

First Biannual Report of the Independent Monitor for the University of Cincinnati Police Division



Submitted to:
The University of Cincinnati
Office of Safety and Reform
August 2, 2017

REPORT CONTENTS:

EXECUTIVE SUMMARY2

SUMMARY OF SUBSTANTIVE TOPICS.....7

I. *Fundamental Findings*7

II. *Pedestrian and Traffic Stops*7

III. *Use of Force*8

IV. *Policy and Procedures*9

V. *Recruitment, Hiring, Promotion, and Retention*9

VI. *Training*10

VII. *Accountability*.....10

VIII. *Community Engagement*11

IX. *Mental Health Response*12

X. *Equipment*12

XI. *Technology*13

XII. *Data Systems*13

CONCLUSION.....15

APPENDICES:

1. Report Card and Memoranda of Assessments for *Foundation Findings*2

2. Report Card and Memoranda of Assessments for *Pedestrian and Traffic Stops*24

3. Report Card and Memoranda of Assessments for *Use of Force*39

4. Report Card and Memoranda of Assessments for *Policy and Procedures*84

5. Report Card and Memoranda of Assessments for *Recruitment, Hiring, Promotion, Retention*102

6. Report Card and Memoranda of Assessments for *Training*141

7. Report Card and Memoranda of Assessments for *Accountability*184

8. Report Card and Memoranda of Assessments for *Community Engagement*208

9. Report Card and Memoranda of Assessments for *Mental Health Response*230

10. Report Card and Memoranda of Assessments for *Equipment*259

11. Report Card and Memoranda of Assessments for *Technology*279

12. Report Card and Memoranda of Assessments for *Data Systems*301

Executive Summary

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 department (the “Department” or “UCPD”) to its core and setting in motion a series of reform efforts to ensure that the Department 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 UCPD. 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 Report¹, calling for voluntarily engaging a Monitor to independently oversee the implementation of the recommended reforms, the UC undertook, through a request for proposal (RFP) process, a search for an Independent Monitor. In October of 2016, Jeff Schlanger of Exiger was selected as the Independent Monitor. The decision to voluntarily engage an Independent Monitor by the University 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, Mr. Schlanger reports to the University’s Board of Trustees and is required to issue both quarterly updates and biannual reports updating the Board and the public on the progress of UCPD reform.

The Monitor began his duties on January 1, 2017, and immediately began work on the collaborative development of a document entitled “Methodologies to Aid in the Determination of Compliance” (“MADC”). This document lays out exactly what is expected by the Monitor of the UCPD in order to be compliant with each Recommendation made in the Exiger Report (“Recommendation(s),” “Exiger Recommendation(s),” or “ER(s)”), and identifies those documents or other data that would be required for the assessment of compliance for each Recommendation². The Monitor then began his substantive work, evaluating compliance of those Recommendations for which the UCPD felt that it had achieved compliance and was ready for an assessment.

¹ Recommendation 2C, “Final Report for the Comprehensive Review of the University of Cincinnati Police Department,” (“the Exiger Report”) dated June 1, 2016. A full copy of the Exiger Report can be found at <http://www.uc.edu/content/dam/uc/safety-reform/documents/FINAL%20REPORT.pdf> 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.

² 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 MADCs are the primary tool that the Monitoring Team will use to determine whether compliance has been achieved and conversely assists the UCPD in ascertaining what is required in order to achieve substantial 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.

For each ER that is scheduled for assessment, a proffer of compliance is 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 Compliant," "Non-Compliant," or "Determination Withheld," is then assigned to the efforts of the UCPD relative to a particular recommendation. In each case a date for the next evaluation or, that no further evaluation ("NFE") is required, is published. "Partial Compliance" occurs when much of the work that is necessary to achieve "Compliance" has been successfully performed, 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.

On May 3, 2017 the Monitor delivered its first quarterly update to the Board of Trustees ("BOT"), through its Audit Committee.³ The quarterly updates are meant to provide only a summary overview of activity in the quarter.

This is the Monitor's First Biannual Report. Biannual reports will provide details of reform activity for the preceding half year. The first Biannual Report covers the period of January 1 through June 30, 2017. The Report follows the structure of the Exiger Review dealing with Foundational Recommendations and, then, Recommendations in each of the 11 Substantive Subject Matter Areas. During this First Biannual Period, the Monitor examined a total of 127 ERs that were put forward for review by the UCPD⁴, 54 ERs were assessed in Q1 and 73 ERs were assessed in Q2. Of the 127 ERs assessed to date, the UCPD has achieved substantial compliance with 86 and partial compliance⁵ with 22 others. This is a significant accomplishment in such a short period of time and the UCPD should be commended for their commitment to the reform process.

