

Update on UCPD Compliance

May 3, 2016

Presented to
The Audit and Risk Management
Committee



The Monitor Team



Jeff Schlanger – Monitor and Project Lead

- Managing Director, and President of Exiger Advisory.
- 30 years of experience in law enforcement and PD monitoring.
- Deputy Monitor for the LAPD consent decree.
- Project Lead on Exiger's Review of the UCPD's Policies and Procedures.



Roberto Villaseñor – Deputy Monitor

- Former Chief of the Tucson, Arizona Police Department.
- Appointed by President Obama to the Task Force on 21st Century Policing.
- 35 years of professional law enforcement experience including 15 at the Chief level.
- Appointed to the DHS Committee on Ethics and Integrity for Customs and Border Patrol and the Arizona Criminal Justice Commission



Denise Lewis – Chief Compliance Auditor

- Former LAPD Supervisor
- Assisted in the creation of the LAPD Audit Unit under Federal Consent Decree
- Member of the Detroit PD Monitoring team
- Trainer for police departments instituting internal audit functionality

Additional As-Needed SMEs



Charles Ramsey

Former Commissioner of both the MPDC & PPD



Sandy Jo MacArthur

Former Assistant Chief, LAPD.
Established LEADS Training Program.



Nola M. Joyce

Former Deputy Commissioner of both MPDC & PPD.



Maggie Goodrich

Chief Information Officer for LAPD.



Mark Porter

Executive Director of Public Safety and Chief of Police at Brown University



John Thomas

Chief of the USC Office of Public Safety.



Beth Corriea

Attorney/Risk management consultant to PDs.



Patrick Harnett

Former Chief of Connecticut Police, Police Management and Public Safety Consultant



James McShane

Vice President, Dept of Public Safety at Columbia University.

Why we are here



- Continued response by the University to the fatal Officer Involved Shooting of Samuel Dubose on July 19, 2015.
- How an institution reacts to such crises becomes the measure of the institution.
- We think the reaction of the University has been exemplary including throughout the RFP process and into the voluntary nature of this undertaking. The University can and should be the model for police departments around the country.
- Exiger is here because we are passionate about this subject matter and we believe we can make a difference.
- Continue the department's path to full legitimacy through a process that continues to be transparent and collaborative.

Fundamental Findings and Recommendations



- **Finding 2:** The UCPD currently has no internal audit, inspectional service or monitoring function.
 - **Recommendation 2A:** UCPD should establish an internal audit or inspectional service that reports directly to the Vice President of Safety and Reform.
 - **Recommendation 2B:** Critical areas and functions of the Department should be audited on a regular cycle, as memorialized in an annual audit plan.
 - **Recommendation 2C:** In addition to the audits, a voluntary monitoring function, similar to that imposed in DOJ Consent Decrees, should be established to track each of the reforms outlined in the recommendations of this report and ensure that they are implemented according to the suggested or agreed upon schedule.

Why the Recommendations?



Goal of the Recommendation: To **independently** ensure that UCPD is operating in accordance with its stated mission and values and is employing best practices to do so, thereby increasing the level of trust and confidence in the organization.

This assurance comes about through testing to make certain that:

- (1) appropriate policies and procedures have been developed;
- (2) appropriate training on policies and procedures has been developed and delivered effectively;
- (3) the operations mandated by the policies and procedures are being adhered to by those performing the relevant operations.
- (4) appropriate remediation and/or discipline is utilized for transgressions.

An organization that is in steady state has developed the paradigm for this testing and assurance process. UCPD has a significant way to go both in terms of implementing best practices, and in developing that paradigm for testing and assurance.

What is the steady state?



The steady state is achieved when there is confidence that best practices have been enacted and trained on and are generally operating according to their design; and the structure and processes to test or assure that such is the case are in place.

Three levels of risk management



Even when "steady state" is achieved a culture of "constant improvement" must continue.

What will happen in the interim



A monitorship **independently** oversees the process of moving from the current state to the desired steady state. This would include making certain that best practices have been implemented, that processes and protocols are in place to mitigate risks and ensure that the organization is operating according to the best practices. It is the independence coupled with the oversight and public reporting that gives stakeholders the confidence that the process of best practice implementation is moving forward.

