

Final Report of the Independent Monitor for the University of Cincinnati Police Division



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EXECUTIVE SUMMARY

Over the course of the last two years, Exiger LLC (“Exiger,” or the “Monitor”) has had the privilege of monitoring the University of Cincinnati’s (the “University,” or the “UC”) implementation of the 276 recommendations in Exiger’s Final Report (the “Exiger Report”) following its Comprehensive Review of the University of Cincinnati Police Division (the “Division” or the “UCPD”). The Monitor’s team, which includes professionals who have overseen some of the world’s most complex court-appointed and voluntary monitorships in the private and public sectors, are proud to have been involved in such a worthy cause. The process of reforming the UCPD, an organization that was in need of repair only three years ago because of a tragic event, was not an easy one, and we credit the success of this reform to the courage, determination and resolve of the University.

Having successfully implemented all 276 Exiger Recommendations (“ER”),¹ the Monitor applauds the efforts on the part of the University and the UCPD - from each of its civilian members and police officers through its ranks and up to Chief of Police Maris Herold, Director of Public Safety James Whalen, and the former² Vice President, Office of Safety and Reform, Dr. Robin Engel. All of the people involved in this effort over the prior 24 months, have shown strength of conviction and character, and they have elevated professional standards in a manner that will have a lasting, and beneficial impact internally and for the people the UCPD serves. The speed with which the UCPD has progressed towards implementing best practices is a triumphant feat, as is its continuous commitment to effect positive change, better policing, and eventual community trust.

The original plan was for this to be a three-year monitorship; the University would to adopt and comply with all 276 ER 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. Having complied with all 276 ERs during the first two years, the University has decided to end the voluntary monitorship at the close of 2018 rather than continue with the plan through the third year. The Monitor supports this decision; however, we caution all involved to not become complacent or lose the sense of urgency for necessary reforms that should be ongoing or may arise in the future. The UCPD has undergone vast and critical changes that will take time – realistically more than two or three years – to embed and ensure that the deeply rooted culture of the organization truly embraces the change and implementation of best practices as the standard method of operation.

¹ Two ERs remain in partial compliance as the testing of implementation could not be completed by the close of the two-year monitorship because of the timing aspect, but to no fault of the UCPD or level of the Monitor’s work. However, regardless of the level of compliance achieved by December 31, 2018, these two ER were in fact adopted and implemented by the UCPD with eventual full compliance as its goal.

² The University announced in August 2018 that effective Dec. 31, 2018, the Office of Safety and Reform will reach its natural conclusion, with the Vice President Dr. Robin Engel having, in essence, implemented all 276 Exiger Recommendations and accomplished her mandate of reforming the UC Police Division. The structure left in its place will be the Director of Public Safety, James Whalen, who will reporting directly to the University President.

We have found that the organizations that have had the most success under a monitorship are those that continue to build on what they have learned over the course of the monitorship, and consistently reinforce, through policy and training, the key issues which lead to excellence in policing. The key to building a stronger, more community-based organization is through continual effort in ensuring a strong, positive, and supportive field supervision element, which will in turn ensure an on-going adherence to the changes the organization has implemented.

The Monitor is encouraged by the enthusiasm and professionalism that UCPD Chief of Police Maris Herold, a staunch champion of reform, has shown in her leadership role of the UCPD. The Monitor is hopeful and optimistic that mechanisms are in place to ensure the positive changes, best practices, and community support that has resulted from the monitorship engagement will remain and continue to improve in the future.

Some of the most noteworthy accomplishments that occurred during this Monitorship include:

- The UCPD developed and distributed a number of new policies on a diverse group of topics, including several which were in direct response to the ER. By implementing these policies, the UCPD is ensuring that best practices are instituted and institutionalized consistent with a university-defined mission for campus law enforcement and the most modern thinking in today's policing. A few of the most critical topics covered by these policies include: use of force; bias free policing; detentions, including pedestrian and traffic stops and arrests; quality of investigations, including citizen complaints; and, the implementation of an Early Warning System to track and act upon key indicators of at-risk officer behavior.
- The UCPD developed and conducted training courses on the above-discussed policies and topics, and many other important training topics like Mental Health Response in Crisis Intervention Team Training, and Active Shooter Training. The UCPD has incorporated community collaborative policing into training modules. In addition to the specific training attended, the entire management of the training unit was overhauled and updated with additional staff and an up-to-date Learning Management System to ensure continuous education for its members.
- The UCPD's implementation of both the above-discussed policies, and the newly developed Recruitment and Hiring Plan has resulted in the hiring of a diverse group of nine individuals consisting of two women, three African Americans, one Hispanic, and one foreign-born individual, which is a huge success and clear achievement of the program goals. Additionally, advancements were made in areas of technology and equipment, such as the reissuance of Conductive Electrical Weapon/Tasers as a less lethal force option for officers, and the installation of in-car video cameras. The UCPD has integrated and institutionalized a problem-solving process into the existing infrastructure of the agency that includes roles for every rank and position within the department.

- The UCPD installed oversight elements to safeguard continued compliance such as: adding the sergeant position as field supervisors; updating the Early Warning System to track officer behavior; creating the internal inspection unit to conduct reviews of various high-risk topics for the Chief of Police, and whose reports will be copied directly to the Director of Public Safety; and establishing the newly configured Community Compliance Council (“CCC”) as an external oversight body to review serious incidents of uses of force incidents or complaints, and help “identify and prevent,” rather than merely react to incidents of organizational failure.

A more detailed report of these and many other reform activities and efforts can be found in this report Substantive Sections 1 – 12.

BACKGROUND

As noted in our prior reports, the University and the UCPD was shaken to its core on July 19, 2015, when Samuel Dubose was shot and killed by a UCPD Officer. This tragic event set in motion a series of reform efforts to ensure that the Division operates 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.³ Exiger conducted the review, which was presented to the University and the public as a series of Findings and 276 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 in the Exiger Report⁴ that called for engaging a Monitor to independently oversee the implementation of the recommended reforms, the UC decided to voluntarily engage an Independent Monitor, which appears to be the first time a police agency 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 reported to the University’s Board of Trustees (the “Board”), issuing both quarterly updates and bi-annual reports to update the Board and the public on the progress of the UCPD’s reform efforts.

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.⁵

The Monitor began his duties on January 1, 2017 and has since provided quarterly updates in the form of PowerPoint presentations meant to provide a summary overview of activity in the quarter. The presentations included pertinent details of significant topics, including but not limited to: policies that had been developed; use of force; and complaint investigations that had been completed. The Monitor also issued three bi-annual reports,⁶ which followed the structure of the Exiger Report, providing details of the reform activity and efforts in the Fundamental Recommendations and each of the 11 substantive areas for the preceding half year. At the conclusion of the monitorship, Exiger agreed to provide a comprehensive final report that details all of our significant findings and activities over the course of the monitorship. This report constitutes Exiger’s final report of the Monitorship of the UCPD.

³A copy of all the Monitor’s Reports can be found at: <http://www.uc.edu/publicsafety/reform/external-monitor.html>

⁴ 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 Final 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.

⁵ In May 2018, upon Jeff Schlanger’s departure from Exiger, Roberto Villasenor, formerly the Deputy Monitor, was appointed as Independent Monitor, and Denise Lewis, formerly the Primary Auditor, assumed the role of Deputy Monitor.

⁶ For reference, the Monitor’s bi-annual reports are dated August 2, 2017; February 6, 2018, August 21, 2018; and March 7, 2019 (this report).

METHODOLOGY

The Monitorship began with the collaborative development of the “Methodologies to Aid in the Determination of Compliance” (“MADC”). The MADC details the expectations by the Monitor of the UCPD in achieving compliance with each ER, including the documents or other data that are required. The MADC is a collaboratively created document that serves as a guide to assist both the UCPD and the Monitor in understanding the processes used to evaluate compliance for each ER and served to assist the UCPD in ascertaining what was required in order to achieve compliance.⁷

As this entire project was voluntary, all of the 276 recommendations were technically optional. As a result, one of the first tasks of the monitorship was to meet with the UCPD and discuss which ERs would be implemented, and in what order. With a few minor adjustments, the UCPD decided to adopt all of the ERs. It should also be mentioned that some recommendations were purposefully drafted in a manner that suggested, but did not mandate compliance. Such ERs used the terminology “...*the UCPD should consider...*” to permit the UCPD to decide if the item(s) were appropriate for their organization.⁸ In these situations the Monitor found the UCPD in compliance with the associated ER even when not adopted, as long as the UCPD provided sufficient explanation of its rationale for why that specific ER was not implemented, including evidence of its consideration. On the few occasions this occurred, the details including the UCPD’s rationale, is clearly explained within the associated Memorandum of Assessment (“MOA”).⁹

Generally, each substantive area required some form of the following tasks:

- A Policy developed/updated and disseminated, or a Chief’s directive, or an executive decision;
- Training or briefing should occur to ensure that UCPD personnel are aware of the new expectations;
- Implementation should be verified by way of testing documentation or observing onsite; and
- Audit, Inspection or Oversight in some form, should be installed to ensure continued compliance.

A summary of the reform activity and efforts in each of the above tasks is contained in Sections 1 through 12 of this report.

⁷ It should be noted that as the UCPD developed its policies and changed its procedures, the content of the MADC was also reexamined and re-agreed upon, when appropriate.

⁸ As an example, ER 8.6.F states in part: “The UCPD should 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.” In this example, the UCPD considered implementing the STOPTHEFT program but found that the budget constraints outweighed the benefits of the program for a series of reasons, most notably the UCPD’s current engraving program.

⁹ The Memorandum of Assessment were used to document the Monitor’s detailed assessment of each of the Recommendations assessed during each reporting period and are organized within the respective topic area in Appendices 1-12.

