift line-up from May 1-15, 2017
4. 3rd shift line-up from May 1-15, 2017
5. FLETC Supervisor Training course description and syllabus overview
6. FLETC certifications
7. Shift Summary Recaps March 1-7, 2018

Prior Assessment

In its prior review in Q1 ending March 31, 2017, the Monitor found the UCPD in compliance because the UCPD sergeants were in fact conducting in-field visits. The Monitor did however recommend, and the UCPD agreed, that going forward UCPD would develop an in-house orientation training tailored to cover the specific job requirements and expectations of a UCPD field sergeant. The latter training would be in addition to the OPOTA and FLETC training, and would be provided to newly promoted sergeants.

Current Assessment of Compliance



Partial Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD promoted one sergeant and one lieutenant who both attended and received a certificate in the "Law Enforcement Supervisor's Leadership Training Program" through FLETC. The Monitor agrees that this is appropriate and a good choice for foundational training of new supervisors and looks forward to seeing the UCPD specific orientation training for new supervisors in the coming months.

During the current period the Monitor reviewed the shift line-ups submitted to assess the newly required supervisor recap completed each shift in response to the Monitor's recommendation to require field sergeants to document items of note with regard to their duties as a field sergeant. As stated above the Monitor noted that a checkmark alone did not sufficiently communicate the "goings on" (officer actions, significant events or happenings) of a police agency on a daily basis.

The UCPD's response to require the shift supervisor, (sergeant or lieutenant) to specify tasks that were performed, including a note such as "*patrol field visits" (field visit is required in this ER). While the recap information is important to document within a shift log; the recap is not much different than a checkmark. The Monitor's point of requiring field sergeants to complete a log was not meant to document that type of shift information. Rather, the log should be completed by all field sergeants, every day and should include their insights from their observations as a field sergeant. As examples, a field sergeant might log that he observed an officer who handled a situation with compassion or creatively, or had a positive community contact, or contrarily, could use additional training on vehicle stop tactics, or verbal communication skills. While the Monitor understands that supervisors are able to enter this kind of information on an individual basis within the Guardian Tracking System, the bureau captain does not get the same perception of the daily goings-on of its police department by viewing individual officer records one at a time. The Monitor will have further discussions with the UCPD command staff to brainstorm this concept.

Given the orientation training is still under development, the Monitor finds the UCPD in partial compliance at this time.

Next Reviews

The Monitor will again assess compliance with ER 7.3.B in Q7 (Q3 2018).

COMPLIANCE MEMORANDUM

DATE: MARCH 30, 2018
REC. REF. NO.: 7.5.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD policies with respect to complaint receipt, investigation, and disposition are inadequate.

Exiger Recommendation (“ER”)

UCPD should draft Complaint Initiation Policies and Procedures that (a) call out the different methods of initiating/receiving complaints (by mail, telephone, fax or email and via the UCPD website); (b) allow for the receipt of anonymous complaints; (c) provide for walk-in complaints at UCPD headquarters; (d) prohibits any attempt to dissuade an individual from filing a complaint; (e) requires appropriate notification from UC General Counsel anytime a lawsuit alleging police misconduct is filed; (f) requires notification to UCPD by any officer who is arrested or otherwise criminally charged or the subject of a lawsuit that alleges physical violence, threats of physical violence or domestic violence; (g) requires officers to report the misconduct of other officers including improper use or threatened use of force, false arrest, unlawful search or seizure, or perjury; and (h) allows for the processing of internally generated complaints.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements Complaint Initiation Policies and Procedures;
- 2) the policies and procedures call out the different methods of initiating/receiving complaints (by mail, telephone, fax or email and via the UCPD website);
- 3) the policies and procedures allow for the receipt of anonymous complaints;
- 4) the policies and procedures provide for walk-in complaints at UCPD headquarters;
- 5) the policies and procedures prohibit any attempt to dissuade an individual from filing a complaint;
- 6) the policies and procedures require appropriate notification from UC General Counsel anytime a lawsuit alleging police misconduct is filed;
- 7) the policies and procedures require notification to UCPD by any officer who is arrested or otherwise criminally charged or the subject of a lawsuit that alleges physical violence, threats of physical violence or domestic violence; and,
- 8) the policies and procedures require officers to report the misconduct of other officers including improper use or threatened use of force, false arrest, unlawful search or seizure, or perjury;
- 9) These policies and procedures allows for the processing of internally generated complaints; and
- 10) These policies and procedures are being followed in practice.

UCPD Proffer of Compliance

The UCPD initiated three Complaint Investigations for the period between January 1 and March 31, 2018. Two were Citizen's Complaints and one was generated internally. The complaints involved two sworn members and one security officer. Each investigation was extended per policy and all were still ongoing at the conclusion of Quarter 5. The initial complaint forms, extension documents, and investigation log have been uploaded to the Smartsheet for the monitor's review. Completed investigation files will be provided to the monitor as soon as they are available.

Attachments

1. Internal Investigations and Complaints Policy
2. Internal Investigations and Complaints training for supervisors
3. Complaint Investigation Supervisor Training sign off sheets
4. Internal Investigations and Complaints training for employees
5. Complaint Investigation Employee Training sign off sheets (forthcoming)
6. Policy Revision Screenshots from Power DMS
7. Form 15A Complaint Form
8. Form 15B Internal Investigation Checklist
9. Form 15C Internal Investigation Employee Complaint Notification
10. Form 15D Waiver or Non-Waiver of Union Representation
11. Form 15E Internal Investigation – Investigation Summary
12. Form 15F Conflict Facilitation Meeting Form
13. Form 15G Complaint Investigation Employee Finding Notification Report
14. Form 15H Complaint Follow Up Letter Template

Prior Assessment of Compliance

During 2017, the Monitor assessed the UCPD's compliance with this ER which included discussions with the OSR and UCPD command staff to ensure agreed upon Methodologies to Aid in the Determination of Compliance ("MADC"); review and evaluation of the applicable policy and protocols to ensure they met best practice standards; assessment of the internal training provided to investigators, supervisors and officers; and, an ongoing assessment of the quality of all 46 internal investigations that occurred in 2017, which includes citizen complaints. Other than some feedback communicated to the UCPD command staff to improve the clarity of investigations, the Monitor found they were suitably complete and closed in a timely manner.

Current Assessment of Compliance

DW Determination Withheld

During this review period, the UCPD submitted three initial complaint intake forms, two of which were initiated by citizens and one of which originated internally. None of the investigations have been completed, but none are overdue - the due date for each having been extended per policy and the intake forms were completed as required. The internal investigations are underway and will be assessed for quality upon completion.



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Next Review

The Monitor will continue to review all complaints on an ongoing basis to include an assessment of the quality of all complaints to ensure they are investigated to the applicable standards and were conducted in a timely manner. The Monitor will include a report of this assessment each quarter for the remainder of the Monitorship.

COMPLIANCE MEMORANDUM

DATE: MARCH 20, 2018
REC. REF. NO.: 7.5.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD policies with respect to complaint receipt, investigation, and disposition are inadequate.

Exiger Recommendation (“ER”)

UCPD should draft Complaint Adjudication Policies and Procedures that (a) set forth the standard of proof; (b) prohibits automatic credibility preference being given to an officer’s recitation of facts; (c) defines the categories of potential disposition; (d) and, sets the timeframe in which adjudication should be completed.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements Complaint Adjudication Policies and Procedures to include a Disciplinary Matrix;
- 2) These policies and procedures set forth the standard of proof;
- 3) These policies and procedures prohibit automatic credibility preference being given to an officer’s recitation of facts;
- 4) These policies and procedures define the categories of potential disposition;
- 5) These policies and procedures set the timeframe in which adjudication should be completed; and
- 6) These policies are disseminated internally to include all appropriate UCPD personnel (investigators & reviewers).
- 7) The policies are sufficiently explained to all relevant UCPD personnel (investigators and reviewers) either as formalized training or an online learning tool (PowerDMS.).

UCPD Proffer of Compliance

“The Internal Investigations and Complaints policy was previously submitted for assessment by the monitor and found to be in substantial compliance in Quarter 3 of 2017. This policy addresses points A, B, C, and D of the original recommendation 7.5.C. The disciplinary matrix, however, was still in progress at that time.

After considerable research into best practice and industry standards regarding discipline for law enforcement, the UCPD has developed the Employee Conduct and Discipline Policy. This policy describes the disciplinary philosophy and process, includes the Rules of Conduct which were previously a standalone SOP, and includes a disciplinary matrix for sustained allegations of rules violations.

Acting Assistant Chief Dudley Smith and Captain Rodney Carter (Standards and Strategic Development Bureau) examined disciplinary processes and matrices from several other departments including: Cincinnati Police Department, Denver Police Department, Portland, Oregon Police Department, and Madison, Wisconsin Police Department. We also looked at other matrices within the University; however, none of those were implemented but rather were in draft form only. Furthermore, in developing this policy, we factored in collective bargaining agreements, University rules, and departmental policies to ensure consistency and compliance. Ultimately, we applied what we found to be fair and impartial industry standards to each of our department's rules of conduct. This allows equal enforcement of policy, procedures, and rules regardless of rank, seniority, personal demographics, or interpersonal association.

UCPD Chief Maris Herold discussed the contents of the disciplinary matrix with supervisory staff and UCPD law enforcement officers at roll calls on January 29, 2018. In addition, the Employee Conduct and Discipline policy will be disseminated to UCPD personnel and signed off on via Power DMS after the monitor reviews and approves it. Power DMS training and testing as to the contents of the policy will accompany its dissemination and evidence of the successful completion of such by UCPD personnel will be provided to the monitor via Power DMS at that time."

Data Reviewed

1. Employee Conduct and Discipline Policy
2. Internal Investigations and Complaints Policy
3. Form 15 Temporary Relief from Duty

Prior Assessment of Compliance

The Monitor first assessed the UCPD's compliance with this ER in Q2 ending June 30, 2017 and after reviewing several versions of the *Internal Investigations and Complaints Policy*, the policy set appropriate standards of proof, prohibited automatic credibility of officer's recitation of facts, defined the disposition categories, and set timelines for completion of the investigation as required. However, the policy had not yet been disseminated as of the end of that reporting period.

During its subsequent review in Q3 ending September 30, 2017, the Monitor found the UCPD in compliance as the finalized policy had been disseminated via its electronic document system, PowerDMS. The Monitor was scheduled to again assess compliance in Q7 to include a review of its training related to the policy.

Current Assessment of Compliance

In Compliance

As described above, the Monitor's previous reviews of this ER involved the UCPD's revised *Internal Investigations and Complaints Policy* and found that it contained the specific requirements as described in this ER; however, after reviewing UCPD's internal investigations and based on subsequent discussions with the UCPD command staff, it became clear that a disciplinary policy and matrix would greatly benefit the agency. As all were in agreement, the UCPD has developed and submitted under this ER, the "Employee Conduct and Discipline Policy" which includes the aforementioned matrix. To reiterate the UCPD's points described in their

proffer (above in italics), the concept of using a disciplinary matrix to guide police executives during the adjudication process, specifically during the penalty phase of sustained allegations of misconduct, is a standard in national best police practices. The use of a matrix to set initial parameters when misconduct warrants a suspension, demotion, or termination; and requiring police executives to explain any departures from those parameters, helps to ensure consistency from case to case, and provides for transparency and overall confidence in the disciplinary process throughout the department and community.

The Monitor verified that the revised policy has been disseminated to its personnel through a review of its electronic document system, PowerDMS.

Next Review

The Monitor will again assess compliance with this ER during Q7 (Q3 2018) which will include a review of any training provided to its investigators and reviewers of investigations.

COMPLIANCE MEMORANDUM

DATE: JULY 7, 2018
REC. REF. NO.: 7.2.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD uses Guardian Tracking, a tracking and management software program designed to assist supervisors in their duties of documenting and monitoring their subordinate employee's performance.

Exiger Recommendation ("ER")

UCPD should integrate aspects of the Guardian system with the ICS data system in order to build a comprehensive EWS.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD integrate aspects of the Guardian system with the ICS data system in order to build a comprehensive EWS.

UCPD Proffer of Compliance

"The Guardian Tracking performance management software is used by the UCPD to document both positive and negative aspects of employee performance. The most recent paid invoice for this software was previously submitted to the monitor in Quarter 5. As described in the Quarter 5 proffer memo for 7.2.A, 12.8.B, and 12.12.D, the UCPD's use of the Guardian Tracking software was previously hampered by software designs that produced an unwieldy number of categories from which supervisors could select and resulted in inconsistent use across users. Working collaboratively with the vendor, the UCPD's internal Performance Improvement team significantly improved the capabilities of the Guardian Tracking System software, both as an early intervention system with supervisory alerts to potentially at-risk behavior by officers and for supervisory documentation of positive and negative aspects of employee performance.

The Early Intervention System policy (previously submitted to the monitor in Q5) specifically includes a protocol for the resolution of threshold notifications of potentially at-risk officers on pages 4-5. In Guardian Tracking, the monitor may access the list of categories and how they contribute to an early intervention flag (i.e., how they are weighted). See also the screenshot of early intervention categories and weights submitted in Q5. The monitor may also review recent EIS notifications and supervisory action taken in response in Guardian Tracking. The Early Intervention System policy was submitted to the monitor in Quarter 5 and fully disseminated to UCPD personnel at that time.

The Performance Evaluations policy was revised based on the improved capabilities in Guardian Tracking, IACLEA standards on performance evaluation, current collective bargaining agreements, and UC HR policy. The Performance Evaluations policy includes procedures for

monthly performance reviews (template previously submitted to the monitor in Q5) and annual evaluations (see attached Form 25 and 26). The requested Supervisory job descriptions that include conducting regular performance evaluations were previously submitted to the monitor under Recommendation 7.3.A. in Q3.

The policy will be disseminated to UCPD personnel after the monitor reviews it and evidence of such will be provided to the monitor via Power DMS at that time. The policy and completing performance evaluations will also be incorporated into the new supervisor orientation program being developed later this year. On a monthly basis, supervisors meet with their subordinates to discuss the monthly reviews. The officer then signs it and it is entered into Guardian Tracking by the supervisor. The monitor may access ongoing monthly performance reviews via their granted access to Guardian Tracking System.

Annual evaluations will be completed as required by policy for all non-probationary employees by June 30. Supervisors complete evaluations for each of their subordinates and then send all evaluations to the appropriate Bureau Commander to be reviewed and signed off on. Bureau Commanders then return the evaluations to the supervisors for their review and discussion with employees during an in-person meeting. Evidence of the completed evaluations and the in-person meeting to discuss them (i.e., signatures of the rater and ratee on the evaluation form) will be accessible to the monitor via their access to Guardian Tracking at that time. As described in the Performance Evaluations policy, evaluations of probationary employees occur on a slightly different schedule as they are due at the six month employment period and then on the one year anniversary of their hire date in accordance with UC Human Resource [Policy 18.01, Performance Evaluation and Probation-Classified Unrepresented Employees](#). Thereafter, evaluations move to the June 30th date. The UCPD currently has only one probationary ULEO, whose six-month evaluation is due within Q6 and will be accessible to the monitor via Guardian Tracking once it is complete.

As described on page 5 of the policy, compliance with this policy is ultimately assured by an annual audit of employee performance evaluations. This audit is required to be completed by July 31 of each year and documented on a Form 5 for the chain of command and Police Chief. The results of the 2018 annual audit will be provided to the monitor as soon as it is completed. Other quality control methods for ensuring compliance with the policy are as follows:

- Annual evaluation deadline set by Business Affairs Office for April 30th (established as deadline in 2017 due to the fact that new shift assignments, if any for that year, must be sent out by the beginning of July per contract), with reminders of upcoming deadline at monthly supervisor meetings*
- The UCPD recently confirmed with Guardian Tracking that activities such as Annual Performance Evaluations can be assigned as required “action items” in the software to ensure and track completion of these important items. Items may be self-assigned or assigned by supervisors with an established deadline. Action items and their due dates appear on individuals’ dashboards within the software. Once a task is completed, whomever assigned the action item will be alerted. This process will be reviewed with supervisors at an upcoming monthly supervisors meeting by the Organizational Development Coordinator.”*

Data Reviewed

1. Early Intervention System Policy (previously submitted in Q5)
2. Notification Threshold Screenshot (previously submitted in Q5)
3. Policy 3.1.100 Performance Evaluations
4. Monthly Performance Review and Supervisory Job Descriptions requiring evaluation of subordinates (previously submitted in Q5 and Q3, respectively)
5. Officer Evaluation Form 25
6. Supervisor Evaluation Form 26
7. Annual evaluations and documentation evidencing supervisor-employee meetings to discuss evaluations (forthcoming in Guardian Tracking)
8. Semi-annual evaluation of probationary ULEO (forthcoming in Guardian Tracking)

Prior Assessment of Compliance

During Q5 ending March 30, 2018, the Monitor found the UCPD in partial compliance with this ER. Although the UCPD had taken affirmative steps towards the buildout of a comprehensive Early Warning System, full integration to include the Performance Evaluation policy, had not yet been completed.

Current Assessment of Compliance



In Compliance

As fully described in the UCPD's proffer of compliance (above in italics), and which was confirmed by the Monitor by way of its collaborative review of both the Early Intervention System and Performance Evaluation policies - the UCPD now has a customized and comprehensive Early Warning System. The Monitor applauds the UCPD for their efforts in this area as it is arguably one of the most critical risk management tools available in police management. In combination with the monthly activities by officer dashboard being provided by its Crime Analyst, with the EWS data UCPD supervisors and command staff should have an accurate picture of officer performance, behavior, and disparities with which to address and/or take intervening actions when needed.