A monitorship may provide **Technical Assistance**, lending advice relative to the implementation of best practices and indeed the current RFP provides for the provision of such advice.

Methodology and Timeline



1. Determination by the University as to which Exiger Recommendations (ER) they desired to implement.
2. Collaborative development of Methodologies to Aid in the Determination of Compliance (MADC).
3. On site visit, data collection interviews and inspections.
4. Fulfillment of data requests
5. Assessment of each Exiger Recommendation utilizing MADDC.
6. Production of a Memorandum of Assessment for each ER assessed (attached as Appendix hereto)
7. On-going communication with monthly group meetings either in-person or via video conference.
8. Update to Audit and Risk Management Committee once every quarter

Methodologies to Aid in the Determination of Compliance



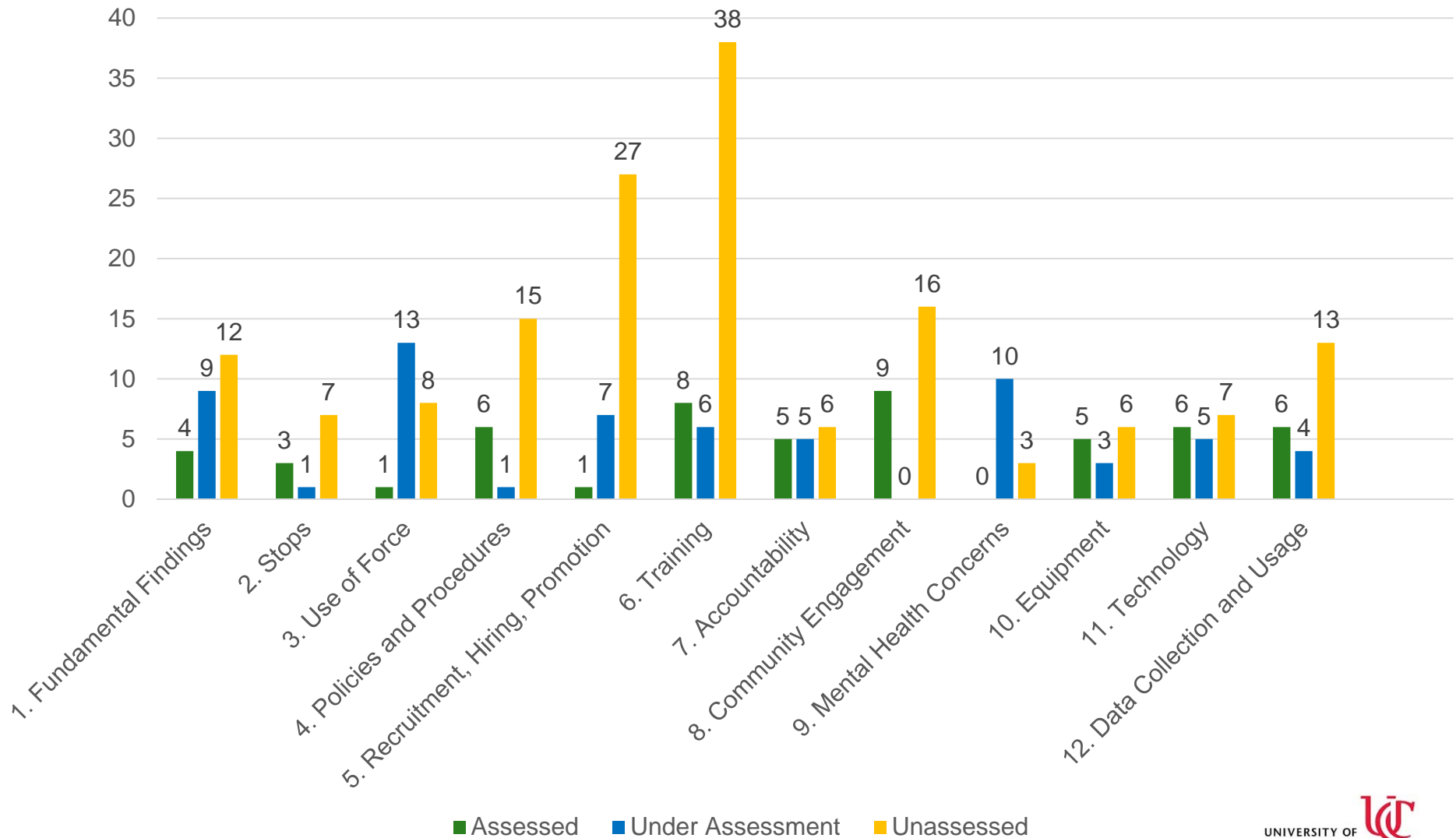
Exiger Rec. Number	Fundamental Finding and Recommendation 3
ER Title	Policies and Procedures
ER Text	<p>Finding 3: Finding 3: UCPD lacks an effective process for developing and managing new policies and procedures, and reviewing and updating existing ones.</p> <p>Recommendation 3A: Recommendation 3A: UCPD should update its policies and procedures to reflect campus law enforcement best practices, and assign ongoing responsibility for ensuring that they are kept current.</p> <p>Recommendation 3B: Recommendation 3B: UCPD should, at a minimum, become certified by CALEA and/or IACLEA., if not both, of these certifying entities.</p>
ER Task Description	Ensure that UCPD has a overall plan to update all policies and procedures (which will be covered individually in subsequent tasks), and that responsibility for on-going maintenance of all polices and procedures is assigned.
ER Task Methodology	Review overall plan to update all policies and procedures and the assignment of responsibility for overall updating of policies and procedures.
Required Data	<p>Plan for Policies and Procedure update.</p> <p>Notification of assignment of responsibility for execution of the plan.</p>
Sample Required	Not Applicable