REPORTING

From the onset of the monitorship, the Monitor was dedicated to making this a transparent process. Likewise, the UCPD provided the Monitor with full access to staff, documents, meetings or facilities and to processes that allowed the Monitor to test and measure compliance and/or to validate its findings. While each MOA was reviewed by the University's Vice President of the Office of Safety and Reform, (VP OSR) for input and accuracy of UCPD information, the message and the findings in those reports were never altered by the UC or the UCPD.

In contrast to a mandatory court-ordered police monitorship, in which the timing of compliance tasks is set-out in the court's judgment, given the voluntary nature of this engagement, the Monitor believed it was in the best interest of the UCPD to allow the UCPD to project the timing of its compliance with each ER and then notify the Monitor when it was ready to be assessed. That said, the Monitor assessed compliance of certain critical areas such as use of force and complaints each quarter. The Monitor encouraged the UCPD to submit its policies, documentation, and any other items that needed to be assessed as soon as possible even though they may, or may not, have achieved full compliance to allow the Monitor to provide timely feedback, and report all of the reform efforts to the UC and the community. Over the course of the two-year monitorship, the timing of early submissions did result in findings of partial compliance or the Monitor withholding a determination of compliance, but this by no means indicated a lack of effort on the part of the UCPD.

For each ER that was scheduled for assessment, the UCPD submitted a proffer of compliance,¹⁰ which included a description of the steps they had taken to achieve compliance along with any related policies and other relevant documentation. The Monitor's assessment of that proffer, the documentation submitted and any other independent testing when needed, resulted in a determination of the UCPD's degree of compliance pursuant to the necessary tasks laid out in the MADC. A grade of either "Compliant," "Partially Compliant,"¹¹ "Non-Compliant," or "Determination Withheld,"¹² was 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 all the elements needed to achieve substantial compliance were met, the Monitor would either set a date for the next scheduled evaluation or would indicate that No Further Evaluation ("NFE") was required. It is important to note that a finding of compliance in one

¹⁰ The concept of having UCPD provide a proffer of compliance was implemented partway through the first quarter of the monitorship and, as a result, some of the first Memoranda of Assessment do not contain this information.

¹¹ In order to provide a mechanism for acknowledging the UCPD's progress made towards achieving compliance, the Monitor used the finding of Partial Compliance ("PC"). The PC finding was used to differentiate between those ERs where the UCPD had not yet achieved complete compliance but had made forward progress toward compliance such as developing the policy, but not yet disseminating that policy or training its personnel on the policy.

¹² The finding of Determination Withheld ("DW") was used when the UCPD and/or the Monitor agreed that the Monitor's review could not yet determine compliance because a complete assessment was not possible at the time of reporting, but would be evaluated at the first possible opportunity.

quarter did not necessarily mean that the Recommendation would continue to be in compliance in subsequent assessments.

Some ERs were evaluated more than once during the course of the Monitorship (including as often as every quarter), while other Recommendations required only one evaluation. Those ERs requiring only one review were designated as NFE, typically because the required action was of a one-time nature such as developing a strong employer brand to help in making UCPD an employer of choice in Cincinnati as is required in ER 5.2.B.

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 required multiple evaluations to ensure continued compliance.

As this is the final report of the monitorship, we have included a summary of the reform activity and efforts over the entire two-year period. In order to provide a visual summary “snapshot” of the UCPD’s progress of compliance over the two-year monitorship, the Monitor used a “Report Card” format. Additionally, the detailed information for each of the 276 ERs is contained in the MOAs, which can be found in Appendices 1-12.

ACTIVITY DURING CURRENT REPORTING PERIOD

This Report covers the entire two-year Monitorship from January 1, 2017 through December 31, 2018; it also serves as its update of the activities for the most recent period, the 4th Quarter of 2018.

During the 4th quarter 2018, the Monitor examined a total of 79 ERs, 36 of which were “initially” assessed for the first time. The remaining 43 had been previously assessed and required a subsequent review. Of the 36 initial assessments, all but one achieved full compliance, with one being found “partially compliant.” Of the 43 ERs that were reassessed, all but one achieved compliance with the remaining one being found “partially compliant.” A summary of the remaining assessments conducted during the final period and the two ERs determined to be partially compliant follows below. The detailed information of all Q4 assessments are interwoven throughout this final report.

Items of Note

During this reporting period ending December 31, 2018, the below successes are highlighted:

- The hiring of nine individuals for sworn officer positions – two women, three African Americans, one Hispanic, and one foreign-born individual. These hires were the result of recruiting efforts, and a huge success and clear achievement of the program goals.
- The formation and memorialization of the UCPD’s Use of Force Review Board (“UFRB”), created to review all incidents of serious/critical Use of Force (“UOF”), which includes both a group of UCPD staff as a mechanism for internal oversight, and the use of the Community Compliance Council (“CCC”)¹³ to provide adequate external oversight.
- The hiring of a new Crime Analyst whose experience in the area of data analysis for law enforcement agencies has been a great benefit.
- The development of UCPD’s complaint and use of force databases in Microsoft Access allowing for a searchable format.
- The development and implementation of a new supervisor orientation checklist.
- The development or revision and dissemination of the below policies:
 - Internal Inspections and Annual Inspection Plan
 - Performance Evaluations
 - Tactical and Strategic Investigations (Problem Solving)

¹³ The CCC is formerly the Office of Safety and Reform’s Community Advisory Council (CAC) which was formed in October

Complaints and Uses of Force

During Q4 of 2018, three new Citizen Complaints were initiated and investigated. The Citizen Complaints generally consisted of allegations of discourtesy or improper procedures. No new UCPD internal misconduct investigations were initiated during the same time period.

One use of force occurred during Q4 2018 which consisted of a hands-on hold of a subject who was resisting arrest. No injuries resulted from these actions, which were consistent with UCPD's policy and training.

During Q4 of 2018, the UCPD documented the Administrative Review ("AR")¹⁴ of two incidents; one use of CEW laser light as a compliance technique, and one off-campus traffic stop which was conducted for emergency reasons.

The Monitor evaluated all closed investigations and ARs and found them to be complete and timely and did not disagree with the findings.

Partial Compliance Recommendations

Internal Audit or Inspectional Unit

The UCPD created its internal inspection unit and was therefore found in full compliance with the associated ERs;¹⁵ however, ER 1.2.B was meant to ensure that once the unit was created, the inspections would be performed on an on-going regular basis as depicted in its annual plan. Based on the timing of when the inspection unit was established and began completing and submitting inspections, combined with the early withdrawal from the monitorship, the Monitor was unable to test whether the inspections were completed according to the schedule, which resulted in a finding of partial compliance.¹⁶ Simply put, the timeliness of inspections must be tested over time. For this reason, the Monitor suggests the Director of Public Safety pay close attention to this topic to ensure full compliance going forward.

IACLEA Accreditation Process

Upon commencement of the monitorship, the UCPD's Organizational Development Coordinator (ODC) immediately began the process of becoming certified by the International Association of Campus Law Enforcement Agencies (IACLEA), which is a lengthy and grueling process. The IACLEA is the leading authority for the campus public safety profession and its members include police chiefs, public safety directors, and other law enforcement personnel at universities across the country. The process purposefully must be planned over several years and, while appropriate

¹⁴ The AR is the UCPD's process of conducting a more abbreviated command level examination of incidents/police actions that do not require a formalized investigation. 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.

¹⁵ Please see the Monitor's *MOA* for ERs 1.2.A and 7.10.A for further details related to this topic.

¹⁶ It should be noted that the MADC, which was agreed upon in advance, stated that compliance would be achieved when a regular schedule of audits of all critical functions was established within an annual audit plan and when quality audits were completed according to that schedule.

benchmarks were set with prioritization of tasks that aligned with implementation of the ERs, the Monitor was not able to report on full compliance in this area simply due to timing. The UCPD has indicated that the standards will be reviewed again in early 2019 prior to scheduling the on-site assessment by IACLEA and will report its progress toward IACLEA accreditation to the CCC.

Areas for Continued Improvement

The following issues of concern were identified by the Monitor and are in the process of being addressed by the UCPD:

Training

The Training Section's ("TS") mission is based on best practices and Ohio Police Officer Training Academy ("OPOTA") standards and requirements. With a very ambitious training schedule, management of the TS resulted in an excessively complicated system of internal tracking forms to document the oversight, evaluation and follow-up of both internal and external courses. The result left the TS staff sometimes struggling to fully implement a policy, which was initially developed in response to the high number of ERs and associated requirements. The implementation of the UCPD's Learning Management System ("LMS"), which was developed in collaboration with the UC, addressed some, but not all, of the documentation issues. The Monitor suggests that moving forward, as part of the Training Needs Analysis ("TNA"), which by policy is supposed to be conducted by the Training Review Committee currently scheduled to be completed in spring 2019, the UCPD conduct an internal study to determine the best method of simplifying and streamlining the functions of the Training Section.

Inspections

Given the very recent establishment of the Internal Inspection unit and the lack of any formalized audit training having been attended at this time, the Monitor is pleased with the efforts in this area. However, a cursory review of the quality of the inspection reports found areas for improvement related to reporting and scheduling. The Monitor understands that future training is planned and is certain that over time this unit will help make the UCPD a more accountable organization overall.

Supervisor/Leadership Training

The transition from having zero to five sergeants acting as first-line supervision has been challenging at times because of issues ranging from the lack of training to the new "supervisor" mindset of the involved individuals. It is promising that the UCPD expects to develop a more comprehensive supervisor training program similar to programs that train new officers. This concept of more structured and formalized training of field supervisors is emerging as a standard practice in agencies across the nation. The Monitor is hopeful that a more formalized internal supervisory training program will prevent holes in supervisory knowledge, and ensure consistent training and mentoring of field officers.