Concluding Review

While the Monitor had planned to review the implementation of this ER through an independent review of the EWS data, given the UCPD's decision to end the voluntary monitorship at the close of 2018, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JULY 7, 2018
REC. REF. NO.: 7.4.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Despite SOP 35.1.100 requiring regular performance evaluations, and supervisor-employee meetings to discuss the evaluation, some officers reported that they had not been evaluated in a few years, and that evaluations had been forwarded by computer.

Exiger Recommendation (“ER”)

Implement a quality control process to ensure compliance with the performance evaluation requirements, and incorporate related duties on the list of supervisor responsibilities

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements a quality control process to ensure compliance with its policy;
- 2) The quality control process is effective at ensuring the regular occurrence of both performance evaluations, and supervisor-employee meetings to discuss those evaluations; and,
- 3) The distributed list of supervisor responsibilities include conducting regular performance evaluations, and supervisor-employee meetings to discuss the evaluation and other related duties.

UCPD Proffer of Compliance

“The Guardian Tracking performance management software is used by the UCPD to document both positive and negative aspects of employee performance. The most recent paid invoice for this software was previously submitted to the monitor in Quarter 5. As described in the Quarter 5 proffer memo for 7.2.A, 12.8.B, and 12.12.D, the UCPD’s use of the Guardian Tracking software was previously hampered by software designs that produced an unwieldy number of categories from which supervisors could select and resulted in inconsistent use across users. Working collaboratively with the vendor, the UCPD’s internal Performance Improvement team significantly improved the capabilities of the Guardian Tracking System software, both as an early intervention system with supervisory alerts to potentially at-risk behavior by officers and for supervisory documentation of positive and negative aspects of employee performance.

The Early Intervention System policy (previously submitted to the monitor in Q5) specifically includes a protocol for the resolution of threshold notifications of potentially at-risk officers on pages 4-5. In Guardian Tracking, the monitor may access the list of categories and how they contribute to an early intervention flag (i.e., how they are weighted). See also the screenshot of early intervention categories and weights submitted in Q5. The monitor may also review recent EIS notifications and supervisory action taken in response in Guardian Tracking. The Early Intervention System policy was submitted to the monitor in Quarter 5 and fully disseminated to UCPD personnel at that time.

The Performance Evaluations policy was revised based on the improved capabilities in Guardian Tracking, IACLEA standards on performance evaluation, current collective bargaining agreements, and UC HR policy. The Performance Evaluations policy includes procedures for monthly performance reviews (template previously submitted to the monitor in Q5) and annual evaluations (see attached Form 25 and 26). The requested Supervisory job descriptions that include conducting regular performance evaluations were previously submitted to the monitor under Recommendation 7.3.A. in Q3.

The policy will be disseminated to UCPD personnel after the monitor reviews it and evidence of such will be provided to the monitor via Power DMS at that time. The policy and completing performance evaluations will also be incorporated into the new supervisor orientation program being developed later this year. On a monthly basis, supervisors meet with their subordinates to discuss the monthly reviews. The officer then signs it and it is entered into Guardian Tracking by the supervisor. The monitor may access ongoing monthly performance reviews via their granted access to Guardian Tracking System.

Annual evaluations will be completed as required by policy for all non-probationary employees by June 30. Supervisors complete evaluations for each of their subordinates and then send all evaluations to the appropriate Bureau Commander to be reviewed and signed off on. Bureau Commanders then return the evaluations to the supervisors for their review and discussion with employees during an in-person meeting. Evidence of the completed evaluations and the in-person meeting to discuss them (i.e., signatures of the rater and ratee on the evaluation form) will be accessible to the monitor via their access to Guardian Tracking at that time. As described in the Performance Evaluations policy, evaluations of probationary employees occur on a slightly different schedule as they are due at the six month employment period and then on the one year anniversary of their hire date in accordance with UC Human Resource [Policy 18.01, Performance Evaluation and Probation-Classified Unrepresented Employees](#). Thereafter, evaluations move to the June 30th date. The UCPD currently has only one probationary ULEO, whose six-month evaluation is due within Q6 and will be accessible to the monitor via Guardian Tracking once it is complete.

As described on page 5 of the policy, compliance with this policy is ultimately assured by an annual audit of employee performance evaluations. This audit is required to be completed by July 31 of each year and documented on a Form 5 for the chain of command and Police Chief. The results of the 2018 annual audit will be provided to the monitor as soon as it is completed. Other quality control methods for ensuring compliance with the policy are as follows:

- Annual evaluation deadline set by Business Affairs Office for April 30th (established as deadline in 2017 due to the fact that new shift assignments, if any for that year, must be sent out by the beginning of July per contract), with reminders of upcoming deadline at monthly supervisor meetings*
- The UCPD recently confirmed with Guardian Tracking that activities such as Annual Performance Evaluations can be assigned as required “action items” in the software to ensure and track completion of these important items. Items may be self-assigned or assigned by supervisors with an established deadline. Action items and their due dates*

appear on individuals' dashboards within the software. Once a task is completed, whomever assigned the action item will be alerted. This process will be reviewed with supervisors at an upcoming monthly supervisors meeting by the Organizational Development Coordinator."

Data Reviewed

1. Early Intervention System Policy (previously submitted in Q5)
2. Notification Threshold Screenshot (previously submitted in Q5)
3. Policy 3.1.100 Performance Evaluations
4. Monthly Performance Review and Supervisory Job Descriptions requiring evaluation of subordinates (previously submitted in Q5 and Q3, respectively)
5. Officer Evaluation Form 25
6. Supervisor Evaluation Form 26
7. Annual evaluations and documentation evidencing supervisor-employee meetings to discuss evaluations (forthcoming in Guardian Tracking)
8. Semi-annual evaluation of probationary ULEO (forthcoming in Guardian Tracking)

Current Assessment of Compliance

In Compliance

As is described in the UCPD's proffer of compliance (above in italics), the UCPD by way of its newly devised annual inspection function, automated notifications in its EWS, and in conjunction with the UC Business Affairs Office, now has a fully operative quality control system to ensure its personnel receive annual performance evaluations as required. Again, the Monitor applauds the UCPD and especially the Organizational Development Coordinator for its efforts in this very important area of police management.

Concluding Review

While the Monitor did in fact observe several completed annual evaluations through its remote access to the EWS system, the Monitor had planned to review full implementation testing through an independent review of annual evaluations in 2019. However, given the UCPD's decision to end the voluntary monitorship at the close of 2018, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JULY 25, 2018
REC. REF. NO.: 7.5.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD policies with respect to complaint receipt, investigation, and disposition are inadequate.

Exiger Recommendation (“ER”)

UCPD should draft Complaint Initiation Policies and Procedures that (a) call out the different methods of initiating/receiving complaints (by mail, telephone, fax or email and via the UCPD website); (b) allow for the receipt of anonymous complaints; (c) provide for walk-in complaints at UCPD headquarters; (d) prohibits any attempt to dissuade an individual from filing a complaint; (e) requires appropriate notification from UC General Counsel anytime a lawsuit alleging police misconduct is filed; (f) requires notification to UCPD by any officer who is arrested or otherwise criminally charged or the subject of a lawsuit that alleges physical violence, threats of physical violence or domestic violence; (g) requires officers to report the misconduct of other officers including improper use or threatened use of force, false arrest, unlawful search or seizure, or perjury; and (h) allows for the processing of internally generated complaints.

MADC Definition of Compliance

Compliance with this recommendation will occur when:

- 1) UCPD implements Complaint Initiation Policies and Procedures;
- 2) the policies and procedures call out the different methods of initiating/receiving complaints (by mail, telephone, fax or email and via the UCPD website);
- 3) the policies and procedures allow for the receipt of anonymous complaints;
- 4) the policies and procedures provide for walk-in complaints at UCPD headquarters;
- 5) the policies and procedures prohibit any attempt to dissuade an individual from filing a complaint;
- 6) the policies and procedures require appropriate notification from UC General Counsel anytime a lawsuit alleging police misconduct is filed;
- 7) the policies and procedures require notification to UCPD by any officer who is arrested or otherwise criminally charged or the subject of a lawsuit that alleges physical violence, threats of physical violence or domestic violence; and,
- 8) the policies and procedures require officers to report the misconduct of other officers including improper use or threatened use of force, false arrest, unlawful search or seizure, or perjury;
- 9) These policies and procedures allows for the processing of internally generated complaints; and
- 10) These policies and procedures are being followed in practice.

UCPD Proffer of Compliance

“The Internal Investigations and Complaints Policy, complaint form, and all associated forms for the investigative process have previously been submitted to and approved by the monitor. In order to demonstrate that the procedures in the Internal Investigations and Complaints Policy are being followed in practice, all citizen and internally generated complaints against UCPD personnel dating from January 1, 2017 have been submitted to the Monitor for compliance assessment.”

During Quarter 6, the UCPD initiated six investigations for the period between April 1 and June 30, 2018. All were citizen complaints with a total of twelve allegations. The complaints involved two sworn members and four NightRide student employees. At the conclusion of quarter 6, all investigations were closed within the required time period or closed following an approved extension. Most of the allegations were not sustained, unfounded, or exonerated, but three allegations were sustained with corrective action taken. The initial complaint forms, extension documents, completed investigation files and investigation log have been uploaded to the Smartsheet for the monitor’s review.

The UCPD also regularly submits to the monitor all Administrative Review forms for command level reviews of foot or vehicle pursuits, off campus traffic stops, and the unholstering of weapons. For this quarter the documentation of one foot pursuit, one off campus traffic stop, and one unholstering of a weapon were submitted to the monitor.”

Attachments

1. Internal Investigations and Complaints Policy
2. Policy Revision Screenshots from Power DMS
3. Form 15A Complaint Form
4. Form 15B Internal Investigation Checklist
5. Form 15C Internal Investigation Employee Complaint Notification
6. Form 15D Waiver or Non-Waiver of Union Representation
7. Form 15E Internal Investigation – Investigation Summary
8. Form 15F Conflict Facilitation Meeting Form
9. Form 15G Complaint Investigation Employee Finding Notification Report
10. Form 15H Complaint Follow Up Letter Template
11. Investigation and Administrative Review documentation

Prior Assessment of Compliance

During 2017, the Monitor assessed the UCPD’s compliance with this ER which included discussions with the OSR and UCPD command staff to ensure agreed definition of compliance; the review and evaluation of the applicable policy and protocols to ensure they met best practice standards; the assessment of the internal training provided to investigators, supervisors and officers; and, an ongoing assessment of the quality of all internal investigations which includes citizen complaints. Other than some feedback communicated to the UCPD command staff to improve the clarity of investigations, the Monitor found they were suitably complete and closed in a timely manner.

Current Assessment of Compliance

In Compliance

Citizen's Complaints

During this review period, the Monitor reviewed all completed citizen complaints investigations¹ and found that the investigations were thorough and complete, timely, and addressed all of the allegation(s). In most instances, the investigation resulted in findings of “Not-Sustained”, “Unfounded”, or “Exonerated”, meaning the investigation could either not determine if the alleged misconduct occurred; or found that the incident did not occur altogether; or, that the incident occurred but was appropriate action on the part of the officer. However, a few of the investigation contain allegations that were “Sustained” meaning the allegation did occur. In the latter instances, the UCPD took appropriate corrective action taken.

Internal Investigations

One investigation from March 2018 remained open, having been extended four times as permitted by policy, and was closed in late July 2018, after the end of the quarter. While the Monitor has not yet evaluated the investigation for completeness, the Monitor discussed the cause for the lengthy completion of the investigation with the UCPD command staff who advised that the investigation underwent several reiterations through the internal review process for qualitative purposes. The Monitor will report its findings with regard to the quality of this investigation and all other completed and closed investigations during Q7 ending September 30, 2018.

Administrative Reviews

Of note is the UCPD's newly created category of documented oversight titled “Administrative Review” (AR) which is the UCPD's process of conducting a more abbreviated evaluation of various types of police actions that do not require a formalized investigation, but which should be the subject of a command level review nevertheless. Such incidents include, but are not limited to, foot or vehicle pursuits, off-campus traffic stops, and the un-holstering of weapons – all of which justify a more streamlined review process.²

The UCPD submitted several of such ARs, and some in which policy violations and training issues were identified. In these cases, the UCPD adequately documented the corrective measures taken within the AR report (Form 5).

While the Monitor appreciates the AR process and agreed with the outcome of these particular incidents, the Monitor's review of all of the above varying types of investigations noted some inconsistencies with the UCPD's Internal Investigations policy. Specifically, the AR title, procedure, and required documentation was not included in the policy as written. In fact, the policy actually referred to an “Administrative Investigation” which required the more formalized

¹ As reported in the Monitor's last quarterly report, the UCPD had received three initial intake complaint forms but had not yet completed the formal investigations.

² The ARs related to the un-holstering of weapons are described elsewhere in this report under ER 3.6.A.



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investigation. This created some confusion on the topic in relation to the expected level of review and documentation, and some problems with the investigation tracking log. As a result, the Monitor had discussions with the UCPD Command Staff who have agreed to address the issues by revising the policy and tracking log in the coming weeks.

Continued Review

The Monitor will continue to review all Citizen Complaints, Internal Investigations, and Administrative Reviews on an ongoing basis to include an assessment of the quality of all complaints to ensure they are investigated to the applicable standards and were conducted in a timely manner. The Monitor will include a report of this assessment each quarter for the remainder of the Monitorship.










Appendix 8





REPORT CARD MATRIX

Section 8 - Review of Community Engagement, Problem-Oriented Policing, and Crime Prevention

		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
8.1.A	Recognize the essential nature of the community affairs function within the UCPD and appropriate resources dedicated to it.				●								
8.1.B	The Community Affairs organization should be elevated to a more prominent position in the organization and should be staffed appropriately.	● NFE	-	-	-	-	-	-	-	-	-	-	
8.1.C	Create a separate Community Affairs Office which reports directly to the Chief, thereby exercising greater authority across the organization.	● NFE	-	-	-	-	-	-	-	-	-	-	
8.1.D	Rescind the existing SOPs and write new policies and procedures to reflect the new structure and mission of the unit.			● NFE	-	-	-	-	-	-	-	-	
8.1.E	Consider whether the Victim Services Coordinator belongs in the Community Affairs Office or whether it might be more appropriately housed elsewhere within UCPD or the University.	● NFE	-	-	-	-	-	-	-	-	-	-	
8.2.A	The Community Affairs Office should be managed by a supervisor with formal operational authority to manage all of the various components of the Community Affairs mission.	● NFE	-	-	-	-	-	-	-	-	-	-	
8.2.B	The supervisor position could either be a civilian title, e.g., Director, or a uniformed title, e.g., Captain but should be of sufficient stature as to be able to coordinate resources across the organization, particularly those resources that are not specifically assigned to Community Affairs	● NFE	-	-	-	-	-	-	-	-	-	-	
8.2.C	Staff the Community Affairs Office with a minimum of two officers whose sole responsibilities are community affairs duties.	● NFE	-	-	-	-	-	-	-	-	-	-	
8.2.D	Consider assigning officers as community liaisons to designated community groups.	● NFE	-	-	-	-	-	-	-	-	-	-	
8.2.E	Consider revising the provision of the Collective Bargaining Agreement that prescribes a four-year rotation period for CAO's.						● NFE	-	-	-	-	-	

REPORT CARD MATRIX

		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
8.2.F	Design and implement a selection process for the Community Engagement Officers which evaluates candidates against the specific qualifications necessary for effective performance of the function, and includes the opportunity for community and student body input.						-	-	-	-	-	-	-
8.3.A	Provide Community Affairs Office staff with specialized training on public speaking, crime prevention, labor relations, and social media												
8.4.A	Establish the supervisory position of Event Coordinator, with appropriate staff						-	-	-	-	-	-	-
8.5.A	Train personnel in a community policing problem solving model.		-	-	-	-	-	-	-	-	-	-	-
8.5.B	Consider adopting the CAPRA community policing problem solving model.		-	-	-	-	-	-	-	-	-	-	-
8.5.C	Develop a problem-solving approach to chronic crime and disorder problems.												
8.5.D	If UCPD continues to patrol off campus, then problem-solving groups should also involve community residents and CPD.												
8.5.E	Develop a policy that outlines the problem-solving program, and contain clear roles, responsibilities and expectations regarding the UCPD's problem-solving efforts.												
8.6.A	Increase the number of CCTV cameras deployed in both the on and off campus communities, and collaborate with the CPD to identify strategic locations to place the additional cameras.						-	-	-	-	-	-	-
8.6.B	Institute a 'Safe Haven' program whereby local businesses register with UCPD, agree to display a distinctive logo on their storefronts that identifies them as a Safe Haven, and pledge to assist University affiliates in distress.							-	-	-	-	-	-
8.6.C	Consider implementing Operation Blue Light, a program that authorizes UCPD personnel to mark property with an invisible ink discernible only under a special blue light.							-	-	-	-	-	-

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
8.6.D	Consider implementing Operation ID, a nationwide program that aims to deter theft by permanently identifying valuable property with an indelible, inconspicuous, specially assigned number.						-	-	-	-	-	-	
8.6.E	Consider implementing PC PhoneHome/Mac PhoneHome, a program that allows authorities to locate a lost or stolen computer by identifying its location when the machine is connected to the Internet.						-	-	-	-	-	-	
8.6.F	Consider employing Stop Theft Tags, which possess a unique ID number that is entered into the STOPTHEFT worldwide database, and allow lost or stolen property to be reunited with its owner.						-	-	-	-	-	-	
8.6.G	Look into Bicycle Registration, where a permanent decal is affixed to the bicycle, thus giving it a unique ID number that is registered with the UCPD.						-	-	-	-	-	-	

COMPLIANCE MEMORANDUM

DATE: MARCH 30, 2018
REC. REF. NO.: 8.2.F
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Beyond the Director of Community Police Relations, daily supervision and leadership of the Community Affairs Program currently relies on the good faith efforts and initiative of the Community Engagement Officer and the Public Information Officer, both of whom lack the formal responsibility or authority to be able to implement ideas and programs effectively.