Compliance Definition	<p>Compliance with this provision will be achieved when the following is found:</p> <ol style="list-style-type: none"> 1) An overall update plan for policies and procedures is designed and delivered and is reasonably fit for purpose. 2) Responsibility for the execution and oversight of the plan is given to a denominated individual appropriate for the task
Scheduled Reviews	Quarter 1/Reporting Period 1
Cross Reference	<p>4.1.A - Developing and Managing New Policies and Procedures:</p> <p>Finding 4.1: UCPD lacks an effective process for developing and managing new policies and procedures, and reviewing and updating existing ones.</p> <p>Recommendation 4.1.A: UCPD should update its policies and procedures to reflect campus law enforcement best practices, and assign ongoing responsibility for ensuring that they are kept current.</p>
Monitor Form(s)	Not applicable

Overview of Assessment – Q1



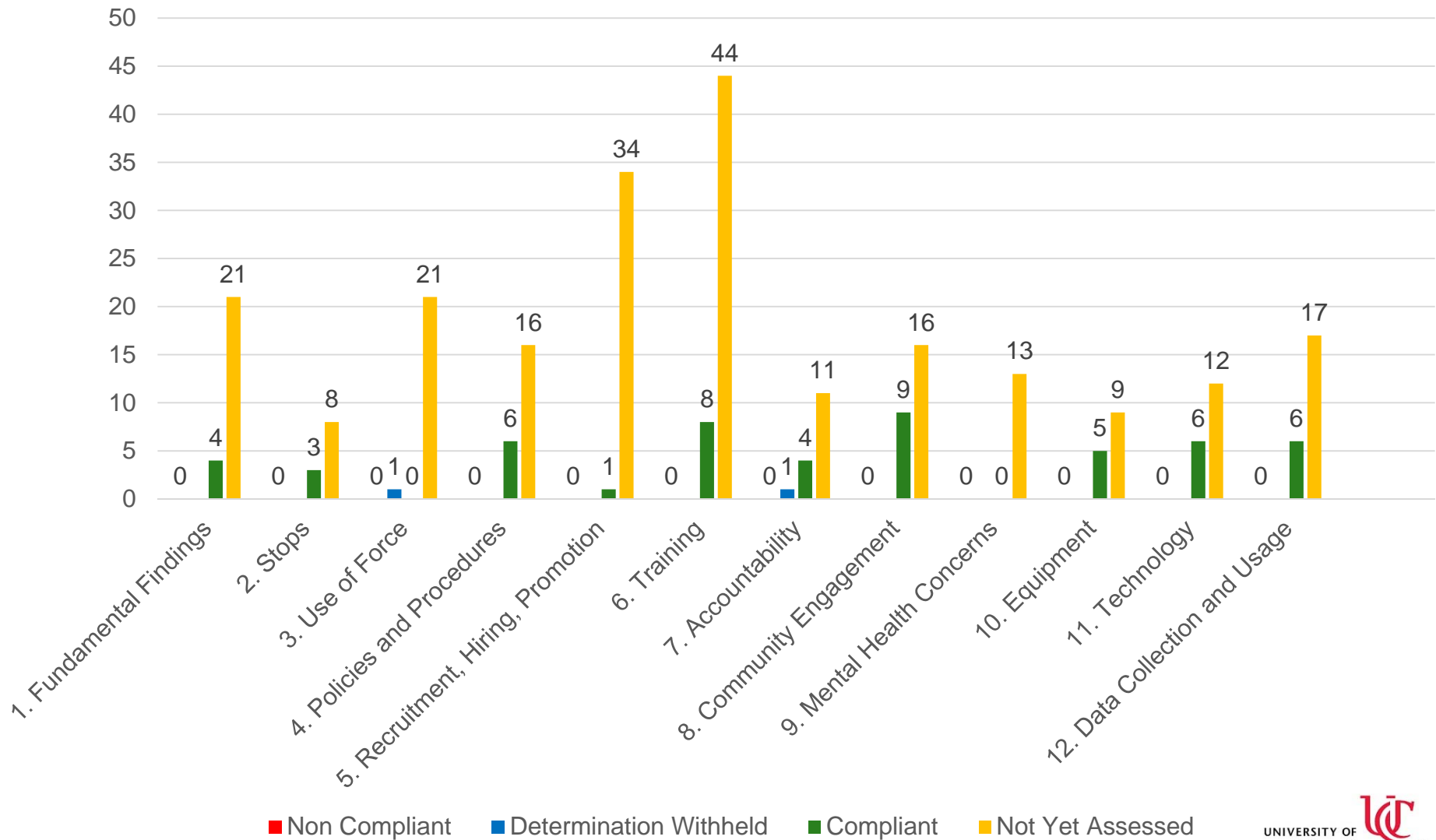
Assessment Status



Overview of Compliance – Q1



Compliance Status



Appendix A – Compliance Report Card



The Compliance Report Card is a graphical tool designed to provide a quick overview of where UCPD stands with respect to each of Exiger's recommendations. It will be updated each quarter and presented as part of our reporting.

Specifically, the Report Card will show:

Scheduled for Assessment

Not Compliant

Compliant

Not Scheduled for Assessment

DW Determination Withheld

REPORT CARD MATRIX		2017				2018				2019			
		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Fundamental Recommendations - Section 1													
1A	Adopt a mission statement that will serve as a foundation and guidepost for its going-forward reforms.		○										
1B	In developing the mission statement, consider (1) providing for the safety and security of faculty, staff, students and visitors, (2) promotion of concepts of fairness, non-biased policing with minimal intrusion and (3) promotion of service to the broad University community		○										