Internal Investigations of External Issues

The Monitor reviewed two cases in which officers were arrested and convicted for DUIs. While the UCPD's disposition of the case was a finding of a sustained allegation, it was based solely on the Court outcome. The Monitor noted that the UCPD did not conduct an independent investigation of these incidents, but rather reviewed the investigations of outside agencies. In the Monitor's opinion, this resulted in a lack of documentation and left a number of issues unaddressed; specifically there are no interviews of the key individuals involved. At a minimum, the accused officer and the arresting officer should have been interviewed.

There was also no documented rationale as to the reasoning for the particular discipline recommended by the UCPD. It is critical that the rationale clearly defines the reasoning for applying internal discipline even though the Court has also imposed its sentence. This reasoning provides any reviewer with a clear explanation of how the UCPD applied its written and published policies, disciplinary matrix to a case, and how management reviewed the issues, including those that were of particular concern. This clarity and transparency help ensure that the resulting recommendation is legal, reasonable, fair, and justified. In the case of criminal conduct, the organization can take notice of any penalty the courts impose, but that penalty does not, of necessity, negate or influence the internal need for an investigation and a disciplinary response where appropriate. The issues are separate and one should not impact one another.

Progressive Discipline

The UCPD developed and implemented a disciplinary matrix as a guide in adjudicating sustained misconduct investigations, and taking fair and consistent corrective action that includes disciplinary measures. Discipline in law enforcement organizations serves to correct aberrant behavior that has violated the law or the policies, practices, and procedures of the organization, or is recognized as violations of the Code of Ethics or moral values of the organization. It also serves to educate the organization's employees as to what behavior is deemed inappropriate and unacceptable by the organization. This is the training component of the disciplinary process. Without it, negative behavior holds no threat of organizational consequences.

The organization's discipline policy permits the administration of progressive discipline based on past findings of misconduct. The appropriate administration of discipline provides the justification to increase a penalty for subsequent policy violations.

In addition to adhering to professional standards, including their Oath of Office, officers owe the organization a level of conduct that sets them above the average citizen, and meets those professional standards of the community of law enforcement organizations with which they interact. The Monitor had several in-depth discussions with the UCPD on the importance of progressive discipline and is confident these principles will be applied going forward.

SUMMARY OF SUBSTANTIVE TOPICS

I. *Fundamental Findings – 92% Current Compliance*

The Fundamental Findings section of the Exiger Report consists of 25 ERs which are foundational and at the core of the reform effort.¹⁷ 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.

Other than a few select requirements, the Fundamental Findings Section of the Exiger Review is a summary of more detailed Recommendations within the body of the report and, as such, are duplicated elsewhere in this report. In those instances, a description of the detail is included within the relevant Substantive section 2-12 and within the associated MOA.

Over the course of the two-year monitorship, with the policy, training, implementation and oversight actions, all but two of the 25 ERs were fully implemented.

The executive resolve to voluntarily enter into a monitorship with the goal of tracking each of the reforms outlined in the 276 Exiger Recommendations was the most significant decision in this entire endeavor. Furthermore, one of the most meaningful policy decisions was the creation of a UCPD mission statement which will serve as an excellent base for its current and ongoing improvement efforts.

Below is a list of the topics summarized in the Fundamental Findings section that were adopted, but which are further detailed elsewhere in this report:

- Establishment of an Internal Inspectional Unit;¹⁸
- Update of the UCPD's policies and procedures to reflect best practices and achieve IACLEA accreditation;¹⁹
- Development and annual training of a Bias-Free Policing policy;
- Development of a Use of Force policy emphasizing de-escalation and the sanctity of life;

¹⁷ Several of the Recommendations in the Fundamental Findings section of the Exiger Report are a summary of more detailed Recommendations in the Exiger Report and, as such, are duplicative. In those instances, a description of both ERs are included within the relevant MOA.

¹⁸ Given the timing of the implementation of the inspection unit, the Monitor could not fully determine compliance with the quality or timeliness of the unit's work, as these issues must be tested over time. Nevertheless, the establishment of the inspection unit will undoubtedly prove to be an invaluable asset to executive management.

¹⁹ While the Monitor was not able to state affirmatively that success was achieved with ultimate accreditation set to occur in the Fall of 2019, it is confident that upon assessment, the IACLEA will award accreditation.

- Development of Complaint Initiation Policy to categorize and define the workflow of investigations;
- Expansion of force alternatives by arming UCPD officers with Conducted Electrical Weapons (“CEW”), which are commonly known as Tasers, along with training on the use of such devices;
- Development of a protocol for the Timely and Quality Review of Use of Force incidents;
- Establishment of a Use of Force Review Board (UFRB) to review all incidents of serious/critical uses of force;
- Establishment of the external community oversight body (Community Compliance Council) to help monitor the resolution of complaints;
- Directive to provide clear guidance as to how traffic stops should be conducted and when, if ever, off-campus traffic stops are permissible;
- Update of the UCPD’s hiring policy by requiring a diverse slate of candidates throughout the police officer recruitment process;
- Recognition of appropriate resources for the community affairs function;
- Integration of the UCPD’s data collection systems; and
- Partnership with, and make use of UC’s resources in order to fully implement the Exiger Recommendations.

Conclusion

The UCPD has successfully accomplished the above, going above and beyond in many areas. The above actions describe the dedication and foresight of the UCPD executives. Even with these new procedures in place, continuous review and oversight in this area is imperative for all law enforcement organizations. The Director of Public Safety and the CCC should continue to proactively support the UCPD and ensure complete transparency, which will have a positive impact on community trust.

The Monitor’s detailed reviews are contained in the Report Cards and the MOAs which can be found in Appendix 1. Also contained within the MOA under the heading “UCPD Proffer of Compliance” is a detailed account of the UCPD’s response to each ER.

II. *Pedestrian and Traffic Stops – 100% Compliance*

The Pedestrian and Traffic Stops section of the Exiger Review report consisted of 11 ERs, mainly related to findings that the UCPD had a lack of policies, protocols and training for non-consensual detentions such as traffic and pedestrian stops, bias free policing, or the collection and analysis of data related thereto. The UCPD first began correcting these shortcomings in May 2016, prior to the start of the Monitoring process and continued throughout the two-year monitoring engagement. The UCPD ultimately achieved compliance with five ERs by the close of 2017, and the remaining six ERs by the close of 2018, amounting to 100% compliance in this area.

Policy

The first step taken was the issuance and implementation of its bias free policing policy which includes appropriate definitions of terms such as “illegal profiling,” “articulable suspicion (reasonable suspicion),” and “probable cause,” and clearly prohibits profiling. The policy outlines the manner in which complaints of biased policing must be handled and provides for the administrative review of agency-wide pedestrian and traffic stop practices. The UCPD finalized its Traffic Enforcement and Pedestrian Stop policies, which also appropriately define reasonable suspicion and probable cause and, combined, meet all of the requirements of the ERs and best practice standards regarding consensual and non-consensual detentions. Lastly, the UCPD’s Training Policy mandates that its officers receive continuous training on its policies to ensure officers are equipped with the information and learning experiences to properly and legally apply the policies and tactics during these encounters.

Training

The UCPD’s training program mandates that all officers receive training in topics such as Fair and Impartial Policing (“FIP”) and traffic stops. The training curriculum includes concepts of bias-free policing and the effect of implicit biases. The FIP training course, which was developed by the Fair and Impartial Policing Institute, includes lessons and case studies that allow officers to consider situations where their implicit biases could affect their judgment. During the two-year monitorship, sworn officers also attended similar topical Ohio Police Officers Training Academy (“OPOTA”) courses such as “*Procedural Justice and Police Legitimacy*” and “*Policing Culturally Diverse Communities*.” Most recently, in July 2018, the UCPD partnered with the UC Office of Equity and Inclusion to develop and administer training to all its personnel.

Finally, the UCPD delivered its first-ever internally developed traffic stop training in November 2018. While UCPD officers receive initial training on traffic stops while in the police academy during and during their probationary training period, no further training is provided throughout their careers. UCPD’s development of this training course “in-house” allows them to continually improve the process, and modify it based on lessons-learned and nationwide best practices. The ability to offer such training throughout an officer’s career or when special circumstances arise that warrant either individual remediation or a department-wide approach, will be invaluable.

Implementation

The UCPD redesigned its Contact Card to ensure the documentation of all officer initiated nonconsensual contacts, including those occurring during traffic or pedestrian stops, suspicious person contacts, field interviews, and arrests. The Contact Card includes data fields that capture the race/ethnicity, type of search performed if any (e.g., frisk, person, property) and the legal basis related thereto, and the type of force used when applicable.

The UCPD ceased conducting all but emergency traffic stops outside of the UC perimeter, and provided guidance as to the appropriate number of officers who should be on-scene during any such stops. For the entire period of the monitorship, only ten off-campus traffic stops have

occurred: four in 2017 and six in 2018, the last of which occurred on December 23, 2018. The Monitor reviewed all of the off-campus traffic stops along with the body-camera and in-car video footage that occurred during the monitorship and confirmed proper implementation of these directives. While the Monitor had planned to conduct further implementation testing of the underlying contact cards in the final year of the monitorship, that work did not occur due to the UCPD's decision to end the voluntary monitorship one year early.

Oversight

The UCPD has implemented several levels of review of the Contact Cards from a data entry standpoint to help ensure accuracy. In addition, first-line supervisors are required to conduct a monthly documented review for any red flag issues that may arise during that time period such as patterns of improper behavior. This allows for immediate corrective action and/or remediation when needed. The supervisors must conduct a review of video footage from body cameras or in-car video of all off-campus traffic stops, and based upon the Monitor's suggestion during its review, the UCPD added the same type of higher level scrutiny to all off-campus pedestrian stops.