Exiger Recommendation (“ER”)

UCPD should design and implement a selection process for the Community Engagement Officers which evaluates candidates against the specific qualifications necessary for effective performance of the function, and includes the opportunity for community and student body input.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) The UCPD designs and implements a selection process for the Community Engagement Officers;
- 2) The UCPD evaluates candidates against the specific qualification necessary for effective performance of function; and,
- 3) The UCPD evaluation process includes the opportunity for community and student body input.

Proffer of Compliance

“The selection process for Community Engagement Officers is described on page 3 in the UCPD Special Assignments Policy (attached), and referenced in the Community Affairs Section Protocol (attached, page 2). The selection process described in the Special Assignments policy specifically includes the opportunity for community and student body input. The Special Assignments policy will be disseminated after the monitor’s review and evidence of such will be provided to the monitor via Power DMS at that time. The Community Affairs Section Protocol was previously approved by the Monitor in Q1, but has been re-disseminated to UCPD personnel as of 2/21/18 to reflect recent revisions; evidence of such will be provided to the monitor via Power DMS prior to the end of Q5. Article 40 of the ULEO collective bargaining agreement and Article 14 of the supervisors’ collective bargaining agreement (attached) also describes the selection process for Special Assignments.

Currently, the CAS is supervised by Lieutenant David Hoffman and staffed by Officer Douglas Barge (in the unit since 2014) and Officer James Vestring (in the unit since 2016). The job descriptions for both the supervisor and officers assigned to this unit were previously submitted to the monitor in conjunction with the assessment of ER 8.2.C. No officers have been selected to this

assignment since the new process was implemented.

Data Reviewed

1. Community Affairs Section Protocol 12.2.100
2. Special Assignments Policy 3.2.101
3. Article 40, ULEO Collective Bargaining Agreement and Article 14, Supervisor Collective Bargaining Agreement

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), and verified by the Monitor's review of the documentation submitted, the UCPD has designed and disseminated a policy to meet the requirements of this ER which includes an appropriate selection process that provides for community and student body input. The Monitor is pleased that the UCPD has acknowledged the significance of the Community Engagement Officer's role in the organization.

Next Review

No further review of this ER is necessary.

COMPLIANCE MEMORANDUM

DATE: MARCH 30, 2018
REC. REF. NO.: 8.4.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have a dedicated Event Coordinator who would be charged with primary responsibility for public safety planning for, resourcing of, and response to the myriad of events occurring on campus.

Exiger Recommendation (“ER”)

UCPD should establish the supervisory position of Event Coordinator, with appropriate staff, whose responsibilities would include, but not be limited to:

- Review event permit applications in the University database and communicate with event planners to address security and safety concerns.
- Conduct a risk analysis of proposed special events to determine the mitigation actions required including the number and type of security staff needed.
- Coordinate provision of security staffing and operations supporting events with university departments that facilitate events, including Transportation, Fire Safety, Facilities Management, Campus Activities, Hospitality, and Campus Filming.
- Represent the department in regular campus event and stadium event management meetings, and attend occasional production meetings, event walk-throughs, or meetings with individual event organizers.
- Plan and assign department staffing for events and security details. Among other things, to post details of the assignments in the daily Overtime Update.
- Prepare detailed written instructions/post orders for officers assigned to event or security details, and write operations plans for large or complex event details.
- Prepare and send cost estimates and invoices to event organizers for department event staffing, and assist department accounting staff in following up with event organizers regarding unpaid invoices.
- Serves as officer-in-charge for major event details conducting officer briefings and managing the events, such as student Move-in Day, football games, student concerts, Commencement and other major university events.
- Coordinate and liaison with outside law enforcement and public safety agencies regarding university events with wider impact, or community events that may impact both the university and surrounding community.
- Serve as UCPD point-of-contact for dignitary visits to the campus, coordinate with public or private security personal protection details (including Secret Service and protective details for other elected officials), and plan and arrange department staffing as needed.

- Serve as department point-of-contact for protests and demonstrations, and plan or coordinate department staffing as needed.
- Review and provide department approval for requests to serve alcohol at events at campus locations not licensed to do so, in coordination with Hospitality Services.
- Supervise any event coordination staff.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) The UCPD establishes the supervisory position of Event Coordinator;
- 2) The Event Coordinator is supported by an appropriate staff; and
- 3) The Event Coordinator is responsible for the requirements specified in the ER among other things.

Proffer of Compliance

“The UCPD has created a supervisory position at the rank of Lieutenant that is responsible for Inspections and Special Event Planning. Attached is the supervisory job posting email sent from the Associate Director of Business Affairs to all UCPD lieutenants on January 24, 2018. Also attached is the job description for the advertised open supervisory position. Only one candidate applied for the open position; as such, the interview process was waived. Captain Thompson completed the attached Form 5 with the recommendation to select Lieutenant Timothy Barge, which was approved by Chief Herold. This appointment is effective as of 2/26/2018.”

Responsibility for UCPD Special Event coordination is the responsibility of the aforementioned lieutenant, who is supported by the Assistant Coordinator for Public Safety Events (a non-sworn position held by Lauren Bycynski) and the Special Event Detail Coordinator (a sworn officer position held by ULEO3 Lori Cronin). The job descriptions for each of these two positions are attached. Some of the specific responsibilities included in the original Exiger recommendation are included on one of the support staff’s job descriptions, rather than the lieutenant’s, but the supervisor is ultimately responsible for all tasks and assigned responsibilities of his subordinates.”

Data Reviewed

1. Supervisory Job Posting Email
2. Job Description: Lieutenant, Inspections and Special Event Planning
3. Form 5, Supervisor Selection
4. Job Description: Assistant Coordinator, Public Safety Events
5. Job Description: Special Event Detail Coordinator

Current Assessment of Compliance

In Compliance

As described in the UCPD’s proffer of compliance (above in italics), and verified by the Monitor’s review of the documentation submitted, the UCPD has established the supervisory position of Event Coordinator who is supported by an appropriate staff and is responsible for the requirements



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specified in the ER. The Monitor noted that several of the specified functions are being performed by the Event Coordinator staff but irrespective of who performs the task, both the position description and the policy support the concept that the Event Coordinator is ultimately responsible for the functions.

Next Review

No further review of this ER is necessary.

COMPLIANCE MEMORANDUM

DATE: MARCH 13, 2018
REC. REF. NO.: 8.6.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the UCPD currently has a number of effective crime prevention initiatives in place, additional programs should be implemented.

Exiger Recommendation (“ER”)

UCPD should increase the number of CCTV cameras deployed in both the on and off campus communities, and should collaborate with both UCPD and CPD investigators to identify strategic locations to place the additional cameras.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD increases the number of CCTV cameras deployed in both the on and off campus communities; and,
- 2) UCPD collaborates with CPD investigators to identify strategic locations to place the additional cameras.

Proffer of Compliance

“UCPD has installed 3 additional cameras and 4 more are in progress as detailed in Memo 10.3.A. Input from CPD resulted in the installation of the UPARK camera which overlooks the Shell station on Calhoun St. and surrounding area.

UCPD has decided not to install off campus cameras at this time due to the complexity and cost to network them back to campus. In discussions between the UC Network Operations Center (NOC) and Diane Brueggemann in August 2016, the options to network off campus included private fiber, VPN, and firewall open ports. Due to the costs and/or security vulnerabilities these options presented and the readily available option to view CPD cameras no further action was taken to investigate installing cameras off campus. In follow up discussion on January 31, 2018 between Diane Brueggemann and the NOC, there is no change to the options or cost/security concerns from the August 2016 information.

As of October 11, 2016, UCPD has had access to view city cameras via an app installed on iPads which can be connected to large monitors. CPD cameras have been strategically placed to cover potential problem areas. CPD added several new cameras in preparation for the Tensing trial in fall 2016. Fifteen of the city cameras have views in the area surrounding UC. In conversations with city camera representatives, it was noted that these cameras are wireless and can be moved to other areas as requested by UCPC and CPD investigators and administration.”

Data Reviewed

1. Camera Committee Report-03012016
2. Camera Committee Report-01162018
3. Project Request Form: Installation of 4 permanent cameras
4. Purchase Order: Two wireless cameras

Current Assessment of Compliance

In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD has not only installed additional cameras on campus but is also engaged in a continual collaboration and coordination with the Cincinnati Police Department (CPD) to ensure the most cost efficient and secure use of the cameras as surveillance. The Monitor commends the UCPD for its resourcefulness in using the available resources.

Next Review

No further review of this ER is necessary.

COMPLIANCE MEMORANDUM

DATE: JUNE 19, 2018
REC. REF. NO.: 8.2.E
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Beyond the Director of Community Police Relations, daily supervision and leadership of the Community Affairs Program currently relies on the good faith efforts and initiative of the Community Engagement Officer and the Public Information Officer, both of whom lack the formal responsibility or authority to be able to implement ideas and programs effectively.

Exiger Recommendation (“ER”)

UCPD should consider revising the provision of the Collective Bargaining Agreement that prescribes a four-year rotation period for CAOs given:

- The nature of the assignment is such that it requires a specialized type of experience and, perhaps more importantly, a strong sense of commitment by the assigned personnel;
- It is counterproductive to reassign qualified and committed staff from these positions;
- It results in a loss of continuity and institutional memory; and
- It diminishes morale and removes the incentive to excel.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) The UCPD considers revising the provision of the Collective Bargaining Agreement that prescribes a four-year rotation period for CAOs;
- 2) The UCPD considers whether the nature of the assignment is such that it requires a specialized type of experience and, perhaps more importantly, a strong sense of commitment by the assigned personnel;
- 3) The UCPD considers whether it is counterproductive to reassign qualified and committed staff from these positions;
- 4) The UCPD considers whether it results in a loss of continuity and institutional memory; and,
- 5) The UCPD considers whether it diminishes morale and removes the incentive to excel.

Proffer of Compliance

“Although the Collective Bargaining Agreement (CBA) contract has not yet been finalized and is in the fact-finding process due to negotiations impasse, the provision of the CBA that relates to the rotation of Community Affairs Officers has been agreed upon (see attached Article 40). Based on recent CBA negotiations, the minimum assignment period was reduced to 3 years but the provision was added to allow for an extension of that time based on the mutual agreement of the assigned officer as well as the Police Chief. This allows the Police Chief the necessary latitude to assign and rotate personnel as needed, but also allows qualified and well-performing CAO’s to remain in place if the needs of the agency so dictate.”

Data Reviewed

Article 40, Collective Bargaining Agreement Negotiations

Current Assessment of Compliance **In Compliance**

Although it is not yet signed or finalized, the Monitor reviewed the UCPD's Collective Bargaining Agreement (CBA) negotiations draft and confirmed that the revisions would permit the Chief of Police to extend assignments, with the officer's concurrent agreement, beyond the agreed upon term of three years. The process would clearly allow for extended tours in the Community Affairs Program which was the intention of this ER.

Concluding Review

No further review of this ER is needed.

COMPLIANCE MEMORANDUM

DATE: JUNE 19, 2018
REC. REF. NO.: 8.6.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the UCPD currently has a number of effective crime prevention initiatives in place, additional programs should be implemented.

Exiger Recommendation (“ER”)

UCPD should Institute a ‘Safe Haven’ program whereby local businesses register with UCPD, agree to display a distinctive logo on their storefronts that identifies them as a Safe Haven, and pledge to assist University affiliates in distress.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) The UCPD considers instituting a 'Safe Haven' program;
- 2) If implemented, the UCPD registers a number of local businesses in the program; and
- 3) If implemented, those businesses agree to participate by displaying a distinctive logo and pledging assistance to the University and its affiliates in distress.

Proffer of Compliance

“8.6.B: The UCPD collaboratively works with both the Cincinnati Police Department and the local businesses in the University of Cincinnati area to foster stewardship with the goal of being a good neighbor to all of the local University affiliates. Monthly meetings occur with UCPD (at least one member of Community Affairs Unit), CPD (at least one member of the CPD Neighborhood Liaison Unit), and local business managers, as well as any guests invited to speak regarding the topic of the day. These meetings include the Short Vine Business Association and the CUF Business Association. There are logistical and jurisdictional concerns about displaying a distinctive logo such as the Safe Haven logo recommended in 8.6.B, including what could happen to a business if they do not have the logo. There is concern about implying people are not welcome without a logo, therefore creating some form of liability. Additionally, this is outside of UCPD’s jurisdiction, which creates potential issues associated with calls for service. In place of the Safe Haven program and affiliated logo, the UCPD Community Engagement Unit will continue to work with local businesses and the CPD Neighborhood Liaison Unit to ensure an inclusive atmosphere for the sake of UC affiliates.

8.6.C/D/F: The UCPD owns several engraver tools that are used to make unique identifiers on property in nondescript locations (see attached property inventory). This is the same principle as the blue light markings of the recommended Operation Blue Light program, but it is useful across jurisdictional lines for departments that do not use any form of black light marking. This also has overlapping principles as Operation ID where the goal is to permanently identify property with

an inconspicuous marking. The engraving service is advertised at every new student orientation (see attached), which all UC students are required to attend. The implementation of Operation Blue Light, Operation ID, or the use of Stop Theft Tags would all have budget implications; therefore, since the UCPD already has the engravers, they will continue with this program instead.

8.6.E: The implementation of the PC PhoneHome or Mac PhoneHome program also has budget implications, as well as concerns related to UCPD Integration and privacy concerns could be challenging associated with third party software installation used for tracking. Furthermore, certain hardware developers already have native software for this purpose built into computers.

8.6.G: The UCPD has a bicycle registration program where one can register their bicycle information on UC's Public Safety website (<http://www.uc.edu/publicsafety/services/bicycle-registration.html>). Additionally, UCPD can engrave nondescript markings on the bicycle to assist in recovery of the bicycle in case its serial number is removed after a theft. This information is disseminated at every new student orientation, which all UC students are required to attend (see attached). As of the date of this proffer, there have only been four bicycle thefts for the year 2018."

Data Reviewed

1. Property Inventory List
2. Community Affairs, New Student Orientation slide

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD has considered implementing the Safe Haven program which was recommended in the Exiger report and has clearly explained its reasoning for not doing so. The Monitor acknowledges the UCPD's efforts of continuing to work with local businesses, CPD and neighborhood UC partners in order to provide the safest possible environment for its UC community.

Concluding Review

This is the first assessment of this ER and given the UCPD has documented its consideration and intention to not implement this specific recommendation, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JUNE 1, 2018
REC. REF. NO.: 8.6.C
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the UCPD currently has a number of effective crime prevention initiatives in place, additional programs should be implemented.

Exiger Recommendation (“ER”)

UCPD should consider implementing Operation Blue Light, a program that authorizes UCPD personnel to mark property with an invisible ink discernible only under a special blue light.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD considers implementing Operation Blue Light including its community support.

Proffer of Compliance

“8.6.B: The UCPD collaboratively works with both the Cincinnati Police Department and the local businesses in the University of Cincinnati area to foster stewardship with the goal of being a good neighbor to all of the local University affiliates. Monthly meetings occur with UCPD (at least one member of Community Affairs Unit), CPD (at least one member of the CPD Neighborhood Liaison Unit), and local business managers, as well as any guests invited to speak regarding the topic of the day. These meetings include the Short Vine Business Association and the CUF Business Association. There are logistical and jurisdictional concerns about displaying a distinctive logo such as the Safe Haven logo recommended in 8.6.B, including what could happen to a business if they do not have the logo. There is concern about implying people are not welcome without a logo, therefore creating some form of liability. Additionally, this is outside of UCPD’s jurisdiction, which creates potential issues associated with calls for service. In place of the Safe Haven program and affiliated logo, the UCPD Community Engagement Unit will continue to work with local businesses and the CPD Neighborhood Liaison Unit to ensure an inclusive atmosphere for the sake of UC affiliates.

8.6.C/D/F: The UCPD owns several engraver tools that are used to make unique identifiers on property in nondescript locations (see attached property inventory). This is the same principle as the blue light markings of the recommended Operation Blue Light program, but it is useful across jurisdictional lines for departments that do not use any form of black light marking. This also has overlapping principles as Operation ID where the goal is to permanently identify property with an inconspicuous marking. The engraving service is advertised at every new student orientation (see attached), which all UC students are required to attend. The implementation of Operation Blue Light, Operation ID, or the use of Stop Theft Tags would all have budget implications; therefore, since the UCPD already has the engravers, they will continue with this program instead.

8.6.E: The implementation of the PC PhoneHome or Mac PhoneHome program also has budget implications, as well as concerns related to UCPD Integration and privacy concerns could be challenging associated with third party software installation used for tracking. Furthermore, certain hardware developers already have native software for this purpose built into computers.

8.6.G: The UCPD has a bicycle registration program where one can register their bicycle information on UC's Public Safety website (<http://www.uc.edu/publicsafety/services/bicycle-registration.html>). Additionally, UCPD can engrave nondescript markings on the bicycle to assist in recovery of the bicycle in case its serial number is removed after a theft. This information is disseminated at every new student orientation, which all UC students are required to attend (see attached). As of the date of this proffer, there have only been four bicycle thefts for the year 2018."

Data Reviewed

1. Property Inventory List
2. Community Affairs, New Student Orientation slide

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD has considered implementing the Operation Blue Light program which was recommended in the Exiger report and has explained its reasoning for not doing so. The Monitor acknowledges the UCPD has implemented similar strategies as contained in the Operation Blue Light program which appear to be effective as a crime deterrent.

Concluding Review

This is the first assessment of this ER and given the UCPD has documented its consideration and intention to not implement this specific recommendation, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JUNE 1, 2018
REC. REF. NO.: 8.6.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the UCPD currently has a number of effective crime prevention initiatives in place, additional programs should be implemented.