2A	Establish an internal audit or inspectional service unit that reports directly to the Vice President of Safety and Reform												
2B	Perform on-going audits for critical areas and functions on a regular cycle to be memorialized in an annual audit plan.												
2C	Implement a voluntary on-going monitoring function to track each of the reforms outlined in the recommendations and ensure that they are implemented according to the agreed upon schedule	✓											
3A	Update its policies and procedures to reflect campus law enforcement best practices, and assign ongoing responsibility for ensuring that they are kept current.	✓											
3B	Become certified by CALEA and/or IACLEA.												
4A	Traffic and pedestrian stops should not be used as a crime fighting tool. Clear guidance by policy and procedure should be given as to when, if ever, off-campus traffic stops are permissible.												
4B	Involuntary off-campus pedestrian and traffic stops should only be allowed when the officers possesses reasonable suspicion to believe that a pedestrian or motorist is engaged in a criminal, non-driving offense.												
5A	Adopt a policy on biased policing, clearly indicating that UCPD officers may not use race, color, ethnicity, or national origin, to any extent or degree, in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group.	✓											
5B	Develop a curriculum and institute training on the biased policing policy including training on implicit bias and shall deliver such training both to new and existing members of the department.	✓											
6A	Draft and implement a single Use of Force policy that covers what force is permitted and the resulting departmental investigation and review process		○										