From an executive level, the UCPD has its crime analyst prepare a semi-annual review of all stop data on a more holistic organization-wide basis, which is then reviewed by the Standards and Strategic Development Bureau Commander. The results of that analysis are contained in the UCPD's Traffic and Pedestrian Stop Data Report. The reports submitted during the monitorship were thorough and insightful, and did not result in the identification of any outliers in officer behavior. Moreover, these reports contain valuable information for the context of such analysis going forward and will help to ensure that any such behavior identified is remedied through corrective action.

Conclusion

Clearly the UCPD has, within a relatively short time, made great strides in this very critical and sensitive area of policing. As indicated above, there are mechanisms now in place to ensure continuous executive level and first-line supervisory reviews of stop data when they occur. Nevertheless, the Monitor suggests that both the Director of Public Safety and the CCC continue to monitor the UCPD's reports of oversight in this area to ensure enduring accountability.

The Monitor's detailed reviews are contained in the Report Cards and the MOAs which can be found in Appendix 2. Also contained within the MOA under the heading "UCPD Proffer of Compliance" is a detailed account of the UCPD's response to each ER.

III. Use of Force – 100% Compliance

The Use of Force (UOF) section of the Exiger Report consists of 22 ERs related to the UCPD's UOF policy, the UOF continuum to include less-lethal options such as Conducted Electrical Weapons ("CEWs" or "TASERS") and batons, and its investigation procedures. At the time of Exiger's Review, the UCPD's UOF policies and procedures did not reflect current best industry

standards and did not clearly define circumstances under which the use of force was authorized. These policy-related deficiencies were addressed through a collaborative approach between the Office of Safety and Reform, the UCPD, and the Monitoring Team over the course of the two-year monitorship. The UCPD achieved compliance with 16 ERs by the close of 2017, and the remaining six ERs by the close of 2018, reaching 100% compliance in this area.

Policy

One of the first executive decisions made to update and align its UOF policies with best practices, was to re-issue the CEW, thereby providing a less lethal UOF option for UCPD officers. The UCPD also banned the use of the Kubotan,²⁰ which is consistent with national trends.

The next and most significant accomplishment in this area was the revision of the UCPD's UOF policy to clearly communicate the circumstances under which the use of force is authorized. The revised policy is now consistent with national best practice standards, stating that officers shall only use the minimal amount of force necessary to overcome an immediate threat or to effect an arrest. The policy appropriately defines a "Critical UOF" as any action that involves: a critical firearm discharge; the use of deadly force; a baton strike to the head; or any use of force in which the person is seriously injured, dies or requires hospital admission, with the exception of individuals admitted for psychiatric evaluation not suffering a serious physical injury.

The concept of de-escalating situations as the first and best choice whenever possible, is a common theme throughout the policy, and is exemplified by the inclusion of the "Critical Decision-Making Model" (CDM). The CDM is a common-sense and ethically based thought process intended to help police officers manage a wide range of incidents safely and effectively.

The revised UOF policy now also contains appropriate procedures for reporting, investigating, and reviewing all incidents of UOF to ensure a thorough, objective and timely investigation, including a determination of the appropriateness of the force used, and a review of the tactics leading up to and used during the UOF. As it is an accepted practice to ensure impartial investigations, an outside agency can assist or assume the investigative responsibility for all UOFs involving shots fired or that cause serious injury, hospital admission or death to a subject. While the UOF policy gives discretion for this decision to the UC Director of Public Safety, the Monitor recommends that should such a situation arise, an outside agency should indeed be summoned. Lastly, the policy also includes procedures to address any potential disciplinary or criminal issues that arise during the investigation, and requires that the findings of Officer Involved Shooting (OIS) investigations be made public upon completion.

The most recent and final issue to be addressed within the policy occurred in December 2018 (effective January 2019), which was to institute a multi-tiered Use of Force Review Board (UFRB) to review all incidents of serious/critical UOF. The policy also sets out the internal and external

²⁰ A Kubotan is a self-defense weapon developed by Sōke Takayuki Kubota in the late 1960s. It is typically no more than 5.5 inches long and about half an inch in diameter.

members of the UFRB which include appropriate persons for presenting the case (further information on the UFRB is detailed below under the “Oversight” heading of this section).

Training

UCPD officers attended several training sessions covering the UOF topics, including the practical application of force which included a state-of-the-art firearms simulator and the use of TASERS, as well as annual side-handled baton training and live fire exercises during range qualification with firearms. The UOF training curriculum covered the legal basis for when officers are permitted to use force, the de-escalation tactics used to help avoid the need to use force, along with hands-on techniques for using force, such as handcuffing, weapon retention, and the use of the recently issued TASERS - all of which are appropriately contained in the UCPD policies and procedures. The lectures observed by the Monitor were thorough and aligned with best practice standards, and the hands-on portion of the training was well prepared and executed. UCPD officers also received training on the CDM to help officers manage a wide range of incidents safely and effectively. The UCPD also delivered a significant amount of training on other areas that deal with police response in situations where force may be necessary, such as crowd management/control and unlawful assemblies and crisis intervention training.

Implementation

The UCPD had only four UOF incidents that occurred during the two-year monitoring period, from January 2017 through December 2018, one of which did not involve the use of actual force, but rather involved the display of a firearm at the conclusion of a pursuit.²¹ The other three incidents involved hand-on maneuvers to control subjects who were actively resisting arrest, and were found to be appropriate for the circumstances and consistent with policy based on evidence, statements and a review of the body worn camera footage. This is a relatively small number of UOF incidents, all of which were thoroughly and quickly investigated, and included a command level review that appropriately focused on any policy, training and tactical issues.

During the same time period, there were several reportable but non-use of force incidents involving TASERS/CEWs wherein officers used the laser light to encourage compliance successfully. Again, these incidents, including the tactics employed, were consistent with UCPD policy, training, and best practices.

Oversight

UOF incidents are overseen in a number of ways. First, there is an immediate field response of first-line supervisors upon notification of any UOF occurrence. Once on scene, supervisors are required to secure the scene and any evidence, make any needed public safety notifications, and

²¹ At the time of the incident the display of a firearm was defined as a use of force in the UOF policy, however, in agreement with the Monitoring team, the updated version of policy now defines this type of action as an “other reportable incident.” It should be noted that these incidents continue to receive a complete executive level review.

notify command staff which, in serious incidents, would include the Chief of Police and the Director of Public Safety. The involved officers complete incident reports to document the circumstances surrounding the need to use force, and the investigating supervisor is required to conduct a review of video footage from body cameras and/or in-car video and complete the necessary investigative forms. All uses of force receive a command level review to address any policy, training, and tactics issues.

From an executive level, as mentioned above, the UCPD has recently established the UFRB to review all Critical UOF's (as defined in UCPD's policy). The UFRB is an internal review panel consisting of command level staff, and investigative and training supervisors, who will: (1) review the incident for consistency with UCPD policy; (2) examine the tactics of the involved officer(s); and, (3) determine if lesser force alternatives were reasonably available. The UFRB must make recommendations on any training or policy issues identified as well as any corrective measures needed. In response to the ERs that required including external oversight as part of the UFRB, the UCPD opted to request that the newly created CCC review serious/critical uses of force by way of the Chief presenting such information on a quarterly basis. The UOF policy states that the Chief's presentation will include a summary of all UOF incidents, including a detailed account of the processes, procedures, and dispositions on each UOF incident. The Chief is also required to notify the CCC Chairperson²² within 24 hours of any serious/critical UOF incident. The CCC Chairperson retains the authority to create an ad-hoc committee of the CCC to review any use of force incident in more detail and is able to report any concerns or issues directly to the University President.

Finally, to ensure complete transparency, the UCPD will produce and publish an annual report which will contain information on the existence of the UFRB; the CCC; and, summarized information of all UOF incidents to its website.²³

Conclusion

The UCPD has successfully updated its policies and protocols, and has indeed gone above and beyond in the most serious area of policing. The above actions describe the dedication and foresight of the UCPD executives. Even with these new procedures in place, continuous review and oversight in this area is imperative for all law enforcement organizations. Needless to say, the Director of Public Safety and the CCC should continue to review any serious/critical UOF to ensure complete transparency which will have a positive impact on community trust. Additionally, UCPD must continually review and adapt where appropriate, as the nationwide best practices in UOF training and policy continue to evolve and improve.

²² The University President will appoint a Chairperson for the CCC for a two-year renewable term. The Honorable Judge John West recently accepted such invitation to serve as the Chairperson beginning January 1, 2019.

²³ <https://www.uc.edu/about/publicsafety/reform/resources.html>.

The Monitor’s detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 3. Also contained within the MOA under the heading “UCPD Proffer of Compliance” is a detailed account of the UCPD’s response to each ER.

IV. Policy and Procedures – 100% Current Compliance

The Policy and Procedures section of the Exiger Report consists of 22 ERs related to the process by which the organization develops and maintains best practice policies. The specific recommendations in this section were focused either on deficiencies related to the process and responsibility to update UCPD policies, or were related to specific policies that were not covered elsewhere in the report.

Many of the specific policy-related deficiencies were addressed through a collaborative approach between the ODC and the Monitoring Team, and over the course of the two-year monitorship all of the 22 ERs were executed; 19 ERs by the close of 2017, and the remaining 3 ERs by the close of 2018.

Policy

Even before the start of the monitorship, the UCPD had begun the process of addressing the responsibility factor of this section by hiring an Organizational Development Coordinator (“ODC”). The ODC quickly began drafting and revising policies as required by the ERs throughout the Exiger Report, using appropriate resources including the International Association of Chiefs of Police (“IACP”) as model policies, and the IACLEA. The ODC also began the process of becoming IACLEA certified through the accreditation process, which is detailed further in the Fundamental Findings section of this report.