Exiger Recommendation (“ER”)

Consider implementing Operation ID, a nationwide program that aims to deter theft by permanently identifying valuable property with an indelible, inconspicuous, specially assigned number.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD considers implementing Operation ID including community support.

Proffer of Compliance

“8.6.B: The UCPD collaboratively works with both the Cincinnati Police Department and the local businesses in the University of Cincinnati area to foster stewardship with the goal of being a good neighbor to all of the local University affiliates. Monthly meetings occur with UCPD (at least one member of Community Affairs Unit), CPD (at least one member of the CPD Neighborhood Liaison Unit), and local business managers, as well as any guests invited to speak regarding the topic of the day. These meetings include the Short Vine Business Association and the CUF Business Association. There are logistical and jurisdictional concerns about displaying a distinctive logo such as the Safe Haven logo recommended in 8.6.B, including what could happen to a business if they do not have the logo. There is concern about implying people are not welcome without a logo, therefore creating some form of liability. Additionally, this is outside of UCPD’s jurisdiction, which creates potential issues associated with calls for service. In place of the Safe Haven program and affiliated logo, the UCPD Community Engagement Unit will continue to work with local businesses and the CPD Neighborhood Liaison Unit to ensure an inclusive atmosphere for the sake of UC affiliates.

8.6.C/D/F: The UCPD owns several engraver tools that are used to make unique identifiers on property in nondescript locations (see attached property inventory). This is the same principle as the blue light markings of the recommended Operation Blue Light program, but it is useful across jurisdictional lines for departments that do not use any form of black light marking. This also has overlapping principles as Operation ID where the goal is to permanently identify property with an inconspicuous marking. The engraving service is advertised at every new student orientation (see attached), which all UC students are required to attend. The implementation of Operation

Blue Light, Operation ID, or the use of Stop Theft Tags would all have budget implications; therefore, since the UCPD already has the engravers, they will continue with this program instead.

8.6.E: The implementation of the PC PhoneHome or Mac PhoneHome program also has budget implications, as well as concerns related to UCPD Integration and privacy concerns could be challenging associated with third party software installation used for tracking. Furthermore, certain hardware developers already have native software for this purpose built into computers.

8.6.G: The UCPD has a bicycle registration program where one can register their bicycle information on UC's Public Safety website (<http://www.uc.edu/publicsafety/services/bicycle-registration.html>). Additionally, UCPD can engrave nondescript markings on the bicycle to assist in recovery of the bicycle in case its serial number is removed after a theft. This information is disseminated at every new student orientation, which all UC students are required to attend (see attached). As of the date of this proffer, there have only been four bicycle thefts for the year 2018."

Data Reviewed

1. Property Inventory List
2. Community Affairs, New Student Orientation slide

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD has considered implementing the Operation ID program which was recommended in the Exiger report and has explained its reasoning for not doing so. The Monitor acknowledges the UCPD has implemented similar strategies as contained in the Operation ID program which appear to be effective as a crime deterrent.

Concluding Review

This is the first assessment of this ER and given the UCPD has documented its consideration and intention to not implement this specific recommendation, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JUNE 1, 2018
REC. REF. NO.: 8.6.E
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the UCPD currently has a number of effective crime prevention initiatives in place, additional programs should be implemented.

Exiger Recommendation (“ER”)

Consider implementing PC PhoneHome/Mac PhoneHome, a program that allows authorities to locate a lost or stolen computer by identifying its location when the machine is connected to the Internet.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD considers implementing the PC PhoneHome/Mac PhoneHome program including community support.

Proffer of Compliance

“8.6.B: The UCPD collaboratively works with both the Cincinnati Police Department and the local businesses in the University of Cincinnati area to foster stewardship with the goal of being a good neighbor to all of the local University affiliates. Monthly meetings occur with UCPD (at least one member of Community Affairs Unit), CPD (at least one member of the CPD Neighborhood Liaison Unit), and local business managers, as well as any guests invited to speak regarding the topic of the day. These meetings include the Short Vine Business Association and the CUF Business Association. There are logistical and jurisdictional concerns about displaying a distinctive logo such as the Safe Haven logo recommended in 8.6.B, including what could happen to a business if they do not have the logo. There is concern about implying people are not welcome without a logo, therefore creating some form of liability. Additionally, this is outside of UCPD’s jurisdiction, which creates potential issues associated with calls for service. In place of the Safe Haven program and affiliated logo, the UCPD Community Engagement Unit will continue to work with local businesses and the CPD Neighborhood Liaison Unit to ensure an inclusive atmosphere for the sake of UC affiliates.

8.6.C/D/F: The UCPD owns several engraver tools that are used to make unique identifiers on property in nondescript locations (see attached property inventory). This is the same principle as the blue light markings of the recommended Operation Blue Light program, but it is useful across jurisdictional lines for departments that do not use any form of black light marking. This also has overlapping principles as Operation ID where the goal is to permanently identify property with an inconspicuous marking. The engraving service is advertised at every new student orientation (see attached), which all UC students are required to attend. The implementation of Operation

Blue Light, Operation ID, or the use of Stop Theft Tags would all have budget implications; therefore, since the UCPD already has the engravers, they will continue with this program instead.

8.6.E: The implementation of the PC PhoneHome or Mac PhoneHome program also has budget implications, as well as concerns related to UCPD Integration and privacy concerns could be challenging associated with third party software installation used for tracking. Furthermore, certain hardware developers already have native software for this purpose built into computers.

8.6.G: The UCPD has a bicycle registration program where one can register their bicycle information on UC's Public Safety website (<http://www.uc.edu/publicsafety/services/bicycle-registration.html>). Additionally, UCPD can engrave nondescript markings on the bicycle to assist in recovery of the bicycle in case its serial number is removed after a theft. This information is disseminated at every new student orientation, which all UC students are required to attend (see attached). As of the date of this proffer, there have only been four bicycle thefts for the year 2018."

Data Reviewed

1. Property Inventory List
2. Community Affairs, New Student Orientation slide

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD has considered implementing the PC PhoneHome or Mac PhoneHome program which was recommended in the Exiger report, and found that the budget and security issues outweighed the benefits of the program. The Monitor agrees that many electronic devices now have similar features and supports the UCPD's conclusion.

Concluding Review

This is the first assessment of this ER and given the UCPD has documented its consideration and intention to not implement this specific recommendation, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JUNE 1, 2018
REC. REF. NO.: 8.6.F
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the UCPD currently has a number of effective crime prevention initiatives in place, additional programs should be implemented.

Exiger Recommendation (“ER”)

Consider employing Stop Theft Tags, which possess a unique ID number that is entered into the STOPTHEFT worldwide database, and allow lost or stolen property to be reunited with its owner.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD considers employing Stop Theft Tags program including community support.

Proffer of Compliance

“8.6.B: The UCPD collaboratively works with both the Cincinnati Police Department and the local businesses in the University of Cincinnati area to foster stewardship with the goal of being a good neighbor to all of the local University affiliates. Monthly meetings occur with UCPD (at least one member of Community Affairs Unit), CPD (at least one member of the CPD Neighborhood Liaison Unit), and local business managers, as well as any guests invited to speak regarding the topic of the day. These meetings include the Short Vine Business Association and the CUF Business Association. There are logistical and jurisdictional concerns about displaying a distinctive logo such as the Safe Haven logo recommended in 8.6.B, including what could happen to a business if they do not have the logo. There is concern about implying people are not welcome without a logo, therefore creating some form of liability. Additionally, this is outside of UCPD’s jurisdiction, which creates potential issues associated with calls for service. In place of the Safe Haven program and affiliated logo, the UCPD Community Engagement Unit will continue to work with local businesses and the CPD Neighborhood Liaison Unit to ensure an inclusive atmosphere for the sake of UC affiliates.

8.6.C/D/F: The UCPD owns several engraver tools that are used to make unique identifiers on property in nondescript locations (see attached property inventory). This is the same principle as the blue light markings of the recommended Operation Blue Light program, but it is useful across jurisdictional lines for departments that do not use any form of black light marking. This also has overlapping principles as Operation ID where the goal is to permanently identify property with an inconspicuous marking. The engraving service is advertised at every new student orientation (see attached), which all UC students are required to attend. The implementation of Operation Blue Light, Operation ID, or the use of Stop Theft Tags would all have budget implications; therefore, since the UCPD already has the engravers, they will continue with this program instead.

8.6.E: The implementation of the PC PhoneHome or Mac PhoneHome program also has budget implications, as well as concerns related to UCPD Integration and privacy concerns could be challenging associated with third party software installation used for tracking. Furthermore, certain hardware developers already have native software for this purpose built into computers.

8.6.G: The UCPD has a bicycle registration program where one can register their bicycle information on UC's Public Safety website (<http://www.uc.edu/publicsafety/services/bicycle-registration.html>). Additionally, UCPD can engrave nondescript markings on the bicycle to assist in recovery of the bicycle in case its serial number is removed after a theft. This information is disseminated at every new student orientation, which all UC students are required to attend (see attached). As of the date of this proffer, there have only been four bicycle thefts for the year 2018."

Data Reviewed

1. Property Inventory List
2. Community Affairs, New Student Orientation slide

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD has considered implementing the STOPTHEFT program which was recommended in the Exiger report, and found that the budget constraints outweighed the benefits of the program especially given the UCPD's current engraving program. The Monitor supports the UCPD's conclusion in this regard.

Concluding Review

This is the first assessment of this ER and given the UCPD has documented its consideration and intention to not implement this specific recommendation, no further review will be conducted.

COMPLIANCE MEMORANDUM

DATE: JUNE 1, 2018
REC. REF. NO.: 8.6.G
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While the UCPD currently has a number of effective crime prevention initiatives in place, additional programs should be implemented.

Exiger Recommendation (“ER”)

UCPD should look into Bicycle Registration, where a permanent decal is affixed to the bicycle, thus giving it a unique ID number that is registered with the UCPD.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD considers exploring implementing the Bicycle Registration program including community support.

Proffer of Compliance

“8.6.B: The UCPD collaboratively works with both the Cincinnati Police Department and the local businesses in the University of Cincinnati area to foster stewardship with the goal of being a good neighbor to all of the local University affiliates. Monthly meetings occur with UCPD (at least one member of Community Affairs Unit), CPD (at least one member of the CPD Neighborhood Liaison Unit), and local business managers, as well as any guests invited to speak regarding the topic of the day. These meetings include the Short Vine Business Association and the CUF Business Association. There are logistical and jurisdictional concerns about displaying a distinctive logo such as the Safe Haven logo recommended in 8.6.B, including what could happen to a business if they do not have the logo. There is concern about implying people are not welcome without a logo, therefore creating some form of liability. Additionally, this is outside of UCPD’s jurisdiction, which creates potential issues associated with calls for service. In place of the Safe Haven program and affiliated logo, the UCPD Community Engagement Unit will continue to work with local businesses and the CPD Neighborhood Liaison Unit to ensure an inclusive atmosphere for the sake of UC affiliates.

8.6.C/D/F: The UCPD owns several engraver tools that are used to make unique identifiers on property in nondescript locations (see attached property inventory). This is the same principle as the blue light markings of the recommended Operation Blue Light program, but it is useful across jurisdictional lines for departments that do not use any form of black light marking. This also has overlapping principles as Operation ID where the goal is to permanently identify property with an inconspicuous marking. The engraving service is advertised at every new student orientation (see attached), which all UC students are required to attend. The implementation of Operation Blue Light, Operation ID, or the use of Stop Theft Tags would all have budget implications; therefore, since the UCPD already has the engravers, they will continue with this program instead.

8.6.E: The implementation of the PC PhoneHome or Mac PhoneHome program also has budget implications, as well as concerns related to UCPD Integration and privacy concerns could be challenging associated with third party software installation used for tracking. Furthermore, certain hardware developers already have native software for this purpose built into computers.

8.6.G: The UCPD has a bicycle registration program where one can register their bicycle information on UC's Public Safety website (<http://www.uc.edu/publicsafety/services/bicycle-registration.html>). Additionally, UCPD can engrave nondescript markings on the bicycle to assist in recovery of the bicycle in case its serial number is removed after a theft. This information is disseminated at every new student orientation, which all UC students are required to attend (see attached). As of the date of this proffer, there have only been four bicycle thefts for the year 2018."

Data Reviewed

1. Property Inventory List
2. Community Affairs, New Student Orientation slide

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD has implemented a bicycle registration program which includes an engraving service offered to new students.






Concluding Review

This is the first assessment of this ER and given the UCPD already had a bicycle registration program in place, no further review is needed.

Appendix 9

REPORT CARD MATRIX

		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
Section 9 - Review of Encounters with Individuals with Mental Health Concerns													
9.1.A	Establish clearly written policies and procedures based upon existing best practices used by campus police departments.												
9.1.B	Include in the new policy a list of generalized signs and symptoms of behavior that may suggest mental illness.		 NFE	-	-	-	-	-	-	-	-	-	-
9.1.C	Include in the new policy should a list of indicators that will help an officer determine whether an apparently mentally ill person represents an immediate or potential danger.		 NFE	-	-	-	-	-	-	-	-	-	-
9.1.D	The new policy should include guidelines for officers to follow when dealing with persons they suspect are mentally ill.		 NFE	-	-	-	-	-	-	-	-	-	-
9.1.E	Review applicable reports from other jurisdictions, including the USC and LA Mental Health Advisory Board, and incorporate suggestions from those reports in policies, procedures and training.		 NFE	-	-	-	-	-	-	-	-	-	-
9.2.A	Implement a Student Concerns Committee that consists of first responders and those potentially in a position to take notice of irrational student behavior.		 NFE	-	-	-	-	-	-	-	-	-	-
9.2.B	The Student Concerns Committee should meet on a weekly basis to discuss issues that took place during the previous week and are potentially related to mental health, and collaboratively create a plan of action.		 NFE	-	-	-	-	-	-	-	-	-	-
9.3.A	Ensure that additional officers trained in crisis intervention are deployed during potential peak periods of stress for students.				 NFE	-	-	-	-	-	-	-	-
9.4.A	Provide all sworn officers with CIT, and with documented refresher training on a bi annual basis.												
9.4.B	Utilize UCMC experts to educate officers on issues specific to student populations, particularly those within the University community, including sensitivity training highlighting the position of students who are away from home					 NFE	-	-	-	-	-	-	-

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
9.4.C	Consider establishing proactive response teams pairing an on-call UCMC clinician with a law enforcement officer to provide emergency field response to situations involving mentally ill, violent or high risk individuals.			-	-	-	-	-	-	-	-	-	
9.5.A	After every encounter with an individual suffering from a mental illness, UCPD should mandate detailed reporting for inclusion in the ARMS system.												
9.5.B	In order to improve performance, annually audit the handling of mental health-related calls and incidents for that year.												

COMPLIANCE MEMORANDUM

DATE: MARCH 15, 2018
REC. REF. NO.: 9.4.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While UCPD's current mental health training practices exceed those of most other Campus Law Enforcement Agencies, there are additional measures that represent best practices in this area.

Exiger Recommendation ("ER")

All sworn officers should be trained and certified in Crisis Intervention, with documented refresher training on a bi-annual basis.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD implements a policy requiring that all officers are trained and certified in Crisis Intervention;
- 2) UCPD implements a policy requiring that all officers receive documented refresher training on a biennial basis; and,
- 3) The training meets best practices in the industry.

UCPD Proffer of Compliance

"The UCPD Training Plan (attached), referenced in the Training and Professional Development Policy (attached), requires all new officers be trained in Crisis Intervention within the first 6-9 months of their first year of employment and requires officers to complete refresher training on a biennial basis following the initial training. Page 9 of the Mental Health Response Policy (attached) similarly requires that "Police personnel will receive training on Mental Health Response as part of their initial training and personnel assigned to patrol will receive refresher training at least every two years thereafter." Although not required by the original Exiger Recommendations, the UCPD's Annual Training Plan also mandates this training for its dispatchers and makes the training available to its security officers as well.

The attached 2017 Continued Professional Training (CPT) spreadsheet and individual certificates shows the in-service training of sworn law enforcement officers, dispatchers, and security officers in 2017. The majority of UCPD's sworn personnel were trained during 2017 and March 2018. Currently, at the conclusion of Quarter 5, 61 of 63 sworn officers are CIT-trained.¹ Two additional

¹ Three UCPD employees hold commissions as sworn officers, but are not currently employed as law enforcement officers. In addition, two UCPD employees are currently completing the Cincinnati Police Department Academy. Neither are included in these total figures.

sworn officers are scheduled for September and November. However, ten sworn officers that were previously CIT trained are overdue for their every 2 years refresher training. At this time the 4-hour refresher course is expected to occur prior to the end of 2018. It is expected that greater than 94% of sworn officers, who are required to attend this training or its refresher training, will have completed it by Q8. UCPD shift lineup sheets denote all CIT-trained personnel. A sample of lineup sheets may be provided to the monitor upon request.

The two recent apprentice hires will receive 20 hours of Crisis Intervention training as part of their academy training. The academy course materials on this topic are attached. Further, as evidence of their enrollment in the CPD academy, the apprentices' offer and acceptance letters are attached, which specifically state they will be attending the academy as part of the offer letter.

Currently, 10 of 13 dispatchers and 6 of 22 security officers are CIT trained. Due to the limited availability of this course from the outside vendor (Mental Health America of Northern Kentucky and Southern Ohio), the majority of these non-sworn personnel will not be completed until later in 2018, occurring throughout the year on the following dates: May 7-11, September 17-21, and November dates TBD.

The contents of the CIT in-service training are attached and include a number of issues specific to student populations. This training, as noted above, is being provided by Mental Health America of Northern Kentucky and Southern Ohio rather than the UCMC because of the quality of previous trainings provided by the vendor to the UCPD and their consistency with best practices and expertise in the subject matter."