○ Scheduled for Assessment

□ Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

6B	The new Use of force policy should emphasize de-escalation and sanctity of life.		○																
7A	Arm UCPD officers with CEDs.																		
7B	Include a clear policy statement governing the use of CED in the revised use of less lethal weapons policy.		○																
7C	Develop intensive training on the use of CEDs and the relevant policies, including scenarios in which the utilization of CEDs is appropriate and those instances where it is not.																		
8A	Establish a protocol for the timely review of every use of force to determine its appropriateness from an administrative point of view and whether or not further investigation, including potential criminal investigation, or discipline is appropriate.		○																
9A	Update hiring policy by requiring diversity applicants throughout the police officer candidate recruitment process.		○																
10A	Draft and adopt consistent policies and procedures for the development and approval of all UCPD courses and ensure that all courses are consistent with UCPD mission and philosophy.																		
11A	Draft comprehensive Complaint Initiation Policies and Procedures that define the workflow of the different categories of complaints from investigation to adjudication.		○																
11B	Complaint Initiation Policies and Procedures should prohibit any attempt to dissuade an individual from filing a complaint, and require officers to report the misconduct of other officers.		○																
12A	Recognize the essential nature of the community affairs function within the UCPD and appropriate resources dedicated to it.																		
12B	Infuse Community Oriented Problem Solving Policing throughout the fabric of the UCPD.																		
13A	Integrate the data collection systems into one large database that tracks all data.																		
14A	Make maximal use of the criminal justice program at UC and its ICS in order to create the model for community policing that balances the need for safety and security on the one hand with fairness and minimal intrusion on the other.																		

○ Scheduled for Assessment

□ Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

Review of Pedestrian and Traffic Stops – Section 2																				
1A	Traffic and pedestrian stops should not be used as a crime fighting tool. Clear guidance by policy and procedure should be given as to when, if ever, off-campus traffic stops are permissible.																			
1B	Involuntary off-campus pedestrian and traffic stops should only be allowed when the officers possesses reasonable suspicion to believe that a pedestrian or motorist is engaged in a criminal, non-driving offense.																			
1C	To the extent that any safety-related off-campus traffic stops are allowed, particular scrutiny of each such stop should be applied by UCPD Administration.																			
1D	Consider equipping officers with tablets which among other things would enable the electronic capture of stop data through an electronic version of the Field Contact Card.																			
1E	Give officers enhanced training on appropriately dealing with individuals who are stopped.																			
2A	Adopt a policy on biased policing, clearly indicating that UCPD officers may not use race, color, ethnicity, or national origin, to any extent or degree, in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group.	✓																		
2B	Develop a curriculum and institute training on the biased policing policy including training on implicit bias and shall deliver such training both to new and existing members of the department.	✓																		
3A	Develop and implement a protocol for the investigation of complaints of biased policing.		○																	
3B	Train officers conducting investigations of complaints of biased policing on the protocol to be employed in such investigations.																			
3C	OSR should audit all investigations of complaints of biased policing to ensure that they are being conducted in accordance with establish protocols for such investigations.																			
4A	Determine appropriate levels of response and mitigative strategies, including polite explanation, to combat the negative perception created by enhanced response levels.	✓																		
Review of Use of Force – Section 3																				
1A	Combine SOP 1.3.200, and SOP 1.3.400 with SOP PE 05 into a single Use of Force policy covering when force is permitted to be used as well as the investigation and review process.		○																	