In total, the UCPD revised or developed a total of 75 policies, 35 of which were reviewed by the Monitor as they were either specifically or indirectly required by an ER:

1. Mission, Vision, Core Principles
2. Bias Free Policing
3. Use of Force (including Tasers)
4. Internal Investigations (including citizen complaints)
5. Pedestrian Stops, Field Interviews, and Pat-Down Searches
6. Traffic Enforcement Activities
7. Arrests, Processing, Transportation of Detainees
8. Mental Health Response
9. Unlawful Assemblies/Crowd Management and Control
10. Body Worn Camera
11. In-Car Video Recording System
12. Criminal Trespass Warning
13. Active Threats

14. Bicycle Assignment and Maintenance
15. Bomb Threats and Bomb Emergencies
16. Timely Warnings and Emergency Notifications (Clery Act compliance)
17. Records Management
18. Customer Service Standards
19. Tactical and Strategic Investigations (Problem Solving Policing)
20. Community Affairs Section
21. Confidential Informants
22. Surveillance
23. Collateral Employment
24. Performance Evaluations
25. Recruitment & Selection of Sworn Personnel
26. Training and Professional Development
27. Lessons Learned Program
28. Police Training Officer Program
29. Law Enforcement Supervisor Promotional Process
30. Written Directive System
31. Early Intervention
32. Employee Conduct and Discipline
33. Inspections
34. Departmental Equipment and Uniform Tracking
35. Command Staff Situational Awareness Notification

Training

Depending on the subject matter of new policies or the nature of revisions to existing policies, UCPD employees typically receive some type of training or briefing based on their position within the organization and the impact of such policies. The method and amount of that training is often directed by the UCPD's training policy and/or State of Ohio mandates. The manner of training provided is sometimes formalized and conducted in a classroom setting, or may be conducted by supervisors in a less formalized way. The training can include lectures, hands-on methods, and/or online instruction. With very few exceptions, the Monitor found that UCPD officers received adequate training on the policies that were developed or revised in response to the ERs.

Implementation

The UCPD uses its internal document management system, PowerDMS, to disseminate and quiz UCPD personnel on newly developed and updated policies, depending on the nature of the revisions. The ODC coordinates with Training staff personnel to collaborate on best practices through its *lessons learned* program which aids in the identification of issues to be addressed. Given the timing of submission and the critical nature of the policy, implementation testing was not conducted on all of the above listed policies during the monitorship. However, as described throughout this report, such testing should occur on a regular basis. Employees are more likely to

abide by a policy if they know what is expected, are aware that compliance with the policy will be checked consistently, and believe that, without exception, there will be consequences for not following the policy and any corresponding procedures – meaning the organization has a structure for discipline and corrective action in place.

Oversight

In addition to everyday first-line supervision to ensure policies and procedures are followed operationally, several of critical policies are also included in the UCPD’s annual Inspection plan, which is expected to be implemented going forward. From an executive level, all policies are signed off by the Chief of Police and, in some cases, the Director of Public Safety prior to being disseminated. As mentioned elsewhere in this report, the newly created CCC will also have a role in the evaluation of UCPD policies and procedures, the Chairperson having the authority to report any concerns or issues directly to the University President. The Monitor encourages the UCPD to share copies of inspection reports with the CCC for addition accountability. Finally, to ensure complete transparency and access to the public, the UCPD publishes its noteworthy policies on its website.

Conclusion

The UCPD has successfully updated its policies and procedures, and has in put into place systems that require continuous review by the Department and appropriate university staff in order to ensure that they continue to represent best practice.

The Monitor’s detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 4. Also contained within the MOA under the heading “UCPD Proffer of Compliance” is a detailed account of the UCPD’s response to each ER.

V. Recruitment, Hiring, Promotion - 100% Compliance

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 Exiger 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 statement, in this regard, may have negatively affected its past hiring strategies.

The UCPD has now fully implemented its recruitment policy and hiring plan, and other important personnel policies contributing to compliance with all 35 Exiger Recommendations in this area and, more importantly, the recruitment and hiring of a diverse pool of officers. The UCPD achieved compliance with 26 ERs by the close of 2017, and the remaining 9 ERs by the close of 2018.

Policy

As with many other areas, the UCPD began working on the policies in this area well before the commencement of the monitorship in January 2017; however, the first policy established in this area was, appropriately, the UCPD's "Vision Statement, Mission Statement and Values (VSMV)." The UCPD conducted workshop sessions with members of the organization, the community, and the university, to identify core concepts in line with best practice of other university law enforcement agencies. The finalized VSMV promotes concepts of fairness and non-biased policing, while providing for the safety of UC students, faculty, staff and visitors.

In October 2017, after partnering with well-established minority groups to explore diversification of its ranks, the UCPD submitted the "Recruitment and Selection of Sworn Personnel," policy along with its "Recruitment Plan for University Law Enforcement Officers." These documents are reflective of successful practices of other like agencies to recruit diverse, qualified and mission appropriate applicants. The Recruitment Plan establishes specific objectives, goals and strategies to recruit a diverse applicant pool that reflects the community that UCPD serves. Several of the specific strategies included in the plan prioritize recruitment efforts for community engagement, partnerships, and shared responsibility for crime prevention.

The UCPD also completed its promotional policy which emphasizes the need to ensure that those promoted possess the desired traits of a supervisor, including: motivation; leadership; work ethic; interpersonal style; decision making; and judgment. The policy outlines the adopted procedures, which include suitability assessments, interview questions, and scoring protocols.

Training

The policies mentioned above did not require specific training but were disseminated to all appropriate UCPD members, who acknowledged that they received and read the information. Additionally, the associated policies require careful selection and counseling of all personnel involved in the recruiting, screening and selection processes including training in recruitment and hiring. Key personnel involved in the process - the Training Section Commander, the Organizational Development Coordinator, and the Associate Director of Business Affairs - attended training for "Recruiting and Hiring for Law Enforcement."

Implementation

Towards the close of 2017, the UCPD hired three new University Law Enforcement Officers ("ULEOs"). Two of these new hires were new to the policing profession and attended the Cincinnati Police Department ("CPD") Academy, beginning the in-house Police Training Officer ("PTO") program in May 2018; the other already had an OPOTA certificate and started the PTO program immediately after orientation training.

In May 2018, the UCPD produced and disseminated its first ever recruitment video and opened the hiring and application process for 10 vacant sworn ULEO and/or Apprentice positions, and three Security Officer positions. Their recruitment efforts began in 2017, and the application

process ran from June 1 through July 1, 2018. The efforts resulted in close to 300 applications for the various positions. As a result, in December 2018, nine individuals were hired for sworn officer positions – two women, three African Americans, one Hispanic, and one foreign-born individual. This is a huge success and a clear achievement of the program goals.

Since January 1, 2017, the UCPD also promoted seven supervisors to various ranks—one to the position of Assistant Chief, one to Captain, three to the position of Lieutenant, and two to the position of Sergeant. The promotional examination process is designed to ensure that selected candidates are equipped to make decisions based on the application of legal principles and UCPD policies and procedures. Specific interview questions relate to the handling of UOF situations by subordinates to ensure that investigations are completed in a manner which holds members accountable for their actions, and adheres to UCPD policies, and Ohio state law. The process emphasizes a problem-solving approach with emphasis on collaboration with the community and an outcome to ensure that the prospective supervisor’s or commander’s attitude comports with the UCPD mission and philosophy.

Oversight

The Recruitment and Selection of Sworn Personnel Policy mandates an annual review of the UCPD EEO Plan, Recruitment Plan, and Recruitment and Selection Policies. In addition, panel and command staff interviews are conducted for both new hire and promotional candidates. No person is hired or promoted without executive level review by the Chief of Police and the Director of Public Safety. As mentioned elsewhere in this report, the newly created CCC will also have a role in the evaluation of UCPD hires and promotions.

Conclusion

The UCPD has successfully updated its policies and protocols and has put into place systems to ensure continuous oversight of its recruitment, hiring, promotion and retention strategies. The Monitor is confident that similar to the most recent accomplishment, future candidate pools will be representative of its diverse community.

The Monitor’s detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 5. Also contained within the MOA under the heading “UCPD Proffer of Compliance” is a detailed account of the UCPD’s response to each ER.

VI. Training – 100% Current Compliance

The Training section of the Exiger Report consists of 52 ERs making it the section with the highest number of recommended reforms. At the time of Exiger’s Comprehensive Review, the UCPD had a number of critical deficiencies in its training 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 considering the resources available to the University. The UCPD adopted a very aggressive training schedule and implemented changes that ultimately

resulted in the implementation of all 52 ERs; 30 ERs by the close of 2017, and the remaining 22 ERs by the close of 2018.²⁴

Policy

Appropriately, the first policy to be developed in this substantive area was the UCPD’s Training and Professional Development policy, which memorialized the standards and protocols to be used in the administration of training new and current UCPD employees. This policy outlines procedures for: developing and maintaining curriculum; requiring written lesson plans; selecting and evaluating UCPD instructors and outside vendors; stating the tasks and competencies required to be included in training courses; and managing an annual training schedule.

Over the course of Exiger’s monitorship, the Training and Professional Development policy was a living document, having been revised in almost every reporting period over the two-year period of the monitorship to account for the many changes affecting the organization. For example, the most recent change incorporated into the Training policy was the executive decision requiring all newly promoted sergeants to be formally introduced and “oriented” to their new role. The new directive includes an observation and instructional period along with an assessment process to ensure and validate the proper completion of requisite supervisory tasks based on an approved checklist. This structure ensures new sergeants understand, and are capable of, performing their new roles *prior* to beginning their supervisory responsibilities.