Data Reviewed

1. Training Plan
2. Training and Professional Development Policy
3. Mental Health Response Policy
4. 2017 CPT Spreadsheet
5. 2017 CIT Training Certificates
6. CPD Academy Crisis Intervention Training Materials
7. Certificates for those attending March in-service CIT training (forthcoming)
8. In-Service CIT Curriculum including:
 - CIT: Agitated Psychotic Event
 - CIT: Child and Adolescent
 - CIT: Developmental Disabilities
 - CIT: De-escalation Techniques
 - CIT: Homeless
 - CIT: Suicide
 - CIT: Veteran Affairs
 - CIT: Writing an Effective Hold

Current Assessment of Compliance

Partial Compliance

The icon consists of a circle with a vertical line through the center, where the left half is green and the right half is white.

As described in the UCPD's proffer of compliance (above in italics), and which was confirmed by the Monitor's review of the documentation submitted, a large portion of the UCPD sworn officers and many of the dispatchers and security officers received Crisis Intervention Training in 2017. The training curriculum reviewed and attended was found to be sufficient, included realistic, scenario-based training, and covered topics necessary to ensure officers are equipped as first responders when contacting people who may be undergoing a mental health crisis. While the UCPD has demonstrated that CIT Training is in fact part of the new hire and in-service training program, ten sworn officers were certified prior to 2017 and should have, but did not, receive the required refresher training. The Training Unit has indicated that the planning for the refresher training is underway and will consist of a 4-hour block but has not yet been scheduled due to the many other competing training priorities during this annual period. The UCPD can obtain substantial compliance once quality in-service/refresher training has been developed, scheduled and attended by officers who have not attended training for over two years.

Next Review

The Monitor will again report on the status of compliance of this ER in Q8 (Q4 2018).

COMPLIANCE MEMORANDUM

DATE: MARCH 15, 2018
REC. REF. NO.: 9.4.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While UCPD's current mental health training practices exceed those of most other Campus Law Enforcement Agencies, there are additional measures that represent best practices in this area.

Exiger Recommendation ("ER")

UCPD should utilize UCMC experts to educate officers on issues specific to student populations, particularly those within the University community. This should include sensitivity training, highlighting the challenges faced by students who are away from home for the first time.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD implements a policy requiring educating officers on issues specific to student populations;
- 2) The policy requires that UCMC experts are being used to conduct the training; and
- 3) The training includes sensitivity training and highlights the challenges faced by students who are away from home for the first time.

UCPD Proffer of Compliance

"The UCPD Training Plan (attached), referenced in the Training and Professional Development Policy (attached), requires all new officers be trained in Crisis Intervention within the first 6-9 months of their first year of employment and requires officers to complete refresher training biennially following the initial training. Page 9 of the Mental Health Response Policy (attached) similarly requires that "Police personnel will receive training on Mental Health Response as part of their initial training and personnel assigned to patrol will receive refresher training at least every two years thereafter." Although not required by the original Exiger Recommendations, the UCPD's Annual Training Plan also mandates this training for its dispatchers and makes the training available to its security officers as well.

The attached 2017 Continued Professional Training (CPT) spreadsheet and individual certificates shows the in-service training of sworn law enforcement officers, dispatchers, and security officers in 2017. The majority of UCPD's sworn personnel were trained during 2017 and March 2018.

Currently, at the conclusion of Quarter 5, 61 of 63 sworn officers are CIT-trained.¹ Two additional sworn officers are scheduled for September and November. However, ten sworn officers that were previously CIT trained are overdue for their every 2 years refresher training. At this time the 4-hour refresher course is expected to occur prior to the end of 2018. It is expected that greater than 94% of sworn officers, who are required to attend this training or its refresher training, will have completed it by Q8. UCPD shift lineup sheets denote all CIT-trained personnel. A sample of lineup sheets may be provided to the monitor upon request.

The two recent apprentice hires will receive 20 hours of Crisis Intervention training as part of their academy training. The academy course materials on this topic are attached. Further, as evidence of their enrollment in the CPD academy, the apprentices' offer and acceptance letters are attached, which specifically state they will be attending the academy as part of the offer letter.

Currently, 10 of 13 dispatchers and 6 of 22 security officers are CIT trained. Due to the limited availability of this course from the outside vendor (Mental Health America of Northern Kentucky and Southern Ohio), the majority of these non-sworn personnel will not be completed until later in 2018, occurring throughout the year on the following dates: May 7-11, September 17-21, and November dates TBD.

The contents of the CIT in-service training are attached and include a number of issues specific to student populations. This training, as noted above, is being provided by Mental Health America of Northern Kentucky and Southern Ohio rather than the UCMC because of the quality of previous trainings provided by the vendor to the UCPD and their consistency with best practices and expertise in the subject matter.”

Data Reviewed

1. Training Plan
2. Training and Professional Development Policy
3. Mental Health Response Policy
4. 2017 CPT Spreadsheet
5. 2017 CIT Training Certificates
6. CPD Academy Crisis Intervention Training Materials
7. Certificates for those attending March in-service CIT training (forthcoming)
8. In-Service CIT Curriculum including:
 - CIT: Agitated Psychotic Event
 - CIT: Child and Adolescent
 - CIT: Developmental Disabilities
 - CIT: De-escalation Techniques
 - CIT: Homeless
 - CIT: Suicide
 - CIT: Veteran Affairs

¹ Three UCPD employees hold commissions as sworn officers, but are not currently employed as law enforcement officers. In addition, two UCPD employees are currently completing the Cincinnati Police Department Academy. Neither are included in these total figures.

- CIT: Writing an Effective Hold

Current Assessment of Compliance

In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD opted to use experts from Mental Health America of Northern Kentucky and Southern Ohio rather than from UCMC. The Monitor's review of the presentation material confirmed that the vendor used provided information as specifically required by this ER and based on best practices in appropriate topic areas such as suicide, homelessness, persons with developmental disabilities, and other mental health situations.

Next Review

No further review of this ER is needed.

COMPLIANCE MEMORANDUM

DATE: JUNE 19, 2018
REC. REF. NO.: 9.5.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not currently keep a record of all encounters with individuals suffering from mental illness.

Exiger Recommendation (“ER”)

After every encounter with an individual suffering from a mental illness, UCPD should mandate detailed reporting for inclusion in the ARMS system.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD implements a policy mandating detailed reporting in the ARMS system of every encounter with an individual suffering from an apparent or perceived mental health crisis;
- 2) Every encounter with an individual with an apparent or perceived mental health crisis is reported in ARMS

UCPD Proffer of Compliance

“In accordance with Recommendation 9.5.A, the Mental Health Response Policy mandates on page 6 that every call for service with a suspected mentally ill individual be documented. Mental health related calls for service are documented in the CAD data. The attached Excel file serves as the list of all calls for service involving individuals in apparent mental health crisis in 2017 and includes 149 incidents as determined by: dispatch codes related to a mental health response (UC9: mentally impaired non-violent; UC9V: mentally impaired violent; and USUIC: suicide) or specific reference to a mental health response in the narrative field of the CAD data. Please see the 2017 Summary Report for details on these data.

In addition, mental health response calls are documented in reports in the ARMS system. Unfortunately, in the current ARMS database, it is impossible to systematically extract all the mental health or suicide reports. Specifically, the UCPD crime analyst indicated that the only currently available method to filter out mental health specific calls is to query multiple text boxes in the narrative fields and supplemental reports for specific strings of text in order to search for these types of calls. While this will pull some of the mental health related reports, there is no way to determine how many are excluded. As documented in the attached email communication with ARMS, however, the UCPD reached out to ARMS to inquire about adding a check box if the report is “behavioral health-related” to allow for systematic record-keeping for these types of incidents. ARMS stated an update will be implemented in the summer of 2018 and the UCPD will be able to

add this button once the upgrade is released. Therefore, at this time, the requested 2017 ARMS reports for mental health related calls are unable to be provided to the monitor, but the UCPD anticipates being able to provide them moving forward after the summer upgrade for the remainder of 2018 calls for service. Nevertheless, despite the limitations with ARMS data extraction, shift supervisors report that officers are following the policy requirements for reporting all mental health-related incidents on an ARMS report.

Due to the inability to systematically extract mental response information from the ARMS database, the monitor will also find in the attached Excel file the data for the 34 contact cards in 2017 that involved a stop that was related to mental health, that is, where the officer selected “mental health” as the reason for the stop and/or 72 hour evaluation as the action taken. It is important to note that while there is overlap with the calls for service data described above, a small percentage of the contact card stops made for mental health response were officer-initiated (8.8%) rather than dispatched (91.2%) and not all dispatched calls would require a contact card to be completed.¹ Therefore, this population of mental health response calls does not mirror the calls for service data described above. Both the CAD data and contact card data were reviewed by the UCPD for the 2017 Summary of Mental Health Response: Calls for Service and Stops (see 9.5.B). “

Data Reviewed

1. Mental Health Response Policy, 6-5-18
2. CAD data listing of all mental health related calls for service, Excel file
3. Email communication with ARMS
4. Contact card data of stops related to mental health, Excel file

Current Assessment of Compliance



In Compliance

As described in the UCPD’s proffer (*above in italics*), there continues to be issues with the capture of data for calls/incidents involving individuals with mental illness. The Monitor suggested that the UCPD require both a manual system of officers completing a contact card for each contact, and the electronic system of entering into ARMS. This would ensure accurate records keeping going forward since the only extra step would be those situations in which an officer encountered an individual with apparent mental health issues on a consensual basis. The UCPD indicated that would be a duplication of effort and were confident that the ARMS upgrade, described in the UCPD proffer above, would address the incomplete data. Given the importance of this information, the Monitor urged the UCPD to conduct a quality assurance follow-up within a short period of time to confirm that all incidents were entered into ARMS and understands that the UCPD intends to do so this fall.

¹ The Bias Free Policing Policy says contact cards shall be completed: "When an officer conducts a nonconsensual contact with a person on any traffic stop, suspicious persons contact, field interview or arrest."



Office of the Independent Monitor
University of Cincinnati Police

Concluding Review

The Monitor had planned to test implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

COMPLIANCE MEMORANDUM

DATE: JUNE 19, 2018
REC. REF. NO.: 9.5.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not currently keep a record of all encounters with individuals suffering from mental illness.

Exiger Recommendation (“ER”)

In order to improve performance, UCPD should annually audit its handling of mental health-related calls and incidents for that year.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD implements a policy requiring annual audits of its handling of mental health-related call and incidents, and conducts an annual audit of its handling of mental health-related call and incidents.

UCPD Proffer of Compliance

“In accordance with Recommendation 9.5.B, the Mental Health Response Policy (attached) and the Annual Audit Plan (forthcoming) requires an annual review of calls for service for mental health response. The contents of the annual audit and how the summary results are to be utilized and distributed can be found in the MHR policy (pages 8-9).

Attached the monitor will find the 2017 Audit of Mental Health Response Calls. As described in the policy, it compiles a summary of the calls for service for mental health response in 2017 and indicates whether the person was reported as being violent or potentially violent. Due to the issues with ARMS data described in the proffer for 9.5.A, the 2017 summary report does not examine whether injuries were reported and only has disposition information for the mental health stops recorded on Contact Cards. Future reports that are based on systematic data analysis of ARMS data will be able to better speak to these issues.

As required on page 9 of the Mental Health Response policy, the review of this summary has been documented on an Internal Correspondence Memo, Form 5, and distributed to the Chief of Police and Training Unit (see attached Form 5 to Chief; Training Unit received in person). Further, a copy of this summary has been emailed to the Assistant Dean of Students, for consideration by the CARE Team, and to the Director of CAPS for their review (email documentation attached). The preparation of the first annual summary highlighted the need for the UCPD to make revisions to the Mental Health Response Policy to clarify officer and dispatcher guidelines for properly coding calls for service related to mental health response and to train personnel accordingly. The revisions to the policy regarding the recoding of CFS when applicable are described on page 6. The Power DMS training slides, accompanying Power DMS test on the content of the slides, and

the Training Section approval of those slides and test are attached. Evidence of the full re-dissemination of the policy and test results will be available to the monitor by June 30, 2018.”

Data Reviewed

1. Mental Health Response Policy, 6-5-18
2. Inspections Policy and Plan (forthcoming)
3. 2017 Summary report covering mental health-related calls and incidents and Form 5 documentation of such
4. Evidence of Summary Report’s email distribution to CARE team and CAPS
5. Power DMS training slides: Mental Health CFS Dispatch Run Types
6. Power DMS test on the content of the slides is attached.
7. Training Section approval of training slides and test on Form 5

Prior Assessments of Compliance

During Q2 ending June 30, 2017, the Monitor found the UCPD in partial compliance with this ER as the UCPD had created a policy requiring an audit of the handling of mental health-related calls and incidents, but had not yet conducted such an audit.

Current Assessment of Compliance



In Compliance

The Monitor reviewed the UCPD’s “Mental Health Summary Report” and training materials covering mental health related calls and incidents that occurred in 2017 submitted by the UCPD. The Monitor found the audit to be thorough and the report insightful and pointedly, as is usually the case in first-time audits, significant reporting issues were identified. As is indicated in the UCPD’s proffer of compliance (*above in italics*), the UCPD has taken steps to address the issues. In addition to those steps, the Monitor suggested and the UCPD agreed to conduct a more short term quality assurance inspection in the latter half of 2018 rather than waiting for the next annual audit in 2019 to ensure full compliance with the reporting requirements.

Concluding Review

The Monitor had planned to test implementation of this ER in the final/third year of the monitorship; however, given the UCPD’s decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

Appendix 10

REPORT CARD MATRIX














2017







2018

2019

Q1: Jan-Mar
Q2: Apr-Jun
Q3: Jul-Sep
Q4: Oct-Dec
Q5: Jan-Mar
Q6: Apr-Jun
Q7: Jul-Sep
Q8: Oct-Dec
Q9: Jan-Mar
Q10: Apr-Jun
Q11: Jul-Sep
Q12: Oct-Dec

Section 10 - Review of Equipment

10.1.A	Re-deploy CEDs.					-	-	-	-	-	-	-	-
10.1.B	Review policies and procedures related to the use of CEDs to include when the use of the devices is authorized and the allowable number of discharges of the device.				-	-	-	-	-	-	-	-	-
10.1.C	Develop intensive training on the use of CEDs and the relevant policies, including scenarios in which the utilization of CEDs is appropriate and those instances where it is not.												
10.1.D	Designate a CED training officer, who should receive training as a trainer and whose responsibilities should include remaining current on all relevant literature and data on the use of CEDs.						-	-	-	-	-	-	-
10.2.A	Work with CPD and appropriate neighborhood organizations to provide significantly greater deployment of video surveillance in the off-campus patrol areas.		-	-	-	-	-	-	-	-	-	-	-
10.3.A	Conduct a review of all existing video surveillance equipment in conjunction with the exploration of an off-campus video system.					-	-	-	-	-	-	-	-
10.4.A	Develop or adopt appropriate training for the use of the batons, and ensure that every member of UCPD receive such training.												
10.5.A	Evaluate and choose an automated commercial off-the-shelf product for tracking of all equipment.				-	-	-	-	-	-	-	-	-
10.6.A	Evaluate the need and potential utilization of the bomb robot.		-	-	-	-	-	-	-	-	-	-	-
10.6.B	If there is justification to retain the robot, appropriate initial and refresher training and qualification of a select group of sworn officers on the utilization of the robot and related skill sets including bomb disposal should be developed and deployed.		-	-	-	-	-	-	-	-	-	-	-

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
10.7.A	Evaluate the need and potential utilization of the sniper rifle.		-	-	-	-	-	-	-	-	-	-	
10.7.B	If there is justification to retain the rifle, appropriate initial and refresher training and qualification of a select group of sworn officers on the utilization of the rifle should be developed and deployed.		-	-	-	-	-	-	-	-	-	-	
10.8.A	Consider installing in-car video as an adjunct to the current deployment of body cams, providing for potential additional views of and redundancy in any critical incident.							-	-	-	-	-	
10.9.A	Work with the Director of Emergency Management to build out a dedicated Emergency Operations Center, designed to facilitate planning and response to both planned and unplanned campus events in coordination with other federal.				-	-	-	-	-	-	-	-	

COMPLIANCE MEMORANDUM

DATE: MARCH 13, 2018
REC. REF. NO.: 10.3.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Components of the currently deployed on-campus video surveillance system should be upgraded.

Exiger Recommendation (“ER”)

Conduct a review of all existing video surveillance equipment in conjunction with the exploration of an off-campus video system.

MADC Definition of Compliance

Compliance with this recommendation will be achieved when:

- 1) UCPD completes a review of all existing video surveillance equipment; and,
- 2) UCPD considers the creation of an off-campus video system.

Proffer of Compliance

“In February and March of 2016 Public Safety conducted a review of camera equipment with a committee composed of representatives from Technical Services, Crime Prevention, Dispatch, and Patrol. Input was also considered from conversations with CPD. The camera committee report is attached. In September 2016, as a result of the report, UC added 3 cameras on campus: Top of UPARK, Crosley Tower, and Teachers College. The recommended camera on the pole at the main gate was changed to Teachers College by the architect due to infrastructure challenges with the pole installation. These cameras provide campus views as well as views of surrounding city streets and businesses.

The current video management system (DVTEL/FLIR) was upgraded to the latest version in December of 2016.

The most recent camera study was conducted in December 2017 and January 2018 to further fill in gaps in camera surveillance. This study concentrated on gaps in coverage not only in day to day normal campus operations but also for special events. This study resulted in a plan to add 4 permanent cameras and 12 wireless relocatable cameras. The installations are in process by Planning, Design, and Construction (see attached Project Request Form) and two of the 12 wireless cameras have been ordered (see attached Purchase Order). These two cameras will be tested for functionality prior to ordering the additional ten wireless cameras.

As noted in the memo for 8.6.A, the creation of an off-campus video system has been tabled in favor of UCPD gaining access to CPD cameras in areas surrounding UC campus.”