³A copy of the Monitor's First Quarterly Presentation to the BOT's Audit Committee can be found at: www.uc.edu/content/dam/uc/safetyreform/WebsiteDocs/UCPD%20Monitorship%20Update%20Presentation%20Q1%20Final.pdf

⁴ The voluntary nature of this monitorship allows for the UCPD to project the timing of its compliance with each ER and then notify the Monitor when it is ready to be assessed. However, with regard to certain critical issues such as uses of force and complaints, the Monitor assesses each quarter regardless of UCPD's readiness.

⁵ In order to provide a mechanism for illustrating the UCPD's progress made towards achieving substantial compliance, the Monitor has a new finding to describe their efforts; that of Partial Compliance (PC). The PC finding will be used to differentiate between those ERs where the UCPD has not yet achieved substantial compliance but has made forward movement towards compliance such as developing the policy, but not yet disseminating or training of its personnel on the policy.

The Monitor withheld its determination of compliance⁶ for the remaining 17 ERs primarily because the policies, upon which those Recommendations were based, as initially submitted to the Monitor, required revision. The Monitor is working collaboratively with the UCPD and OSR to revise those policies. A summary of each substantive area appears in the below chart, and the Monitor’s review for each of the Recommendations assessed, is detailed within the Memorandum of Assessment contained in the respective topic area in Appendices 1-12. The chart below indicates the current status of assessment of all 276 Exiger Recommendations by Section, Topic Covered and the timing of assessment.⁷

Section	Topics Covered	Total ERs	ERs Assessed in Q1	ERs Assessed in Q2	ERs Schl'd for Q3	ERs Not Yet Eval'd
1	Fundamental Findings	25	4	9	3	9
2	Ped and Traffic Stops	11	3	2	3	3
3	Use of Force	22	1	13	1	7
4	Policy and Procedures	22	6	1	5	10
5	Hiring and Promotions	35	1	15	5	14
6	Training	52	8	7	8	29
7	Accountability	16	5	5	2	4
8	Community POP	25	9	0	2	14
9	Mental Health	13	0	10	0	3
10	Equipment	14	5	3	2	4
11	Technology	18	6	4	1	7
12	Data Systems	23	6	4	0	13
Totals		276	54	73	32	117

Significant Accomplishments

During this reporting period, the UCPD and the Office of Safety and Reform (“OSR”) made the following significant progress towards achieving compliance:

⁶ 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 can include the timing of when a policy was requested or submitted; issues that have not yet been agreed upon; and/or, a policy submission that requires additional edits to finalize. When the Monitor concludes DW, the ER will continue to be reported on until a compliance determine can be finalized.

⁷ For each of the 127 ERs assessed, the Monitor’s review and findings are summarized in this report, and further summarized and detailed in Appendices 1-12 which include the Report Card and Memoranda of Assessment for each substantive section.

- Met with the Monitoring Team and, with a few minor adjustments, adopted all of the Exiger Recommendations.
- Collaborated with the Monitoring Team to draft the Methodologies to Aid in the Determination of Compliance to ensure mutual understanding and agreement of the compliance elements.
- Assigned a project management specialist to serve as Monitor Liaison, identifying tasks and managing deadlines as required to comply with the ERs.
- Hired an Organizational Development Coordinator (OCD) to ensure its policies and procedures are kept current and properly disseminated to all appropriate staff.
- Elevated the Community Affairs Director and program to a more prominent position within the organization and provided the Director with additional resources.
- Developed and/or updated several significant policies to include:
 - Vision, Mission Statement and Core Values
 - Mental Health Response Policy
 - Body Worn Camera
 - Bias Free Policing
 - Training and Professional Development
 - Annual Training Schedule to include orientation training for newly promoted sergeants
 - Active Shooter Policy
 - Procedural Order directed at controlling the number of officers responding to routine stops
 - Created internal procedures designed to ensure that both internal and external training of UCPD officers is standardized and based on best practices
- Posted the Bias Free Policing and Vision, Mission Statement and Core values to UC's website and a prominent location at UCPD headquarters.
- Conducted training on many of these topics and policies and made advances in the areas of technology and equipment.