The Police Training Officer (“PTO”) policy was modeled on national best practices for agencies that place an emphasis on community-oriented policing. The policy contains appropriate tasks and skill competencies expected of a PTO, as well as a selection process that includes a detailed review of a candidate’s disciplinary and merit file to ensure all PTOs support the mission and values of the UCPD and are strong role models for new officers, and teaches them how to help their trainee apply policing and problem-solving skills.

A Lessons Learned policy was published to memorialize the process by which the organization will continually update and improve its operations based on lessons learned, both internally and externally. The Lessons Learned process helps to ensure that all internal incidents are viewed with an eye towards looking for improvements and/or updates that can be made to the organization’s policies, procedures, and training.

The modernization of the UCPD’s Fishwick Training Center is another example of the commitment to ensure that its officers and all employees have a professional learning environment in which to continue their training.

²⁴ The Monitor found the UCPD in non-compliance with ER 2.2.B related to a specific training requirement, Implicit Bias. The UCPD conducted training related to Bias free policing but did not specifically cover implicit biases. The UCPD subsequently scheduled and conducted implicit bias training (along with many other topics) with the UC Office of Equity and Inclusion in July 2018.

Training

Training was developed and conducted internally, and attended at external vendors, on many varied topics which are detailed throughout this report within the related substantive section. In addition, the Training Section lieutenant, who is responsible for oversight of all of the UCPD training and tasked with other duties such as recruiting, hiring, and promotions, attended a highly reputable and intense leadership course. The knowledge and experience in this type of course will increase the lieutenant's capabilities to both strategize and focus priorities for their many responsibilities.

As required by the Police Training Program, all newly selected PTOs attend a 40-hour Basic Police Training Officer Course developed by an external vendor. The UCPD has two supervisors who previously attended the Train-the-Trainer program for this course so that internal training of new PTOs can be delivered in a more cost-effective manner.

Additionally, as part of the orientation program for new sergeants, all existing sergeants were required to review and certify that they were currently competent in all the tasks, and a senior supervisor signed off on their assessment of the existing sergeant's capabilities.

Implementation

In addition to executing a very robust and aggressive training schedule, as outlined in its annual training plan over the two-year monitorship, the UCPD Training Section collaboratively developed, tested, and implemented a Learning Management System ("LMS") with the UC HR department. The LMS now tracks and stores all UCPD employee training records and will eventually allow for automated employee training requests and approvals. The LMS also allows for confidential evaluations of both course curriculum and instructors.

The Training Section ("TS") is now collaborating with the University in several areas, including training facilities, training content and delivery, electronic training tracking and documentation systems, and has developed and delivered its first community police academy. The TS is also joining forces with the CPD along with other agencies in the area of training to take advantage of the continuous advances in today's policing environment. This type of teaming with the UC, the CPD and other policing agencies is certain to have long-lasting positive effects on the UCPD and the entire UC campus and surrounding community.

Oversight

As part of its executive level oversight of the TS, a budget was set for training and regular periodic meetings are held to hold the TS lieutenant accountable for that budget. The Chief of Police has also taken an active role in the decisions made regarding training content and timing. Lastly, a Training Committee was established that is responsible for, and capable of, effectively reviewing UCPD's training policies and procedures, curricula development, and course delivery.

Conclusion

The achievements in this area are a tribute to the current UCPD leadership and will have long-lasting positive effects on department pride, morale and will translate to improved service to the UC community.

The Monitor's detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 6. Also contained within the MOA under the heading "UCPD Proffer of Compliance" is a detailed account of the UCPD's response to each ER.

VII. Accountability – 100% Current Compliance

The Accountability section of the Exiger Report consists of 16 Recommendations related to the institutionalization of specific 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, the use of an Early Warning System ("EWS") to track officer behavior, 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 began implementation of all 16 ERs achieving compliance with 11 ERs by the close of 2017, and the remaining five ERs by the close of 2018, amounting to 100% compliance in this substantive area.

Policy

The first area addressed in this section was the UCPD's internal investigations policy along with the administrative procedures for the categorization of citizen, internal and administrative type investigations, and the handling and workflow of investigations. Within this policy, the UCPD 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.

In 2018, the UCPD added its Employee Code of Conduct and Disciplinary policy that includes its Disciplinary Matrix to use as a guide for command staff when adjudicating instances of sustained policy violations and personnel misconduct.

The UCPD also finalized its Early Intervention System policy, which is used to ensure at-risk employees receive adequate attention. The EWS is arguably one of the most critical risk management tools available in police management. The EWS data provides UCPD supervisors and command staff with an accurate picture of officer's performance, behavior, and shortfalls with which to address and/or take intervening actions when needed.

The UCPD also updated its Performance Evaluation policy and, as a result of collaborative discussions, began requiring that all newly promoted sergeants attend both orientation training,

and external training from an institution identified as demonstrating excellence in leadership training.

Finally, the UCPD established its internal inspection unit and the related policy and protocols that sets out appropriate standards and procedures along with the schedule of required inspections. The Monitor provided feedback regarding some concern with the current organizational reporting structure of the inspections unit to ensure complete objectivity and independence.²⁵ Despite how recently the unit was established, and the lack of any formalized audit training at this point, the Monitor is, nevertheless, pleased with the UCPD's efforts in this area. The Monitor is certain that over time, this unit will help give the UCPD more accountability.

Training

UCPD supervisors and investigators who conduct investigations must attend either the Federal Law Enforcement Training Center ("FLETC") Internal Affairs Investigations Training Program, or the Southern Police Institute's Internal Affairs: Policy, Practice and Legal Considerations course. The UCPD Bureau Commanders and lieutenants must attend a training session to specifically address leadership issues, critical thinking, and the decision making process involved in appropriately investigating or evaluating complaint investigations.

The UCPD also developed and delivered a formalized internal orientation program for new sergeants. The process includes an observation and instructional period along with an assessment process to ensure and validate the proper completion of requisite supervisory tasks based on the approved checklist.

Implementation

Part of the UCPD's implementation process included the creation of an updated brochure titled "Citizen Feedback Form," which clearly provides instructions for both making a complaint, and making a commendation. The brochures are available to the public, and a newly implemented UCPD policy specifically requires that copies of these brochures be kept in the police station lobby and patrol vehicles.

The UCPD initiates, investigates and completes investigations of citizen complaints alleging misconduct and internally generated misconduct investigations. All of the investigations that were conducted during the monitorship adequately addressed the evidence and included a review of video footage, recorded witness statements, and properly adjudicated the allegations of misconduct. The aforementioned investigations appropriately resulted in findings of either "Sustained," "Not-Sustained," "Unfounded," or "Exonerated." In the instances of sustained allegations, the UCPD took corrective action. The UCPD command staff took corrective measures

²⁵ The UCPD took note of the Monitor's concerns, the details of which can be found in the MOA for ER 7.10.A, in Appendix 7.

as needed for sustained misconduct and policy violations in line with its newly created Disciplinary Matrix.

Citizen's Complaints

Over the two-year monitoring period, from January 2017 through December 2018, a total of 55 Citizen Complaints were initiated; 38 in 2017 and 17 in 2018. The completed investigations were timely and addressed all of the allegations and evidence.

Internal Investigations

Over the two-year monitoring period, 16 internal investigations were initiated; eight in 2017, and another eight in 2018. These investigations were also suitably complete, appropriately addressed all of the allegations and evidence, and were closed in a timely manner as required by the UCPD's policy. In the instances of sustained allegations, the UCPD took corrective action.

Administrative Reviews

Over the two-year monitoring period, 16 ARs were conducted, most of which had to do with the display or un-holstering of CEWs and firearms, or off campus traffic stops, and three pursuits. Notably, the AR category is relatively new so those reviewed in 2017 were not labeled as ARs at that time.

Inspections

During the Q4 from October 1, through December 31, 2018, the UCPD began its internal inspection process. Generally, the inspections submitted were conducted in line with the plan with a few exceptions; unfortunately, given the timing of the implementation of the inspection unit and the early withdrawal from the monitorship, the Monitor could not fully assess the quality of inspections.

Oversight

The UCPD updated its organization charts to reflect the addition of the sergeant positions created in 2015. Its policies were also updated to contain written statements of the duties and responsibilities of the sergeants including infield visits of subordinates.

Complaints, whether generated externally from a citizen or internally, are overseen in a number of ways, the first being the speedy documentation and investigation of such accusations by first-line supervisors upon notification. The investigation is then assigned by the Standards and Strategic Development Bureau and must be reviewed and adjudicated at the command level prior to closure. Once closed, the disposition is always reviewed by the Chief of Police for concurrence. Any serious incidents, including any criminal allegations, would include immediate notification to the Chief of Police and the Director of Public Safety.

The most significant oversight function in this area is the institution of an external mechanism to review investigations of complaints made against UCPD employees. The recently recreated CCC will review serious citizen complaints by way of the Chief presenting the information on a quarterly basis. To ensure complete transparency, the UCPD will produce and publish an annual report which will contain information on complaints and the existence of the CCC as an oversight body to its website: <https://www.uc.edu/about/publicsafety/reform/resources.html>.

Conclusion

The UCPD has successfully updated its policies and protocols in the area of accountability. The Monitor is also encouraged that the UCPD has come to understand how extremely important the sergeant role is to the organization and the enormous impact sergeants have on officers as first-line supervisors. In simple terms, the sergeant is arguably the most influential position within a law enforcement organization and no law enforcement agency can function well without good field sergeants.

The above also describes the procedures now in place to ensure accountability within the UCPD organization. With these measures now in place, the Director of Public Safety and the CCC should continue to review any serious/critical complaints alleging misconduct to ensure complete transparency which will have a positive impact on community trust.