Data Reviewed

1. Camera Committee Report-03012016
2. Camera Committee Report-01162018
3. Project Request Form: Installation of 4 permanent cameras
4. Purchase Order: Two wireless cameras

Current Assessment of Compliance

In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD has conducted a full review of all video camera surveillance system to include the consideration of an off-campus system. As mentioned in the Monitor's review of ER 8.6.A which recommends an increase in the number of CCTV cameras, the UCPD has not only installed additional cameras strategically on campus but is also engaged in a continual collaboration and coordination with the Cincinnati Police Department (CPD) to ensure the most cost efficient and secure use of the cameras as surveillance equipment. The Monitor commends the UCPD for its resourcefulness in using the CPD cameras available.

Next Review

No further review of this ER is needed.

COMPLIANCE MEMORANDUM

DATE: MARCH 28, 2018
REC. REF. NO.: 10.8.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not currently have video recording capabilities in their vehicles.

Exiger Recommendation (“ER”)

UCPD should consider the installation of in-car video as an adjunct to the current deployment of body cameras, providing for potential additional views of and redundancy in any critical incident.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD gives meaningful consideration to installing in-car video as an adjunct to the current deployment of body cameras; and
- 2) If UCPD determines that in-car video is appropriate, it installs video recording devices in all of its patrol vehicles.

UCPD Proffer of Compliance

“In an effort to fulfill its commitment to professionalism, accountability and transparency, the University of Cincinnati Police Division decided to purchase 24 Axon Fleet cameras earlier in 2017. The quote, purchase order, and signed contract for this equipment purchase were previously submitted to the monitor in Q4. The In-Car Video Recording System is a video and audio recording system assigned to each patrol vehicle while in use for police activity. The IVRS is meant to supplement the officer’s visual perspective of an incident, thus allowing the officer a greater opportunity to capture details otherwise missed during times his/her attention might be focused elsewhere.

The policy governing the use, training, and review of the new equipment and its recordings (In-Car Video Recording System Policy 9.1.701) was previously submitted to the monitor in Quarter 4. After some collaborative revisions during that quarter, the policy was fully disseminated to UCPD personnel in March 2018. Evidence of such is available to the monitor via Power DMS. However, as the UCPD prepared to train its personnel on the use of the equipment and the new policy, the need for additional policy revisions was identified. The policy will be redisseminated to UCPD personnel after the monitor reviews the revised policy in Quarter 6.

Due to the UCPD’s familiarity with the body worn cameras provided by the same manufacturer and the In-Car video cameras’ similarity to the body worn cameras, officers will be trained on the use of this equipment via Roll Call Training. A previous version of the planned training was provided to the monitor and an updated version of the training slides reflecting the above-noted

policy revisions will be submitted in Q6; sign off rosters will be provided to the monitor after the completion of this training in Q6.

The hardware and docking stations have been fully installed. The monitor team was given a demonstration of the equipment during their on-site visit in February and has been provided access to Evidence.com where videos will be uploaded once the IVRS is full operational (expected early Q6). The monitor may also verify the installation of the equipment through that access (see attached list). Due to the software vetting process that is occurring in another local police agency, the software cannot currently be installed on the Division's existing MDCs (mobile digital computers). The Division anticipates the new MDCs (see attached MDC replacement project information), on which the software can be installed, will be received in August or September 2018. In the interim, in-car video recording cameras will be issued at roll call and signed back in at the end of shift. As with body cams and according to the IVRS policy, in the absence of the automatic Wi-Fi upload, officers will upload, charge and store their IVRS in the docking stations located in the squad room before securing for the day.

Data Reviewed

1. In-Car Video Recording System Policy 9.1.701
2. Roll Call Training slides – In Car Video Recording System
3. Evidence.com Equipment Verification List
4. MDC Replacement Project

Prior Assessment

In its prior review in Q4 ending December 31, 2017, the Monitor found the UCPD in partial compliance as the In-Car Video Recording System (IVRS) had not yet been fully implemented nor had the training been delivered.

Current Assessment of Compliance

Partial Compliance

During the current quarter, as described in the UCPD's proffer of compliance (above in italics), the UCPD continued the process of implementing the In-Car Video Recording System (IVRS) to include installation of the equipment and drafting of the policy. During its initial review of the IVRS policy, the Monitor noted several areas for clarification and revision which was accomplished via the collaborative process with the Organizational Development Coordinator. The finalized policy was subsequently reviewed and found to be consistent with best practices. While the UCPD is making forward progress with the system, the Monitor again finds the UCPD in partial compliance since the IVRS policy and software are not fully implemented nor has the training been completed.

Next Review

The UCPD's compliance with this ER is again scheduled in Q6 for the period ending June 30, 2018 to assess implementation of the policy, working ICVR systems, and the training.

COMPLIANCE MEMORANDUM

DATE: JUNE 22, 2018
REC. REF. NO.: 10.1.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

While UCPD is very well-equipped to handle situations in which deadly force is required, a significant gap in the less-lethal force continuum exists. UCPD does not currently utilize CEDs, removing an option that would allow officers the ability in appropriate circumstances to disable an individual from a safe distance and avoid potential resort to deadly physical force.

Exiger Recommendation (“ER”)

UCPD should designate an officer as a CED training officer; that officer should receive training as a trainer and whose responsibilities should include remaining current on all relevant literature and data on the use of CEDs.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

1. UCPD creates a policy for the designation and required training of the CED training officer;
2. The CED training officer receives specialized training and certification on teaching other officers on the proper use of CEDs; and,
3. The CED training officer is tasked with remaining current on all literature and data on the use of CEDs.

UCPD Proffer of Compliance

“The UCPD policy regarding CEWs (conducted electrical weapon)¹ is included in the Use of Force Policy (most recent version attached). On pages 26-27 of the policy, the required designation, certification, and tasks of the CEW training officer are described.

In Quarter 2, the UCPD submitted the Taser training academy instructor certificates for Lieutenant Barge and Sergeant Zacharias from September 2016. Lieutenant Barge remains designated as the Division’s primary CEW instructor and will act in that capacity until further notice. On July 28th 2017, Lt. Richey, Detective Jagoditz, and Officer Limke attended the Taser Training academy certification. Their certificates are attached.”

Data Reviewed

Use of Force Policy, 4-25-18

LT Barge, Taser training academy certification for Richey, Jagoditz, and Limke

¹ Please note that although the Exiger Report and recommendations refer to CEDs, the UCPD Use of Force policy refers to this equipment as CEWs (conducted electrical weapons).

Prior Assessment of Compliance

During Q2 ending June 30, 2017, the Monitor found the UCPD in compliance as the UCPD's policy contained the requirement for a designated certified ECD/Taser instructor to conduct training. While we are finding compliance for the ER, we do believe that for the sake of clarity when the policy is revised it should state that the certified trainers are the only trainers who are permitted to instruct officers on the proper use of ECD/TASERS.

Current Assessment of Compliance **In Compliance**

As described above in the UCPD's proffer of compliance, and which was confirmed by the Monitor during its review of documentation as referenced above, and through its attendance at CEW training, the UCPD requires that all CEW training be conducted by a designated and certified CEW/Taser instructor whose responsibilities include remaining current on all relevant literature and data on the use of ECD/TASERS.

Concluding Review

No further review of this ER is needed.

COMPLIANCE MEMORANDUM

DATE: JUNE 29, 2018
REC. REF. NO.: 10.8.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not currently have video recording capabilities in their vehicles.

Exiger Recommendation (“ER”)

UCPD should consider the installation of in-car video as an adjunct to the current deployment of body cameras, providing for potential additional views of and redundancy in any critical incident.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD gives meaningful consideration to installing in-car video as an adjunct to the current deployment of body cameras; and
- 2) If UCPD determines that in-car video is appropriate, it installs video recording devices in all of its patrol vehicles.

UCPD Proffer of Compliance

“The quote, purchase order, and signed contract for this equipment purchase were previously submitted to the monitor in Q4. The In-Car Video Recording System is a video and audio recording system assigned to each patrol vehicle while in use for police activity. The IVRS is meant to supplement the officer’s visual perspective of an incident, thus allowing the officer a greater opportunity to capture details otherwise missed during times his/her attention might be focused elsewhere.

The policy governing the use, training, and review of the new equipment and its recordings (In-Car Video Recording System Policy 9.1.701) was previously submitted to the monitor in Quarters 4 and 5. It was previously found to be in partial compliance based on the need for some revisions to the policy and training on the use of the equipment, which the UCPD collaboratively worked on with the monitor. Based on that work, and following the monitor’s approval of the revised policy early in Q6, the policy has now been disseminated to UCPD personnel. Evidence of full dissemination is available to the monitor via Power DMS.

Due to the UCPD’s familiarity with the body worn cameras provided by the same manufacturer and the In-Car video cameras’ similarity to the body worn cameras, officers were trained on the use of this equipment via Roll Call Training in June and July 2018. The updated version of the training slides reflecting the above-noted policy revisions are attached, as is the Training Section’s approval of the Roll Call Training. Finally, the training sign-in roster is attached showing greater

than 94% (57 of 60 law enforcement officers, sergeants, and lieutenants) have been trained. The small number of personnel remaining to be trained due to sickness and vacation will be trained as soon as they return.

The hardware and docking stations have been fully installed. The monitor team was given a demonstration of the equipment during their on-site visit in February and has been provided access to Evidence.com where videos will be uploaded once the IVRS is fully operational (expected prior to conclusion of Q6). The monitor may also verify the installation of the equipment through that access (see attached list). Due to the software vetting process that is occurring in another local police agency, the software cannot currently be installed on the Division's existing MDCs (mobile digital computers). The Division anticipates the new MDCs (see attached MDC replacement project information), on which the software can be installed, will be received in August or September 2018. In the interim, in-car video recording cameras will be issued at roll call and signed back in at the end of shift. As with body cams and according to the IVRS policy, in the absence of the automatic Wi-Fi upload, officers will upload, charge and store their IVRS in the docking stations located in the squad room before securing for the day."

Data Reviewed

1. In-Car Video Recording System Policy 9.1.701, 5-29-18
2. In Car Video Recording System Roll Call Training slides and Training Section Approval of the training
3. Roll Call Training Sign-In Rosters

Prior Assessment of Compliance

In its prior review in Q4 ending December 31, 2017, the Monitor found the UCPD in partial compliance as the In-Car Video Recording System (IVRS) had not yet been fully implemented nor had the training been delivered.

Current Assessment of Compliance



In Compliance

During the current quarter, as described above in the UCPD's proffer of compliance (above in italics), the UCPD and the Monitor collaboratively finalized the IVRS policy as well as the materials used to train its officers. While the Monitor was provided a demonstration of the IVRS planning for installation in February 2018, the hardware had not yet been installed in the vehicles, nor had the software been installed to allow for operation. The Monitor commends the UCPD in its proactive choice to install in-car video in addition to its body-worn camera system however given the timing of completion the Monitor was not able to confirm the installation of all hardware and software during its onsite visit and has not conducted independent testing on the use of the IVRS equipment as required by the UCPD policy. The Monitor does note however, that the UCPD's newly created inspection system includes IVRS on its monthly inspection schedule which will serve as an appropriate quality control measure.



Office of the Independent Monitor
University of Cincinnati Police Department

Concluding Review

The Monitor had planned to test implementation of this ER in the final/third year of the monitorship; however, given the UCPD's decision to end the voluntary monitorship early, no further review of this ER will be conducted. The Monitor suggests the UCPD/OSR conduct internal inspections of this topic to ensure continued compliance going forward.

Appendix 11

REPORT CARD MATRIX

2017

2018

2019

Q1: Jan-Mar Q2: Apr-Jun Q3: Jul-Sep Q4: Oct-Dec Q5: Jan-Mar Q6: Apr-Jun Q7: Jul-Sep Q8: Oct-Dec Q9: Jan-Mar Q10: Apr-Jun Q11: Jul-Sep Q12: Oct-Dec

Section 11 - Review of Technology

11.1.A	Require that each officer create a test recording before they deploy to the field each day to ensure the body camera is functional.											
11.1.B	Re-write Body cam policy to address how to specifically handle video in use of force (i.e., who takes custody of the camera, who reviews the video, when should an officer review video, etc.).					-	-	-	-	-	-	-
11.1.C	Those developing the body camera policy should continue to refine and improve the policy as lessons are learned, and collaborate with other agencies that have deployed cameras to learn from those experiences.											
11.1.D	Consider including the body camera policy as a topic of discussion in community forums, student body meetings, etc.		-	-	-	-	-	-	-	-	-	-
11.2.A	Consult a subject matter expert to assist in negotiating an agreement for cameras and storage so that it includes discounted pricing; a "termination for convenience" clause; the appropriate level of on-site training and support from Taser; etc.			-	-	-	-	-	-	-	-	-
11.2.B	UCPD should identify any video in storage that must be retained into the future, and work with Taser to migrate that video to Evidence.com for long-term storage.			-	-	-	-	-	-	-	-	-
11.2.C	Consider engaging a provider for additional system training, to ensure the Department is making full use of its video management system		-	-	-	-	-	-	-	-	-	-
11.3.A	Modify the practice of tagging video with only a suspect's name. Instead, it should consider utilizing additional identifiers, such as the CAD incident number and/or an RMS record number.											
11.3.B	Consider contracting with a vendor that allows for CA integration with its video management system.		-	-	-	-	-	-	-	-	-	-
11.4.A	Ensure that all business/functional requirements for ARMS are clearly documented and that testing of the upgraded ARMS is conducted against those requirements before the system is accepted.											

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
11.5.A	Consider implementing an ARMS Mobile Product on MDCs and/or tablets to enable officers to complete reports from the field.					● (NFE)	-	-	-	-	-	-	-
11.6.A	Add a radio console to the third position so it can be in a position to handle multiple calls/traffic at one time.	● (NFE)	-	-	-	-	-	-	-	-	-	-	-
11.7.A	Implement a 9-1-1 system that provides the actual geo location of the call, as is standard in dispatch centers across the country.							○					
11.8.A	Explore ways to expand adoption of Live Safe on campus and potentially off-campus as well.	●											
11.9.A	Identify funding for a replacement card access system.			● (NFE)	-	-	-	-	-	-	-	-	-
11.9.B	PSTS should document the requirements for a replacement system, which should include a plan for how to integrate the card access system with an existing key management system that was developed in-house.							○					
11.10.A	Consider adding one IT Project Manager to PSTS staff to ensure large IT projects are implemented according to IT management best practices.	● (NFE)	-		-	-	-	-	-	-	-	-	-
11.10.B	PSTS should engage in a study to determine the appropriate IT staffing levels. It appears that additional Technicians are likely required to support the IT needs of the Department.					●							

COMPLIANCE MEMORANDUM

DATE: MARCH 15, 2018
REC. REF. NO.: 11.1.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD has implemented body cameras which already places it ahead of most University police departments. The body camera policy, however, does not address a number of issues, including how video is handled subsequent to an incident involving a shooting or serious use of force.

Exiger Recommendation (“ER”)

UCPD should implement a requirement that each officer create a test recording before they deploy to the field each day to ensure the camera is functional. If a camera is not functioning properly, the officer should be required to check out a new, functioning camera before he/she deploys to the field.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD implements a policy requiring officers to create a test recording each day before being deployed and if a camera is not functioning appropriately, an officer will check out a new functioning camera; and
- 2) The policy is disseminated internally to include all appropriate UCPD personnel.
- 3) The topic was sufficiently explained to all relevant UCPD personnel. Sufficiency of explanation will depend upon the topic and can include, but is not limited to, formalized training, roll-call presentations, and online learning tools.
- 4) The policy is being followed in practice.

Proffer of Compliance from UCPD

“The monitor previously assessed the content of the Body Worn Camera Digital Recording System Policy in Q2 and found the UCPD to be “Partial Compliance” for ERs 11.1.A and 11.1.B pending the policy’s dissemination. It was scheduled for reassessment in Q4 because it was expected that the policy would be fully disseminated to UCPD personnel by that time. In fact, previous versions of that policy were fully disseminated in August and November (see Power DMS). However, due to the development of the In-Car Video Recording System Policy (see ER 10.8.A) and the need for the Body Worn Camera policy to be consistent with the new policy, additional revisions were necessary. Therefore, the most updated version of the Body Worn Camera Policy was still pending full dissemination in Q4 and resulted in a finding of partial compliance again at that time. The policy has now been fully disseminated to UCPD personnel and evidence of such is available to the Monitor via PowerDMS.”

The Organizational Development Coordinator, Training Section, and Lieutenant Tim Barge collaborated to create a PowerDMS test on the contents of the policy. The questions and results may be viewed by the Monitor in PowerDMS. At the time of the initial implementation of the body camera usage (2014), the attached training, policy sign-off, and equipment sign-out rosters were completed.

Finally, the Monitor has also been provided access to the UCPD Body Camera video recordings to test implementation of the current policy.”

Data Reviewed

Body Worn Camera Digital Recording System Policy, SOP 9.1.700

Prior Assessments of Compliance

As a result of its first assessment during Q2 ending June 30, 2017, the Monitor found the UCPD in partial compliance. While the Monitor’s review of the UCPD’s updated Body Worn Camera (“BWC”) Digital Recording System policy found that it adequately addressed the requirements of the ER, it had not been disseminated as of the end of that reporting period. The Monitor again assessed compliance with this ER during Q4, and while the UCPD had made appropriate additional revisions to the policy based on corresponding edits to the In-Car Camera policy, they were made towards the end of the reporting period. Consequently, the UCPD was unable to fully disseminate the Body Worn Camera (“BWC”) Digital Recording System policy prior to the close of that reporting period as well.