Areas for Improvement

The following were areas 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 policies on both Use of Force and Complaints, given the complexity of each, could have been submitted earlier for review and collaboration with the Monitor allowing for speedier implementation. UCPD is now collaborating fully with the Monitor on the revision of these policies.
- The UCPD should have included both dispatch and security officers in relevant training such as Active Shooter, community policing and bias free policing. UCPD has agreed and going forward will be including both positions in the annual training plan to ensure receipt of appropriate training.
- The UCPD should have more broadly incorporated community collaborative policing into their training rather than simply training officers in problem solving methods such as SARA.

In sum, the Monitor is very pleased with the progress that has been made by the UCPD and OSR in moving agreed upon reforms forward, and believes that significant strides have been made by the Department in its reform effort during this first biannual period.

SUMMARY OF SUBSTANTIVE TOPICS

I. *Fundamental Findings*

The Fundamental Findings section of the Exiger Report consisted of 25 Exiger Recommendations which are foundational and at the core of the reform effort.⁸ 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 second quarter, the UCPD had developed its “*Vision, Mission Statement and Values*” (VMSV) which was created through a collaborative process between the UCPD, University administrators and the Safety and Reform Community Advisory Council (CAC). The CAC, comprised of University and community leaders and stakeholders, provided an outside perspective to the development of the VMSV. Once finalized, the UCPD disseminated and trained its personnel and posted the document in prominent locations in the UCPD headquarters.

The UCPD also finalized its Bias Free Policing policy and was able to both disseminate and train all of its personnel on that policy.

To date, of the 25 ERs in Section One, 13 have been assessed and the UCPD has achieved substantial compliance with six, partial compliance with one, and the Monitor has withheld its determination of compliance for six others. The Monitor will reassess the six ERs for which a determination was withheld and the UCPD has tentatively scheduled an additional three ERs for the upcoming quarterly review ending September 30, 2017.

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 Appendix 1 hereto.

II. *Pedestrian and Traffic Stops*

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.

Commendably, even prior to the start of the Monitoring process, on May 18, 2016, UCPD issued and fully implemented its new policy on “Bias Free Policing”. The policy contains a description of UCPD’s policy against biased policing to include definitions of the terms “illegal profiling,”

⁸ 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.

“articulable suspicion (reasonable suspicion),” and “probable cause.” The policy also clearly prohibits profiling, outlines the manner in which complaints of biased policing must be handled and provides for the administrative review of agency practices. Of particular note, the policy includes language “...*that officers may not consider race, ethnicity, national origin, gender, sexual orientation/identity, socio-economic status, religion and/or age in carrying out law enforcement activities, except when seeking one or more specific persons who have been identified or described in part by any of the above listed characteristics.*”

UCPD’s Training Policy mandates that all patrol and security officers take a course on Fair and Impartial Policing (FIP). UCPD has been administering a FIP training course, which was developed by the Fair and Impartial Policing Institute and includes lessons and modules on Bias Free Policing and Implicit Bias with case studies to allow officers to consider situations where their implicit biases could affect their judgment. The stated goals of these lessons are to get officers to “...*recognize [their] own human/implicit biases; understand how implicit biases can affect [their] perceptions and behavior; understand how biased policing negatively impacts community members and the department; and develop skills and tactics to reduce the influence of biases on police practice and allow [one] to be [a] safe, effective and just police professional.*” As discussed above, the policy against biased policing and implicit bias has been integrated into UCPD’s training, is posted to the UCPD website, and is displayed in UCPD facilities.

While 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, the policies related thereto have not yet been finalized but are expected to be submitted in the upcoming quarter. To date, the UCPD has achieved substantial compliance with five of the 11 ERs and has tentatively scheduled an additional three ERs for the upcoming quarterly review ending September 30, 2017.

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 2 hereto.

III. *Use of Force*

The Use of Force section of the Exiger Report consists of 22 ERs related to the UCPD’s use of force policy, the use of force continuum to include less-lethal options, such as TASERS 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.

While the UCPD submitted its proffer of compliance at the start of Quarter 2, they had not yet finalized these policies by the end of the reporting period. A draft of the UOF policies were submitted for the Monitor’s review on June 15, 2017 and after communication of several concerns, the Office of Safety and Reform (OSR), formed an ad-hoc group to include UCPD command staff, the Organizational Development Coordinator (ODC) and a member of the Monitoring Team to collaboratively address the Monitor’s concerns and finalize the policies. The Monitor and UCPD

have had several detailed discussions and appear to have mutual agreement on how best to address the outstanding issues in the revised policy which will be submitted in the upcoming period of review ending September 30, 2017.