The Monitor's detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 7. Also contained within the MOA under the heading "UCPD Proffer of Compliance" is a detailed account of the UCPD's response to each Exiger Recommendation.

VIII. Community Engagement – 100% 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. The UCPD achieved compliance with all 25 ERs²⁶ which is a laudable achievement. The UCPD achieved compliance with 12 ERs by the close of 2017, and the remaining 13 ERs by the close of 2018.

²⁶ Some ERs were purposefully drafted in a manner that permitted the UCPD to "consider" whether or not to adopt the suggestion. As an example, ER 8.6.F states in part: "*The UCPD should **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.*" The Monitor found the UCPD in compliance with the associated ER even when not adopted, as long as the UCPD provided sufficient explanation of its rationale including evidence of due diligence. In this example, the UCPD considered implementing the STOPTHEFT program but found that the budget constraints outweighed the benefits of the program especially given the UCPD's current engraving program.

Policy

The UCPD's most significant policy response in this area came in the last quarter of the monitorship through the problem-solving policy titled, "*Tactical and Strategic Investigations.*" The Monitor was very impressed with the manner in which the policy statement and structure modernized concepts to longstanding issues. The policy recognized that law enforcement cannot solve community problems alone, and that individual officers cannot be expected to do the "collaborating and partnering" with the community on their own. Rather, the entire organization, from the bottom up and top down, must be involved if there is any hope of success and effectiveness. In developing the policy, the UCPD consulted professionals and received input from nationally recognized policing experts Dr. John Eck and Julie Wartell.

The Community Affairs Section protocol was also designed to include an appropriate selection process for Community Engagement Officers, which provides for community and student body input. The UCPD made several other important executive decisions related to the overall structure and function of the community affairs officers, significantly elevating the position to a direct report to the Patrol Bureau Commander, who oversees the Field Operations Section. By doing so, the UCPD acknowledged the significance of the Community Engagement Officer's role in the organization and the UC community. The UCPD also assigned the Community Engagement officers as community liaisons to designated community groups, and ensured minimum staffing with at least two officers and a supervisor. A supervisory position at the rank of lieutenant was designated for Special Event Planning as an ancillary duty which places emphasis on these events and ensures adequate control.

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.

Training

The UCPD requires initial problem-solving training for officers and refresher training every two years thereafter. This training was previously conducted in January 2017. The most recent training on this topic occurred on December 5-7, 2018 and was instructed by Julie Wartell and was focused on the new policy and procedure for Tactical and Strategic Investigations and problem-oriented policing for UCPD officers.

In addition to the above training of all officers, specific training was provided to the Community Affairs staff on the following topics:

- Public Speaking
- Crime Prevention (National Crime Prevention Council and Community Oriented Policing Services)
- Crime Prevention through Environmental Design (CPTED)

Implementation

UCPD has deployed adequate resources to the Community Affairs Section, elevated its reporting structure to ensure appropriate supervision, and has taken affirmative steps in recognizing the importance of the function within the UCPD and the UC Community.

Given the timing of submission of the Tactical and Strategic Investigations, implementation testing was not conducted during the monitorship. The Monitor suggests that the UCPD institute some type of initial evaluation to be conducted within a short period of time so that any necessary adjustments to the policy and/or the related procedures can be implemented.

Oversight

Having placed sufficient supervisory roles in key positions, the UCPD has taken a critical step towards ensuring adequate oversight of its programs. Nevertheless, the Monitor suggests that the UCPD conduct a periodic review of these areas to ensure that any gaps in function or procedures are quickly identified and remedied given the importance of police-community relations.

Conclusion

The UCPD has truly created a model policy that its officers and the community can be extremely proud.

The Monitor's detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 8. Also contained within the MOA under the heading "UCPD Proffer of Compliance" is a detailed account of the UCPD's response to each Exiger Recommendation.

IX. Mental Health Response – 100% Current Compliance

The Mental Health Response 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. The ERs focused on the formalization and enhancement of the UCPD's policies to ensure continued improvement, with the goal of minimizing the likelihood of situations resulting in negative outcomes. The UCPD addressed each of the 13 ERs during the two-year monitorship, and in fact, it was one of the first sections to achieve full compliance - 10 ERs by the close of 2017, and the remaining 3 ERs by the close of 2018.

Policy

The UCPD updated its Mental Health Response (MHR) policy, including appropriate procedures on how to deal with incidents involving individuals suffering from mental health issues. The policy included a list of generalized signs and symptoms of behavior that may suggest mental illness.

Specifically, the policy provides the following lists of symptoms that, if exhibited, may indicate the person is suffering from mental illness:

- Appearance
- Behavior
- Rapid Mood Changes
- Substance Abuse
- History of Mental Health issues
- Unusual Personal Lifestyle Changes
- Academic Indicators

The policy emphasizes an officer's primary objective should be to de-escalate the situation so that it is resolved without the need for force consistent with UCPD training. It also requires that sufficient personnel be summoned to the scene if it appears the person will be resistant when taken into custody, and procedures on how that arrest and transportation should occur.

In developing the policy, the UCPD suitably consulted with professionals from the University of Southern California and the Ohio State University, as well as the University's Counseling and Psychological Services office, to ensure its policies were based on best practices and addressed all of the Exiger Recommendations.

Training

By the close of the first year of the monitorship, the UCPD had disseminated the revised MHR policy and had begun the process to have all UCPD officers and dispatchers certified in Crisis Intervention Training (CIT). By having all officers certified, a CIT trained officer is always available, especially during peak periods. UCPD also agreed to include Security Officers in the division-wide training to further enhance the UCPD's response to these types of incidents. To accomplish the training the UCPD used experts from Mental Health America of Northern Kentucky and Southern Ohio. The training materials included best practices in appropriate topic areas such as suicide, homelessness, persons with developmental disabilities, and other mental health situations.

Implementation

In addition to handling several such incidents during the two-year monitorship consistent with its policy; the UCPD is actively involved with the UC's Crisis Assessment Referral and Evaluation ("CARE") Team. The CARE Team mission and membership represent a holistic approach to assist and manage persons from the university community who may be dealing with mental health issues. Similar to groups in leading universities, the CARE Team meetings are typically brain-storming sessions to discuss various campus community concerns and how best to help the particular student succeed. The UCPD formalized its role and representation on the CARE Team committee by updating its Mental Health Response policy.

Oversight

The UCPD completed its annual “Mental Health Summary Report” in 2017, which covered mental health related calls and incidents in 2017. The report was thorough and insightful and identified significant reporting issues which were then addressed by the UCPD. Consequently, the UCPD should continue to conduct this review annually to ensure that any additional gaps in procedures are quickly identified and remedied through corrective action.

Conclusion

Prior to the Exiger Review and resultant monitorship, the UCPD had a history of problematic interactions with individuals suffering from mental health issues. Although the UCPD’s practices in situations where mental health issues arose were acceptable, the Exiger review identified several areas for improvement which, as stated above, have now been addressed by the UCPD. Nevertheless, the Monitor suggests that both the Director of Public Safety and the CCC continue to monitor the UCPD’s annual reports in this area to ensure enduring accountability.

The Monitor’s detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 9. Also contained within the MOA under the heading “UCPD Proffer of Compliance” is a detailed account of the UCPD’s response to each Exiger Recommendation.

X. Equipment – 100% Current Compliance

The Equipment section of the Exiger Report consists of 14 Recommendations related to UCPD’s available 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. The review also identified shortcoming with the tracking of such equipment. The UCPD addressed each of the 14 ERs during the two-year monitorship, and in fact, was the first area to achieve full compliance - 12 ERs by the close of 2017, and the remaining 2 ERs by the close of 2018.

Policy

Several policies were developed or updated to address the equipment related ERs. The most significant of these policy decisions was providing its officers with a less lethal force option through the re-issuance of Conductive Electrical Weapon/Device, commonly known by the brand name as “Tasers”. The revised Use of Force policy addresses the use of and reporting procedures for the Taser and is consistent with national best practice standards.²⁷ In response to other concerns in this area, the UCPD purchased an equipment tracking software program; decided to dispose of a bomb robot that was not being used; addressed its use of on and off-campus video surveillance;

²⁷ Please see Section 3, “Use of Force” for more information on the UCPD’s revised UOF policy.

and, clarified its practices regarding the PR-24 batons - clearly indicating the device is to be used only for crowd control.

Training

UCPD officers attended training sessions in each of the policies and substantive topics mentioned above. The UOF training specifically included a module on the use of Tasers, both from a legal and functional basis. The courses appropriately covered UCPD policies and procedures, were thorough and aligned with best practice standards. The hands-on portion of the training was extremely well put together. UCPD officers also received separate training on the use of the PR-24 (side-handled baton) through an outside vendor that covered crowd management/control and unlawful assemblies. The Monitor noted and agrees with the UCPD that the PR-24 training should occur annually, especially given that PR-24 batons are rarely deployed and consequently the skillset can be perishable. Separate internal training was also conducted on the updated policies for the use of its Body-Worn Cameras, and its newly installed In-Car Video Recording System (IVRS).

Implementation

As described elsewhere in this report (in Section 4, Policies and Procedures), the UCPD uses its internal document management system, PowerDMS, to disseminate and quiz UCPD personnel on newly developed and updated policies. Further evidence of implementation was demonstrated during the Monitor's reviews of body worn camera and in-car video footage, and attendance at training sessions.

Oversight

Supervisors are required to conduct random inspections of video footage on a regular basis and in certain instances such a review is mandatory. Also, as mentioned elsewhere in this report (in Section 7, Accountability), the UCPD's internal inspection process should continue to test implementation of its policies on a regular basis.