Current Assessment of Compliance



In Compliance

During the current quarter, the Monitor confirmed that the last version of the updated Body Worn Camera (“BWC”) Digital Recording System policy was disseminated and a suitable test was given as stated in the UCPD’s proffer of compliance (above in italics). While the Monitor has reviewed select body camera video recordings related to other areas of the monitorship and it appears that officers are conducting the pre-check as required, the Monitor has noted several instances of delayed activation of the officer’s body camera. The UCPD has conducted internal reviews of these instances and has taken corrective measures to prevent similar occurrences. The Monitor notes that its final review of this ER will also include a random sampling of body camera video and the connected supervisory reviews to ensure complete implementation of this policy.

Next Review

The Monitor will conduct its final assessment of the UCPD’s compliance in Q9 for the period ending March 31, 2019. While the Monitor has reviewed select body camera video recordings related to other areas of the monitorship; the final review of this ER will also include a random sampling of body camera video and the connected supervisory reviews to ensure complete implementation of this policy.

COMPLIANCE MEMORANDUM

DATE: JANUARY 30, 2018
REC. REF. NO.: 11.5.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Currently, officers must return to a station or substation to complete a report in ARMS.

Exiger Recommendation (“ER”)

The UCPD should consider implementing an ARMS Mobile Product on MDCs and/or tablets to enable officers to complete reports from the field. This could be accomplished by issuing a mobile device to each officer, or by deploying tablets to various locations across campus.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD gives meaningful consideration to providing its officers with a mobile device or creating tablet stations at various locations across campus; and
- 2) If implemented, these provisions will allow officers to be able to complete reports in the field.

Proffer of Compliance

“The University of Cincinnati, Department of Public Safety has considered acquiring and implementing a mobile product on MDC’s or tablets to allow for in-field reporting. The consideration of tablets, which was declined, is contained in memo 2.1.D. The ARMS system utilized for reporting does have a mobile version which could be loaded onto an MDC, however, the mobile version does not allow for full functionality of the system. If a mobile version were to be implemented, the officers would still need to respond to the office/station on all campuses to use a hardline computer to complete their report.

Additionally, the University is a participant with all Hamilton County, Ohio police agencies in our hardware and software that supports dispatching and data collection of officer activities through the county Regional Crime Information Center (RCIC). RCIC will not allow us to load our ARMS software onto any device (MDC) that was linked into RCIC.

Finally, the small geography of our jurisdiction allows our officers to return to the station/office (on all of our campuses) to use a hardline computer for data entry without removing the officer far from their assigned areas of patrol.

For these reasons, we have determined that adopting an in-field reporting capacity is neither necessary nor efficient for UCPD.”

Data Reviewed

None

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), the UCPD has given due consideration to the ER and has appropriately explained the rationale surrounding the final decision. The Monitor appreciates the UCPD's thorough evaluation of the issue and agrees with the UCPD's conclusion that mobile reporting is not needed at this time.

Next Review

No further review of this ER is necessary.

COMPLIANCE MEMORANDUM

DATE: MARCH 6, 2018
REC. REF. NO.: 11.10.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Public Safety Technical Services lacks project management resources to manage system implementations. IT projects may be at risk not because of technical issues, but due to lack of proper project management.

Exiger Recommendation (“ER”)

Public Safety Technical Services should engage in a study to determine the appropriate Information Technology (“IT”) staffing levels. It appears that additional Technicians are likely required to support the IT needs of the Department.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) the Public Safety Technical Services staff engages in a study on whether current IT staffing levels are appropriate to meet the needs of the Department; and,
- 2) UCPD changes IT staffing levels if necessary.

Proffer of Compliance

“UC Public Safety has completed an IT staffing study which determined that two additional IT staff are needed to service all IT aspects of the department. A budget proposal for the two additional personnel has been created. Please see the attached staffing study overview, staffing study report, systems grid which lists the major Public Safety IT systems, and budget request for additional personnel.”

Data Reviewed

1. 11.10.B Public Safety IT Staffing Overview
2. 11.10.B Public Safety IT Staffing Report
3. 11.10.B Systems Information Grid 2018
4. 11.10.B 2018-2019 Budget Proposal – IT Personnel

Current Assessment of Compliance

 **In Compliance**



Office of the Independent Monitor
University of Cincinnati Police Department

As described in the UCPD's proffer of compliance (above in italics), the UC Public Safety (PS) IT Department, which supports the computer and technical needs of PS administration and the Police Division day-to-day police operations, has completed a staffing study. Since the prior study completed in 2009, an additional 69 new positions and at least 12 online systems were added. The new staffing study resulted in several key recommendations including hiring two additional Full Time Equivalent (FTE) positions, and structural changes to the IT department such as defining roles and responsibilities more clearly and implementing an on-call system for 24/7 support. The two FTEs have been requested in the upcoming budget, which the Monitor strongly supports.

Next Review

The Monitor will conduct a final assessment of the UCPD's compliance with this ER in Q9 for the period ending March 31, 2019.

Appendix 12

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
Section 12 - Review of Data Collection Systems, Data Usage, Automation, and Records Management													
12.1.A	Integrate all data collection systems into one large database that tracks all of UCPD's information.							○					
12.2.A	Ensure that access to stored CAD data is easily obtainable and meets UCPD's mandated reporting functions to the state and federal governments							○					
12.2.B	Research whether the new CAD system from TriTech can be integrated into ARMS, and integrate if possible.	● (NFE)	-	-	-	-	-	-	-	-	-	-	
12.2.C	If integration is not possible, continue to use the CPD CAD.	● (NFE)	-	-	-	-	-	-	-	-	-	-	
12.3.A	Evaluate the ARMS module for Field Contacts, and ensure that all required data fields can be reported through the module.	● (NFE)	-	-	-	-	-	-	-	-	-	-	
12.3.B	If the data fields can not be included or the ARMS' module for Field Contacts utilization is otherwise undesirable, maintain the MAD and ensure that all data is transferred into the ICS Dashboard.	●				● (NFE)	-	-	-	-	-	-	
12.4.A	Work with ICS and UCPD IT experts to identify standardized reporting from ARMS data in a variety of formats, such as bar graphs, pie charts and line graphs, that will assist UCPD in analyzing crime, operational, staffing and performance data on various indicators.							○					
12.5.A	Integrate the DPLF and PPF MADs into the ARMS system. If integration is not possible, continue to collect this data and ensure that the data can be exported into the ICS Dashboard.		● (NFE)	-	-	-	-	-	-	-	-	-	
12.6.A	Work with ICS to further develop the functionality of the Dashboard.					●							
12.6.B	Capture data relative to race, gender, age and ethnicity, so as to better foster transparency and legitimacy.		●					○					
12.7.A	Add the following fields to its MAD: whether the stop was a traffic or pedestrian stop, whether there was a frisk or search of the person or property, and whether force was used during the stop.		●					○					

REPORT CARD MATRIX		2017				2018				2019			
		Q1: Jan- Mar	Q2: Apr- Jun	Q3: Jul- Sep	Q4: Oct- Dec	Q5: Jan- Mar	Q6: Apr- Jun	Q7: Jul- Sep	Q8: Oct- Dec	Q9: Jan- Mar	Q10: Apr- Jun	Q11: Jul- Sep	Q12: Oct- Dec
12.7.B	Monitor stop data regularly as part of an early warning system, surfacing potentially at-risk behavior of policy violation or biased policing.												
12.8.A	Continue to utilize the Guardian Tracking electronic database for documenting and tracking positive and negative aspects of employee performance.												
12.8.B	Conduct a thorough review of the capabilities of the Guardian Tracking system and its potential interface with the ICS Dashboard, so as to allow for inclusion of Guardian Tracking data in ICS dashboards and more fulsome early warning system.					 NFE	-	-	-	-	-	-	
12.9.A	Establish an electronic database to track and maintain data related to internal affairs complaints, and can readily communicate with other UCPD databases (ARMS).												
12.10.A	Establish an electronic database to track and maintain data related to uses of force, and investigations thereof, and can readily communicate with other UCPD databases (ARMS).												
12.11.A	Integrate the data and analysis available from the ICS tool into bi-weekly meetings and consider adding additional UCPD command staff to the meeting.												
12.11.B	Institute a regular Compstat-like process which goes beyond just examination of crime data, analyzing other relevant information including Uses of Force, Complaints, and other performance-related issues												
12.12.A	UCPD should leverage the technology available in the ICS Dashboard to build a proactive risk management database, which will track and analyze risk related information, and data related to a series of performance indicators.												
12.12.B	Analysis should include the crime and performance data currently available in the Dashboard in order to obtain a more holistic picture of an officer's performance.												
12.12.C	Work with ICS to establish appropriate performance thresholds triggers, including Department-Level Thresholds (e.g., 3 internal affairs complaints in 12 months); Peer Officer Averages (compares performance with similarly situated officers); and Performance Indicator Ratios (e.g., ratio of UOF												
12.12.D	Establish a protocol for the resolution of EWS notifications of potentially at risk officers.						 ?						

REPORT CARD MATRIX		2017				2018				2019			
		Q1:	Q2:	Q3:	Q4:	Q5:	Q6:	Q7:	Q8:	Q9:	Q10:	Q11:	Q12:
		Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec
12.13.A	Consider including the following data on its website: (1) yearly totals for Part 1 and significant Part 2 crimes; (2) an incident map; (3) the Daily Crime Log; (4) pedestrian and traffic stop totals broken down by demographic data; (5) use of force data broken down by type of force used and whether												

COMPLIANCE MEMORANDUM

DATE: JANUARY 30, 2018
REC. REF. NO.: 12.3.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD has not obtained access to ARMS' module for Field Contacts, and instead uses a Microsoft Access database to track demographic data associated with pedestrian and traffic stops. This database, however, does not feed into ARMS.

Exiger Recommendation ("ER")

If the data fields are not and cannot be included, or the ARMS' module for Field Contacts utilization is otherwise undesirable, UCPD should maintain the Microsoft Access database and ensure that all data is transferred into the ICS Dashboard.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD transfers data maintained in the Microsoft Access database into the ICS Dashboard, if the ARMS' module for Field Contacts is unattainable or undesirable.

Proffer of Compliance

"The Contact Card data continues to be maintained in the Microsoft Access database and loaded in the ICS Dashboard. The Access database is jointly maintained by the Clery Coordinator and Records Manager. Document Request #106 contains the Access database for 2017 field contact cards. The data then transfers through an automatic pull from the server, by Dr. Murat Ozer in ICS. A screenshot of the ICS dashboard containing recent contact cards is attached. Data on the ICS Dashboard matches what is entered into the Access database, and may be downloaded into an Excel file.

Although the ICS Dashboard is still currently updated and access by UCPD personnel, the UCPD plans for the crime analyst to create all analytical products for the UCPD moving forward and will eventually phase out the use of the ICS Dashboard. The crime analyst has already produced numerous analytical products for review by supervisory staff and the crime reduction group to supplement the ICS Dashboard, but full analytical capability is dependent upon being able to access all necessary data, which will be covered by the updated data sharing agreement with the City of Cincinnati. At this time, the timeline for completion of this is unknown. The monitor will be advised of the UCPD's progress and can be provided examples of the analyses conducted to date upon request."

Data Reviewed

1. Onsite review of Contact Cards
2. Excel Sheet containing data

3. Screenshot of the UCPD Contact Cards page on the ICS Dashboard

Prior Assessment of Compliance

The Monitor last assessed the UCPD's compliance with this ER in Q1 ending March 31, 2017 and found that the UCPD had continued to transfer Contact Card data from the MAD to the ICS Dashboard.

Current Assessment of Compliance

 **In Compliance**

As described in the UCPD's proffer of compliance (above in italics), and confirmed by the Monitor during its onsite review, the UCPD continues to maintain the Contact Card Data Microsoft Access database, the information of which is then loaded in the ICS Dashboard.

Next Review

No further review of this ER is necessary.

COMPLIANCE MEMORANDUM

DATE: FEBRUARY 10, 2018
REC. REF. NO.: 12.6.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD works with ICS on crime analysis. ICS has developed a visual, analytic tool that pulls crime data from both the CAD and ARMS systems, and analyzes crime, individual officer activity, staffing levels, and overtime expenditures. The tool can pull data from several different types of database applications, including Microsoft Access, and display the data in a variety of different ways on a dashboard customized to exhibit relevant information at different levels of responsibility with UCPD and its supervisors.

Exiger Recommendation (“ER”)

UCPD should continue to work with ICS to further develop the functionality of the ICS tool and its Dashboard.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD continues to work with ICS to further develop the functionality of the ICS tool and its Dashboard.

UCPD Proffer of Compliance

“The UC Crime Reduction Committee began in 2013, as a way for the UCPD to collaborate to reduce crime in the areas near the UC Uptown Campus with the Cincinnati Police Department. This committee continues to meet on a bi-weekly basis to examine crime trends, deployment strategies, and discuss any crime and/or disorder problems which need to be addressed by the University. Since late 2016, the committee has continued to examine crime trends through the ICS Visual Analytics Dashboard (“ICS tool”) during meetings. Meeting notes from three UC Crime Reduction meetings are attached as evidence of the continued use of the ICS tool during the meeting. Two screenshots of Dashboard information discussed during Crime Reduction Meetings are also attached. UCPD command staff regularly attend these meetings, as is shown in the meeting notes of attendees.

Although the ICS Dashboard is still currently updated and access by UCPD personnel, the UCPD plans for the crime analyst to create all analytical products for the UCPD moving forward and will eventually phase out the use of the ICS Dashboard. The crime analyst has already produced numerous analytical products for review by supervisory staff and the crime reduction group to supplement the ICS Dashboard, but full analytical capability is dependent upon being able to access all necessary data, which will be covered by the updated data sharing agreement with the City of Cincinnati. At this time, the timeline for completion of this is unknown. The monitor will be

advised of the UCPD's progress and can be provided examples of the analyses conducted to date upon request."

Data Reviewed

None

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), the purchase of a new system to replace ICS seems the best option at this time, which, along with the expertise of the newly hired crime analyst, should provide the UCPD with a significant increase in its data analysis capabilities.

Next Review

The Monitor will again assess the UCPD's compliance with this ER during Q9 ending March 31, 2019.

COMPLIANCE MEMORANDUM

DATE: FEBRUARY 10, 2018
REC. REF. NO.: 12.8.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD is currently using the Guardian Tracking software to document employee performance and to flag potential patterns in employee performance for early intervention. The interface of Guardian Tracking is simple and user-friendly, but UCPD is not currently using the categories and sub-categories correctly.

Exiger Recommendation (“ER”)

UCPD should continue to utilize the Guardian Tracking electronic database for documenting and tracking positive and negative aspects of employee performance.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD continues to utilize the Guardian Tracking electronic database for documenting and tracking positive and negative aspects of employee performance.

Proffer of Compliance

“UCPD continues to use the Guardian Tracking Employee Documentation / Early Intervention & Recognition System software in order to document both positive and negative aspects of employee performance. The most recent paid invoice for this software is attached. The monitor has been provided viewing permission to this software in order for them to remotely access and review supervisory monthly evaluations, complaints, and commendation data as evidence of the UCPD’s use of the electronic software.

The Early Intervention System policy (attached) related to Guardian Tracking’s risk assessment capabilities will be disseminated to UCPD personnel after the monitor reviews it and evidence of such will be provided to the monitor via Power DMS at that time. The Managing Performance policy (ER 7.4.A), which will include procedures for monthly evaluations, awards and commendations, will be completed and submitted for assessment in Quarter 6 (April-June 2018).”

Data Reviewed

Invoice for Guardian Tracking annual subscription

Prior Assessment of Compliance

The Monitor last assessed the UCPD’s compliance with this ER in Q1 ending March 31, 2017. The Monitor agreed with the UCPD’s decision to continue, and in fact, increase its use of Guardian

Tracking as its tool for documenting employee performance and identifying potential patterns for early intervention.

Current Assessment of Compliance

In Compliance

As described in the UCPD's proffer of compliance (above in italics), and confirmed by the Monitor during its review of the Guardian Tracking System data, along with the related Early Intervention System policy, the UCPD is now taking full advantage of the Guardian Tracking System for documenting and tracking positive and negative aspects of employee performance.

Next Review

The Monitor will conduct its final assessment of the UCPD's compliance with this ER during Q9 ending March 31, 2019.

COMPLIANCE MEMORANDUM

DATE: APRIL 10, 2018
REC. REF. NO.: 12.8.B
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD is currently using the Guardian Tracking software to document employee performance and to flag potential patterns in employee performance for early intervention. The interface of Guardian Tracking is simple and user-friendly, but UCPD is not currently using the categories and sub-categories correctly.

Exiger Recommendation (“ER”)

Conduct a full review of the capabilities of the Guardian Tracking system and its potential interface with the ICS tool with an eye toward including Guardian Tracking data in ICS dashboards and therefore building a more fulsome early warning system.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD gives meaningful consideration to including Guardian Tracking data in the ICS Dashboards; and if feasible, UCPD integrates the two systems.

UCPD Proffer of Compliance

“The Guardian Tracking performance management software is used by the UCPD to document both positive and negative aspects of employee performance. The most recent paid invoice for this software is attached. The UCPD’s use of the Guardian Tracking software was previously hampered by software designs that produced an unwieldy number of categories from which supervisors could select and resulted in inconsistent use across users. In an attempt to remedy these issues and as part of a full review of the capabilities of the Guardian Tracking System, the UCPD designated an internal Performance Improvement Team (PIT) to work collaboratively with the software developer on improvements needed for the division’s advanced analytical demands. Due to the non-renewal of the ICS contract (see DR 0164), rather than explore the potential for interface with the ICS tool as originally recommended, the UCPD PIT instead sought to increase its capabilities within the Guardian Tracking software, including as an early warning system as recommended in ER7.2.A.