Because the policies are not yet finalized, the Monitor has withheld its determination of compliance pending the final revision of the policy. The Monitor will again assess all ERs for which a determination was withheld related to the UOF policies during the next quarterly review. Additionally, the UCPD has added one additional ER for review in this section scheduled for assessment during the next quarterly review.

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 3 hereto.

IV. Policy and Procedures

The Policy and Procedures section of the Exiger Report consists of 22 Exiger 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.

As of the end of this reporting period, the UCPD has addressed several of these ERs by hiring an Organizational Development Coordinator (ODC) and providing adequate resources to research and develop policies and obtain approval from the Vice President of the Office of Safety and Reform, and the General Counsel, and the Monitor. The UCPD is using its internal document management system to disseminate and quiz UCPD personnel on finalized policies. As described above in the Executive Summary, the UCPD has already implemented several key policies such as Bias free policing and Active Shooter, policies related to Bicycle Officers and Clery Act compliance. To date, the UCPD has achieved substantial compliance with seven of the 22 ERs and has tentatively scheduled an additional five ERs for the upcoming quarterly review.

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 4 hereto.

V. Recruitment, Hiring, Promotion, and Retention

The Recruitment, Hiring, Promotion, and Retention section of the Exiger Report consists of 35 ERs 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.

The UCPD has already addressed 16 of these ERs starting with its development of policies designed to recruit and hire from a more diverse pool of officers. The UCPD has submitted its “Recruitment and Selection of Sworn Personnel,” policy, and a very well thought out “Recruitment Plan for University Law Enforcement Officers” which is currently being reviewed by the Office of General Counsel. The UCPD has taken several important steps including partnering with well-established minority groups who have shared the UCPD’s recruitment advertisements to a broader community network.

The UCPD has achieved substantial compliance with nine ERs, and partial compliance with seven others as the policies had not yet been disseminated or formally adopted as of the end of the reporting period. The UCPD plans to disseminate the policies and has tentatively scheduled an additional three ERs for the next quarterly review.

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 5 hereto.

VI. Training

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.

The UCPD has already addressed many of these ERs starting with the assignment of a Training Section Commander (a lieutenant) and the hiring of a Training Consultant to assist in the development of its Professional Development policy and implementation of its Annual Training Plan. The UCPD also created a process to ensure adequate evaluation and follow-up of both internal and external courses, and has re-established its Training Review Committee which will be the basis of ensuring compliance long-term.

To date, the UCPD has achieved substantial compliance with 15 ERs as of the end of the reporting period and has tentatively scheduled an additional eight ERs for the upcoming quarterly review.

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 6 hereto.

VII. Accountability

The Accountability section of the Exiger Report consists of 16 ERs 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.

To their credit, the UCPD immediately created and filled the sergeant positions and have submitted several iterations of its Internal Investigations policy along with complaint intake and internal processing forms and documents. The latter are currently being revised based on input from the Monitor to address issues surrounding the categorization of various types of complaints (citizen, internal and administrative) and the handling and workflow related to same.

To date, the UCPD has achieved substantial compliance with three ERs and due to the aforementioned revisions at the end of the reporting period, the Monitor withheld its determination of compliance for five additional ERs which will be again scheduled for assessment during the next reporting period. The UCPD has tentatively scheduled an additional two ERs for the next quarterly review.

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 7 hereto.

VIII. *Community Engagement*

The Community Engagement section of the Exiger Report consists of 25 ERs 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.

Again, to their credit, the UCPD immediately understood the importance of this issue and hired a Community Affairs Director who reports directly to the VP for OSR. In addition, as described in the UCPD's newly created Community Affairs Section policy, the essential function of the Community Affairs Section Commander (rank of Lieutenant) is to "*independently assist with resolution of departmental and community problems/needs to accomplish departmental mission & goals, act as team resource person to provide leadership and guidance to UCPD, and perform the core duties of (a) university law enforcement officer*" The Community Affairs Section is currently staffed by two additional officers whose responsibilities are exclusively focused on community affairs duties. UCPD's newly developed policy provides that one of the Section's sergeant's responsibilities is to "*designate Community Affairs Officers to specific community groups, with the goal to have Officers increase familiarity and ultimately build relationships with these groups.*" and the policy further lists specific community groups that officers will be assigned to and a series of activities that they will be expected to perform with those groups.