Conclusion

The Monitor commends the UCPD for its accomplishments in this area and believes that the UCPD officers and community are benefiting from the newly acquired and much needed equipment. A police department that is properly equipped is in a much better position to safely and effectively discharge its mission which will in-turn help restore community trust in the organization.

The Monitor's detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 10. Also contained within the MOA under the heading "UCPD Proffer of Compliance" is a detailed account of the UCPD's response to each Exiger Recommendation.

XI. Technology – 100% Current Compliance

The Technology section in the Exiger Report consisted of 18 Recommendations mainly related to Body Worn Cameras (BWCs), and the Automated Record Management System (ARMS) and data analysis issues. The review also identified staffing and resource shortages to support new and emerging technologies, such as next generation body worn cameras and Computer Aided Dispatch systems. While the UCPD faced some budgetary challenges, all 18 of the ERs were implemented²⁸ during the two-year monitorship - 11 ERs by the close of 2017, and the remaining 7 ERs by the close of 2018.

Policy

Although no specific policy documents were revised or developed in connection with this section, the UCPD provided other documentation to demonstrate and support the management decisions and/or actions that were made towards adoption of the ERs. Examples of such documentation are the contract evidencing video retention, tagging and storage; the integration of that video management with Computer Aided Dispatch (“CAD”) to utilize various attributes (e.g., date, time, geo-location, officer involved, etc.) to automatically associate video with the related incident in CAD; and, the installation of a third radio console for dispatchers in order to better handle multiple radio calls for service.

The UCPD also identified and got approval for the necessary funding to procure the update and expansion of the card access system, and to hire a much-needed IT Project Manager. Another example of a management decision was the change from the “LiveSafe” electronic emergency notification system to the “RAVE Guardian”, notification system which the Monitor commended. The RAVE Guardian is an application widely used by both large and small universities across the nation and is considered one of the best programs for enhancing safety of the campus community.

Training

Similarly, there were generally no specific training requirements in the Technology section of Exiger’s report. It is worth mentioning however, that UCPD directed one of its lieutenants to attend a four-day instructor class to become a certified Instructor for all the video recording equipment including Dash cameras, body cameras, and Evidence.com (Cloud Base storage). By doing so, the lieutenant was able to provide in-house training to all UCPD officers on the use and administration of its Body-Worn Camera and In-Car Video Recording Systems.

²⁸ Some ERs were purposefully drafted in a manner that permitted the UCPD to “consider” whether or not to adopt the suggestion. As an example, ER 11.5.A states in part: “*The UCPD should consider implementing an ARMS Mobile Product on MDCs and/or tablets to enable officers to complete reports from the field...*” The Monitor found the UCPD in compliance with the associated ER even when not adopted, as long as the UCPD provided sufficient explanation of its rationale including evidence of due diligence. In this example, the UCPD studied the issue and found that adopting an in-field reporting capacity was neither necessary nor efficient for UCPD.

Implementation

The UCPDs associated plans to install and roll-out the above systems, such as the RAVE Guardian application was well thought out and considerate of the potential communication complications that can arise when switching from one form of electronic system to another.

Oversight

The executive decisions made to fully comply with the ERs in this section and upgrade the UCPD's technology capabilities demonstrate a willingness to ensure professional agency and timely responses to emergency requests from the UC campus community.

Conclusion

The UCPD's technology improvements will undoubtedly improve oversight, productivity, situational awareness, and increase public trust. It is the Monitor's hope that the organization is well-positioned and resourced to support future system upgrades as new technologies emerge.

The Monitor's detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 11. Also contained within the MOA under the heading "UCPD Proffer of Compliance" is a detailed account of the UCPD's response to each Exiger Recommendation.

XII. Data Systems – 100% 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.

By hiring a new crime analyst who has extensive experience in the area of police-related data analysis and implementing all 23 ERs (9 ERs by the close of 2017, and the remaining 14 ERs by the close of 2018), the UCPD will enhancement its information-driven capabilities. These new processes will result in significant improvements and efficiencies in its operations.

Policy

Although no specific policy documents were revised or developed in connection with this section, the UCPD provided other documentation to demonstrate and support the executive decisions and/or actions that were made towards adoption of the ERs. Some of those decisions are as follows:

For various legitimate reasons, the UCPD opted not to integrate its data collection systems into one large database, or use an umbrella program. Rather, having weighed the cost of purchasing, such a program, the time it would take to develop and the potential loss of data integrity which can

occur when merging several freestanding databases, the UCPD decided to create an analyst position to perform that work manually. With the development of the Automated Crime Analysis (ACA) dashboard system²⁹, and its response to other ERs related to data collection and analysis, the UCPD will in fact have an integrated system.

The Contact Cards, which are completed by officers each time they detain an individual, were revised to capture data relative to persons the UCPD comes into contact with including, but not limited to, race/ethnicity, gender, and age. The Contact Cards contain other important data such as the reason for the stop, the type and legal basis of any search, the type of force used if applicable, whether tactical or communication skills related to ICAT training were used, UC affiliation and/or veteran status.

Training

There were no specific training requirements in the Data Systems section of Exiger's report. Thus, training is not applicable to this section.

Implementation

The UCPD currently uses Guardian Tracking System ("GTS") as its Early Warning System to track the use of force, complaints/investigations, attendance issues, and other factors related to officer behavior. Although it functions sufficiently to flag certain issues and behaviors for follow-up, the GTS is a standalone system that relies on data entry by individuals, including officers, supervisors, and administrators. The early intervention system flags potential issues once the set thresholds are triggered and allows for supervisors to catalog the process they use to address them.

Although implementation could not be tested by the end of the monitorship, the UCPD is in the process of creating a more robust risk management database, which will integrate the Guardian Tracking data along with several other data sources described below. The system will be titled "Automated Crime Analysis" (ACA) and, set up in a dashboard format, it will eventually serve as a management system for accountability and will combine the below data sources to allow for analyses:

- Body-Worn and In-Car Dash Cameras supervisory reviews. These are conducted in a random and on a targeted basis.
- Computer Aided Dispatch data. This is created when a call for service is produced by a dispatcher.
- Automated Report Management System (ARMS). This is the central repository for incident reporting to the UCPD. All crime, incident, and citation reports are entered into the ARMS system.

²⁹ Please refer to the ER 12.11.B MOA located in Appendix 12 for further details related to the ACA.

- Contact Cards data. This is currently stored in a Microsoft Access database, maintained by the Clery Compliance Coordinator. The Contact Cards are completed by officers for each nonconsensual stop.
- Shift Logs which contain details on the daily occurrences on campus and currently exist in a series of Microsoft Excel Sheets for each day and shift.

The above data will be searchable and displayed in graphs, maps, and tables to serve as an important risk measurement tool for police managers. The ACA is meant to be a living dashboard system which can be customized moving into the future.

Oversight

The UCPD's oversight in this area is demonstrated in a variety of ways such as first-level review of contact card data, which occurs regularly each month by supervisors. From an executive level, an administrative review and analysis of contact card data is conducted from a division-wide holistic manner on a bi-annual basis.

Crime Reduction Meetings provide an additional measure of oversight and management information. These meetings allow the UCPD to conduct crime data analysis—similar to CompStat (short for Computer Statistics), using various means to display data such as maps and charts, to visualize the relationship between crime incidents, risks, victims, and offenders.

The actions taken to fully comply with the ERs in this section to upgrade its technology capabilities, demonstrates the UCPD's willingness to ensure a professional agency and timely responses to emergency requests from the UC campus community.

Conclusion

The Monitor commends the UCPD for its many accomplishments in this area. With the hiring of a new crime analyst who has a background in analytics and provides needed expertise, the UCPD should realize significant improvements in its data analysis capabilities. It is important to note however, that the bulk of the work was completed at the end of the monitorship and consequently, the Monitor was not able to fully examine the results. Nevertheless, the advances in data systems and analysis capabilities will have a long-lasting positive impact on the UCPD and the community it serves. Such innovative steps will pave the way towards becoming a 21st Century policing agency.

The Monitor's detailed reviews are contained in the Report Cards and the MOA which can be found in Appendix 12. Also contained within the MOA under the heading "UCPD Proffer of Compliance" is a detailed account of the UCPD's response to each Exiger Recommendation.

CONCLUSION

At the end of this relatively short two-year monitoring assignment to oversee the UCPD's reform efforts, the Monitor is more than satisfied with the accomplishments thus far. The UCPD leadership, namely the newly appointed Chief of the UCPD, Maris Herold, the Director of Public Safety, James Whalen, and the former Vice President, Office of Safety and Reform Dr. Robin Engel, have all been exceptionally responsive and have shown fierce tenacity in their quest to improve the UCPD and their dedication to the service of the community. The Monitor is impressed by all of the men and women of the Division, their commitment to the reform process, and their desire to serve the community in the best manner possible. It is the Monitor's sincere belief that other jurisdictions will look to the UCPD and its experience under this monitorship as a best-case example of how to smoothly transition a policy agency from a place of needed change to a more professional and efficient organization, by effectively implementing necessary reforms in today's challenging policing environment.

This is, of course, not the end of the story, but the beginning. The program must be sufficiently maintained in order to be successful and effective. The Monitor notes that while significant progress has been made, long-term implementation of the reform efforts were not fully or completely tested during the relatively short two-year time period of this monitorship. With so many new policies, new equipment, new systems, and the abundance of new training techniques, the UCPD's future sustained compliance with the ER's and best practices could be at risk if the UC does not continue to work on this or does not maintain their focus.

The Monitor commends the University, the VP OSR, and the entire UCPD for its willingness to overhaul and reform its police division from top to bottom and encourages them to stay the course and thus minimize the possibility of losing this precious forward momentum.

Roberto Villaseñor
Independent Monitor

Principal Contributor
Denise Lewis
Deputy Monitor and Principal Auditor

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