The Organizational Development Coordinator was charged with chairing the PIT. Other members included: Former Chief Carter, Chief Herold, Acting Assistant Chief Dudley Smith, Captain Carter, Captain Thompson, LT Hoffman, SGT Maxwell, Kimberly Willis, and Lixuan Zheng (IT). The team met on the following dates: 9-13-17, 9-27-17, 10-11-17, 11-7-17, and 11-29-17, while the ODC took the lead on collaborating with the Guardian Tracking representatives in between these meetings. The PIT’s most cumbersome task was to significantly streamline the existing 92 categories, many of which were ambiguous and/or overlapping (see attached). Their work

resulted in paring these down into eight main categories with subcategories for each (see attached for revised list). Once the new categories were established, the historical data previously entered was converted into the new categories (see attached for recoding guide).

The PIT team also worked with Guardian Tracking to increase the software's capabilities as an early intervention system with supervisory alerts to potentially at-risk behavior by officers. The Early Intervention System policy (attached) specifically includes a protocol for the resolution of threshold notifications of potentially at-risk officers on pages 4-5. In PowerDMS, the monitor may access the list of categories and how they contribute to an early intervention flag (i.e., how they are weighted). A screenshot is also attached. The Early Intervention System policy will be disseminated to UCPD personnel after the monitor reviews it and evidence of such will be provided to the monitor via Power DMS at that time. The Managing Performance policy (ER 7.4.A), which will include procedures for monthly evaluations, awards and commendations, will be completed and submitted for assessment in Quarter 6 (April-June 2018) and subsequently disseminated after the monitor reviews it.

The PIT team also collaborated with Guardian Tracking to improve the software's capabilities for supervisory evaluations of subordinates. Specifically, they were able to transform supervisory monthly evaluations from two different paper forms to an electronic process completed and stored within the Guardian Tracking System (see attached for monthly evaluation template).

Finally, the Guardian Tracking System's staff visited the UCPD HQ to conduct supervisory training on the revised performance management categories and new capabilities of the software on December 14, 2017. This was preceded by an email to supervisors from the ODC to explain the category overhaul, the software improvement process, and provide a link to a training video that would supplement Guardian's on-site supervisory training (all attached)."

Data Reviewed

1. Invoice for Guardian Tracking annual subscription
2. Previous Guardian Tracking Categories
3. Revised Guardian Tracking Categories
4. Guardian Tracking Category Recoding Guide
5. Early Intervention System Policy
6. Notification Threshold Screenshot
7. Monthly Evaluation Template
8. Email to Supervisors
9. Training Video for Supervisors

Current Assessment of Compliance



In Compliance

As is clearly described in the UCPD's proffer of compliance (above in italics), and was confirmed during the Monitor's review of the newly streamlined categories in GTS, the UCPD has indeed overhauled the GTS with an eye toward a future more robust Early Warning System (EWS). While the ICS data will no longer be a factor in the EWS buildout, the Monitor understands that the newly

hired Crime Analyst is working on a dashboard to include monthly activities by officer. It is precisely that kind of information/data which can be used to ensure an accurate picture of officer performance is used when drafting evaluations.

Next Review

Given that ER 12.12.D covers the implementation of the EWS and ER 7.2.A covers the implementation of both the EWS and performance evaluation system, both of which will be assessed in Q6 and forward, no further review of this ER is needed.

COMPLIANCE MEMORANDUM

DATE: MARCH 10, 2018
REC. REF. NO.: 12.11.A
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not utilize a regular CompStat management accountability process with UCPD personnel. UCPD Command Staff does, however, participate in bi-weekly crime reduction meetings with CPD Command Staff and UC Administrators to discuss crime trends and enforcement strategies for the UC campus and the immediate area surrounding the campus.

Exiger Recommendation (“ER”)

UCPD should better integrate the data and analysis available from the Institute of Crime Science (ICS) tool into the bi-weekly UCPD/CPD meetings and should consider adding additional UCPD command staff to the meeting.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD integrates the data and analysis available from the ICS tool into the bi-weekly UCPD/CPD meetings; and gives meaningful consideration to adding additional UCPD command staff to the bi-weekly UCPD/CPD meetings.

Proffer of Compliance

“The UC Crime Reduction Committee began in 2013, as a way for the UCPD to collaborate to reduce crime in the areas near the UC Uptown Campus with the Cincinnati Police Department. This committee continues to meet on a bi-weekly basis to examine crime trends, deployment strategies, and discuss any crime and/or disorder problems which need to be addressed by the University. Since late 2016, the committee has continued to examine crime trends through the ICS Visual Analytics Dashboard (“ICS tool”) during meetings. Meeting notes from three UC Crime Reduction meetings are attached as evidence of the continued use of the ICS tool during the meeting. Two screenshots of Dashboard information discussed during Crime Reduction Meetings are also attached. UCPD command staff regularly attend these meetings, as is shown in the meeting notes of attendees.

Although the ICS Dashboard is still currently updated and access by UCPD personnel, the UCPD plans for the crime analyst to create all analytical products for the UCPD moving forward and will eventually phase out the use of the ICS Dashboard. The crime analyst has already produced numerous analytical products for review by supervisory staff and the crime reduction group to supplement the ICS Dashboard, but full analytical capability is dependent upon being able to access all necessary data, which will be covered by the updated data sharing agreement with the City of Cincinnati. At this time, the timeline for completion of this is unknown. The monitor will be advised of the UCPD’s progress and can be provided examples of the analyses conducted to date upon request.”

Data Reviewed

1. UC Crime Reduction Committee meeting notes from 10/25/17, 12/20/17 and 1/10/18.
2. UC Crime Reduction Committee Dashboard screenshot examples 1 and 2

Prior Assessment of Compliance

The Monitor last assessed the UCPD's compliance with this ER in Q1 ending March 31, 2017 and found the UCPD in compliance with this ER. The Monitor confirmed that the UCPD was working with ICS on crime analysis and was regularly attending the weekly Crime Reduction Committee meetings in an effort to reduce the incidence of crime.

Current Assessment of Compliance



In Compliance

As described in the UCPD's proffer of compliance (above in italics), and confirmed by the Monitor during its review, the UCPD continues to use the ICS Dashboard as a tool to analyze crime information and collaborates with neighboring partners to proactively reduce the incidence of crime on and around campus.

Next Review

The Monitor will conduct its final assessment of the UCPD's compliance with this ER during Q9 ending March 31, 2019.

COMPLIANCE MEMORANDUM

DATE: APRIL 10, 2018
REC. REF. NO.: 12.12.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have a proactive risk management program, and does not track important performance data, including data related to internal affairs complaints and use of force incidents. Furthermore, UCPD does not effectively utilize the Guardian Tracking system to full capacity, by effectively identifying and monitoring employee performance.

Exiger Recommendation (“ER”)

UCPD should establish a protocol for the resolution of Early Warning Systems notifications of potentially at-risk officers.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD implements policies and procedures for the resolution of Early Warning Systems (EWS) notifications of potentially at-risk officers;
- 2) These policies and procedures meet best practices in the industry;
- 3) These policies and procedures are being followed in practice.

UCPD Proffer of Compliance

“The Guardian Tracking performance management software is used by the UCPD to document both positive and negative aspects of employee performance. The most recent paid invoice for this software is attached. The UCPD’s use of the Guardian Tracking software was previously hampered by software designs that produced an unwieldy number of categories from which supervisors could select and resulted in inconsistent use across users. In an attempt to remedy these issues and as part of a full review of the capabilities of the Guardian Tracking System, the UCPD designated an internal Performance Improvement Team (PIT) to work collaboratively with the software developer on improvements needed for the division’s advanced analytical demands. Due to the non-renewal of the ICS contract (see DR 0164), rather than explore the potential for interface with the ICS tool as originally recommended, the UCPD PIT instead sought to increase its capabilities within the Guardian Tracking software, including as an early warning system as recommended in ER7.2.A.

The Organizational Development Coordinator was charged with chairing the PIT. Other members included: Former Chief Carter, Chief Herold, Acting Assistant Chief Dudley Smith, Captain Carter, Captain Thompson, LT Hoffman, SGT Maxwell, Kimberly Willis, and Lixuan Zheng (IT). The team met on the following dates: 9-13-17, 9-27-17, 10-11-17, 11-7-17, and 11-29-17, while the ODC took the lead on collaborating with the Guardian Tracking representatives in between these meetings. The PIT’s most cumbersome task was to significantly streamline the existing 92

categories, many of which were ambiguous and/or overlapping (see attached). Their work resulted in paring these down into eight main categories with subcategories for each (see attached for revised list). Once the new categories were established, the historical data previously entered was converted into the new categories (see attached for recoding guide).

The PIT team also worked with Guardian Tracking to increase the software's capabilities as an early intervention system with supervisory alerts to potentially at-risk behavior by officers. The Early Intervention System policy (attached) specifically includes a protocol for the resolution of threshold notifications of potentially at-risk officers on pages 4-5. In PowerDMS, the monitor may access the list of categories and how they contribute to an early intervention flag (i.e., how they are weighted). A screenshot is also attached. The Early Intervention System policy will be disseminated to UCPD personnel after the monitor reviews it and evidence of such will be provided to the monitor via Power DMS at that time. The Managing Performance policy (ER 7.4.A), which will include procedures for monthly evaluations, awards and commendations, will be completed and submitted for assessment in Quarter 6 (April-June 2018) and subsequently disseminated after the monitor reviews it.

The PIT team also collaborated with Guardian Tracking to improve the software's capabilities for supervisory evaluations of subordinates. Specifically, they were able to transform supervisory monthly evaluations from two different paper forms to an electronic process completed and stored within the Guardian Tracking System (see attached for monthly evaluation template).

Finally, the Guardian Tracking System's staff visited the UCPD HQ to conduct supervisory training on the revised performance management categories and new capabilities of the software on December 14, 2017. This was preceded by an email to supervisors from the ODC to explain the category overhaul, the software improvement process, and provide a link to a training video that would supplement Guardian's on-site supervisory training (all attached)."

Data Reviewed

1. Invoice for Guardian Tracking annual subscription
2. Previous Guardian Tracking Categories
3. Revised Guardian Tracking Categories
4. Guardian Tracking Category Recoding Guide
5. Early Intervention System Policy
6. Notification Threshold Screenshot
7. Monthly Evaluation Template
8. Email to Supervisors
9. Training Video for Supervisors

Current Assessment of Compliance



Partial Compliance

As is clearly described in the UCPD's proffer of compliance (above in italics), and was confirmed by the Monitor by way of its collaborative review of and revisions to the Early Intervention System policy and its review of the ample documentation submitted - the UCPD is taking affirmative steps

towards the buildout of a comprehensive Early Warning System. While the ICS data will no longer be a factor in the EWS buildout, the Monitor understands that the newly hired Crime Analyst is working on a dashboard to include monthly activities by officer. That type of information/data can and should be used in place of the ICS data in order to get an accurate picture of officer performance. The Monitor understands that the UCPD has opted to draft a separate policy to cover the Performance Evaluation aspects of the system and ER requirements. While UCPD supervisors are currently completing and documenting the evaluations within the GTS, the policy and protocol has yet to be finalized. The Monitor looks forward to reviewing that policy in the coming weeks once it is submitted for assessment.

Next Review

The Monitor will again assess compliance with this ER in Q6 ending June 30, 2018 to include a review of EWS notifications and the actions taken, along with documentation related to performance evaluations.

COMPLIANCE MEMORANDUM

DATE: JULY 7, 2018
REC. REF. NO.: 12.12.D
SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have a proactive risk management program, and does not track important performance data, including data related to internal affairs complaints and use of force incidents. Furthermore, UCPD does not effectively utilize the Guardian Tracking system to full capacity, by effectively identifying and monitoring employee performance.

Exiger Recommendation (“ER”)

UCPD should establish a protocol for the resolution of Early Warning Systems notifications of potentially at-risk officers.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD implements policies and procedures for the resolution of Early Warning Systems (EWS) notifications of potentially at-risk officers;
- 2) These policies and procedures meet best practices in the industry;
- 3) These policies and procedures are being followed in practice.

UCPD Proffer of Compliance

“The Guardian Tracking performance management software is used by the UCPD to document both positive and negative aspects of employee performance. The most recent paid invoice for this software was previously submitted to the monitor in Quarter 5. As described in the Quarter 5 proffer memo for 7.2.A, 12.8.B, and 12.12.D, the UCPD’s use of the Guardian Tracking software was previously hampered by software designs that produced an unwieldy number of categories from which supervisors could select and resulted in inconsistent use across users. Working collaboratively with the vendor, the UCPD’s internal Performance Improvement team significantly improved the capabilities of the Guardian Tracking System software, both as an early intervention system with supervisory alerts to potentially at-risk behavior by officers and for supervisory documentation of positive and negative aspects of employee performance.”

The Early Intervention System policy (previously submitted to the monitor in Q5) specifically includes a protocol for the resolution of threshold notifications of potentially at-risk officers on pages 4-5. In Guardian Tracking, the monitor may access the list of categories and how they contribute to an early intervention flag (i.e., how they are weighted). See also the screenshot of early intervention categories and weights submitted in Q5. The monitor may also review recent EIS notifications and supervisory action taken in response in Guardian Tracking. The Early Intervention System policy was submitted to the monitor in Quarter 5 and fully disseminated to UCPD personnel at that time.

The Performance Evaluations policy was revised based on the improved capabilities in Guardian Tracking, IACLEA standards on performance evaluation, current collective bargaining agreements, and UC HR policy. The Performance Evaluations policy includes procedures for monthly performance reviews (template previously submitted to the monitor in Q5) and annual evaluations (see attached Form 25 and 26). The requested Supervisory job descriptions that include conducting regular performance evaluations were previously submitted to the monitor under Recommendation 7.3.A. in Q3.

The policy will be disseminated to UCPD personnel after the monitor reviews it and evidence of such will be provided to the monitor via Power DMS at that time. The policy and completing performance evaluations will also be incorporated into the new supervisor orientation program being developed later this year. On a monthly basis, supervisors meet with their subordinates to discuss the monthly reviews. The officer then signs it and it is entered into Guardian Tracking by the supervisor. The monitor may access ongoing monthly performance reviews via their granted access to Guardian Tracking System.

Annual evaluations will be completed as required by policy for all non-probationary employees by June 30. Supervisors complete evaluations for each of their subordinates and then send all evaluations to the appropriate Bureau Commander to be reviewed and signed off on. Bureau Commanders then return the evaluations to the supervisors for their review and discussion with employees during an in-person meeting. Evidence of the completed evaluations and the in-person meeting to discuss them (i.e., signatures of the rater and ratee on the evaluation form) will be accessible to the monitor via their access to Guardian Tracking at that time. As described in the Performance Evaluations policy, evaluations of probationary employees occur on a slightly different schedule as they are due at the six month employment period and then on the one year anniversary of their hire date in accordance with UC Human Resource [Policy 18.01, Performance Evaluation and Probation-Classified Unrepresented Employees](#). Thereafter, evaluations move to the June 30th date. The UCPD currently has only one probationary ULEO, whose six-month evaluation is due within Q6 and will be accessible to the monitor via Guardian Tracking once it is complete.

As described on page 5 of the policy, compliance with this policy is ultimately assured by an annual audit of employee performance evaluations. This audit is required to be completed by July 31 of each year and documented on a Form 5 for the chain of command and Police Chief. The results of the 2018 annual audit will be provided to the monitor as soon as it is completed. Other quality control methods for ensuring compliance with the policy are as follows:

- *Annual evaluation deadline set by Business Affairs Office for April 30th (established as deadline in 2017 due to the fact that new shift assignments, if any for that year, must be sent out by the beginning of July per contract), with reminders of upcoming deadline at monthly supervisor meetings*
- *The UCPD recently confirmed with Guardian Tracking that activities such as Annual Performance Evaluations can be assigned as required “action items” in the software to ensure and track completion of these important items. Items may be self-assigned or assigned by supervisors with an established deadline. Action items and their due dates*

appear on individuals' dashboards within the software. Once a task is completed, whomever assigned the action item will be alerted. This process will be reviewed with supervisors at an upcoming monthly supervisors meeting by the Organizational Development Coordinator."

Data Reviewed

1. Early Intervention System Policy (previously submitted in Q5)
2. Notification Threshold Screenshot (previously submitted in Q5)
3. Policy 3.1.100 Performance Evaluations
4. Monthly Performance Review and Supervisory Job Descriptions requiring evaluation of subordinates (previously submitted in Q5 and Q3, respectively)
5. Officer Evaluation Form 25
6. Supervisor Evaluation Form 26
7. Annual evaluations and documentation evidencing supervisor-employee meetings to discuss evaluations (forthcoming in Guardian Tracking)
8. Semi-annual evaluation of probationary ULEO (forthcoming in Guardian Tracking)

Prior Assessment of Compliance

During Q5 ending March 30, 2018, the Monitor found the UCPD in partial compliance with this ER. Although the UCPD had taken affirmative steps towards the buildout of a comprehensive Early Warning System, full integration to include the Performance Evaluation policy, had not yet been completed.

Current Assessment of Compliance



In Compliance

As fully described in the UCPD's proffer of compliance (above in italics), and which was confirmed by the Monitor by way of its collaborative review of both the Early Intervention System and Performance Evaluation policies - the UCPD now has a customized and comprehensive Early Warning System to include protocols for the resolution of EWS notifications. As is stated in the Monitor's memorandum of assessment in connection with ER 7.2.A, the Monitor applauds the UCPD for their efforts in this area as it is arguably one of the most critical risk management tools available in police management. In combination with the monthly activities by officer dashboard being provided by its Crime Analyst, with the EWS data UCPD supervisors and command staff should have an accurate picture of officer performance, behavior, and disparities with which to address and/or take intervening actions when needed.

Concluding Review

While the Monitor had planned to review full implementation of this ER through an independent review of the EWS data in 2019; however, given the UCPD's decision to end the voluntary monitorship at the close of 2018, no further review will be conducted.