To date, the UCPD has achieved substantial compliance with nine ERs and has tentatively scheduled an additional two ERs for the next quarterly review.

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

The Mental Health section of the Exiger Report consists of 13 ERs 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 with its ability to work with individuals with mental health issues with the goal of minimizing the likelihood of situations resulting in negative outcomes.

During the second quarter ending June 30, 2017 the UCPD submitted its Mental Health Response (MHR) policy. The Monitor found the policies were clear and included appropriate procedures on how to deal with incidents involving individuals suffering from mental health issues. The UCPD had consulted with the University of Southern California and the Ohio State University to ensure its policies were based on best practices.

To date, the UCPD has achieved substantial compliance on 8 of the 10 ERs they put forward for review. One of the ERs was partially compliant as it requires that an annual audit be conducted which will occur and be submitted for assessment in 2018. The other partially compliant ER was due to timing as the UCPD had not yet disseminated or conducted training on the MHR policy as it is currently under review by the Office of General Counsel.

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 9 hereto.

X. Equipment

The Equipment section of the Exiger Report consists of 14 ERs 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 UCPD.

During the first quarter the UCPD submitted its proffers of compliance along with documented evidence demonstrating the disposal of equipment not being used (e.g., a bomb robot) and addressed the video surveillance ER which resulted in substantial compliance of the five (5) ERs put forward for assessment. However, similar to the status of the UOF policies, the Monitor withheld its determination of compliance for three ERs that related to UOF equipment until the policies can be revised.

During the second quarter the UCPD submitted proffers of compliance explaining that within its newly revised UOF policies it has re-authorized the issuing of CEDs and has begun training its CED instructors. The deployment of CEDs will not occur prior to the finalization of all policies related to CEDs and qualification of any officer carrying the device. UCPD has also clarified its practices regarding the PR-24 batons and clearly indicated that the device is to be used only for crowd control. As described above in the UOF section, the Monitor identified several issues within the UOF policies that will be addressed in the revised policy to be submitted in the upcoming quarter and as such, withheld its determination of compliance for the two ERs that are reliant on the finalized policies. To date, the UCPD has achieved substantial compliance on five ERs and are partially compliant on three others. The UCPD has tentatively scheduled two ERs for review in the next quarter.

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 10 hereto.

XI. Technology

The Technology section in the Exiger Report consists of 18 ERs 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.

The UCPD has submitted documentation related to the BWC contract, video retention and storage along with its updated BWC policy. Of the ten ERs put forward for assessment, the Monitor found all ten were compliant. While the Monitor's initial review of the UCPD's updated BWC Digital Recording System policy identified some concerns related to activation requirements and handling of video following critical incidents, the UCPD has addressed the issues by revising and resubmitting the policy. To date, the UCPD has achieved substantial compliance on ten ERs and has tentatively scheduled one additional ER for review in the next period ending September 30, 2017.

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 11 hereto.

XII. Data Systems

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 submitted documentation and proffers of compliance related to how it will use its current systems, and its updated contact card which contains all of the recommended fields for

capturing important data related to race, gender, and ethnicity which will better help in analyzing trends.

The UCPD also submitted sufficient documentation to demonstrate dissemination and training of the newly devised contact cards. While the UCPD policy states that supervisory and administrative reviews/analysis of contact card data occur and are made available to the public, no reviews were submitted for assessment because currently, there is no requirement to document these reviews. The UCPD will need to document the reviews of contact cards in a manner that demonstrates they have occurred, and have been made available to the public. Therefore, the Monitor found the UCPD in partial compliance with the related ER (12.7.B).

To date, the UCPD has achieved substantial compliance on nine ERs.

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 12 hereto.

CONCLUSION

As noted, the Monitor is very pleased with the progress made in the reform process to date. While UCPD will face challenges in achieving substantial compliance with some of the Exiger Recommendations, the Monitor has no doubt of its complete commitment to the process. The Monitor applauds the undertaking of the voluntary Monitorship and the willingness of UCPD to place itself under the publicly reported and transparent scrutiny of the Monitor. The process should serve as a model for other jurisdictions where reform is necessary and oversight and public reporting of such reform is desirable but is no longer readily available in the traditional form of US Department of Justice intervention.

Jeff Schlanger
Independent Monitor

Principal Contributors

Roberto Villaseñor
Deputy Independent Monitor

Denise Lewis
Principal Auditor

HONG KONG
LONDON
NEW YORK
SILVER SPRING
SINGAPORE
TORONTO
VANCOUVER
EXIGER.COM