○ Scheduled for Assessment
 □ Not Scheduled for Assessment

✓ Compliant
 DW Determination Withheld
 X Not Compliant

1B	The new Use of force policy should emphasize de-escalation (see specific language in Report)		<input type="radio"/>																	
1C	The use of force policy should define the following terms: Objectively Reasonable, Active Resistance, Passive Resistance, Serious Bodily Injury.		<input type="radio"/>																	
1D	Include a revised use of force continuum or critical decision making model in the use of force policy, which makes clear that the goal of force is to de-escalate any situation, and that only the minimal amount of force necessary should be used to overcome an immediate threat or to effectuate an arrest.		<input type="radio"/>																	
2A	The SOP on Use of Force should include a series of prohibitions for officer use, and discharge of a firearm.		<input type="radio"/>																	
3A	A clear policy statement governing the use of less lethal weapons should be included in the revised use of force policy.		<input type="radio"/>																	
3B	Include the following definitions in the revised policy to further enhance clarity. Arcing, Activation, Air Cartridge, Confetti Tags, Cycle, Display, Drive Stun, Duration, CED, Laser Painting, Probes, Probe Mode, Resistance, Active Resistance, Passive Resistance, Serious Bodily Injury, Spark Test.		<input type="radio"/>																	
3C	Include a clear policy statement governing the use of CED in the revised use of less lethal weapons policy		<input type="radio"/>																	
4A	Consider banning the use of the Kubotan.		<input type="radio"/>																	
5A	Establish a system for the collection, storage and retrieval of data regarding uses of force by members of the UCPD.																			
5B	Integrate the use of force data into ARMS.																			
6A	Establish a protocol for the timely review of every use of force to determine its appropriateness from an administrative point of view and whether or not further investigation, including potential criminal investigation, or discipline is appropriate.	DW	<input type="radio"/>																	
6B	Provide specialized training to investigators assigned to investigate police uses of force.																			
6C	Engage an independent consultant to conduct any administrative investigation in use of force cases that result in death, officer involved shootings resulting in serious injury or death, or in-custody deaths.																			

Scheduled for Assessment
 Not Scheduled for Assessment

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DW Determination Withheld
X Not Compliant

6D	Allow CPD, or the appropriate state agency, to conduct any criminal investigation in cases of use of force resulting in death, officer involved shootings resulting in serious injury or death, or in-custody deaths.		○																	
6E	The identity of the officer(s) directly involved in the discharge of a firearm shall be released to the public within 72 hours except in cases where threats have been made toward the officer(s) involved or the department.		○																	
6F	Create a Use of Force Review Board (UFRB) to review all cases where members used deadly force or deployed a CED, or any incident that results in serious injury or death.																			
6G	The UFRB should be comprised of, at minimum, a high ranking member of UCPD appointed by the Chief of Police, a member appointed by the President of the University, a member of the student body, a patrol officer (or union representative) and a member of the neighboring University of Cincinnati community.																			
6H	Make the findings of Officer Involved Shooting (OIS) investigation public upon completion		○																	
7A	Establish training to give all members of UCPD a thorough understanding of the use of force policies and procedures.																			
8A	Hold training for sworn personnel twice annually to include live fire exercises and Reality Based Training (RBT).																			
8B	Crisis Intervention Team Training (CIT) should be a part of both basic recruit and in-service officer training.																			
Review of Policies and Procedures – Section 4																				
1A	Update policies and procedures to reflect campus law enforcement best practices, and assign ongoing responsibility for ensuring that they are kept current.	✓																		
1B	Establish a policy and procedure review committee consisting of a cross section of the UCPD and appropriate University resources to assist in updating and developing critical policies and procedures.																			
1C	Work with the newly hired Organization Development Coordinator to fully implement the electronic document management software system.		○																	
1D	Provide the Coordinator with the resources and support necessary to meet the requirements of his position, and to implement a critical but challenging agenda.	✓																		

○ Scheduled for Assessment

□ Not Scheduled for Assessment

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X Not Compliant

1E	Establish a procedure for the review of policies and procedures by appropriate UC personnel including the Vice President for Safety and Reform and General Counsel or his/her designee.												
2A	Establish adequate and consistent policies and procedures in several key critical areas including officer supervision and accountability, department transparency, effective diversity recruitment and essential goal setting to develop community trust and partnership.	✓											
3A	Rewrite Field Interrogations policy to require that stops be constitutional and based upon probable cause and reasonable suspicion criteria.												
3B	Remove problematic verbiage such as "Persons not fitting the place, time or area."												
3C	Clarify sections in the procedure on when an officer can conduct a "pat down" for officer safety.												
4A	Rewrite the Trespass Warning to articulate tenets of Constitutional policing as the basis for initiating trespassing encounters and clearly articulate probable cause and reasonable suspicion.												
4B	Remove contradictory language suggesting both that UC is "public property", yet, "under the laws of Ohio, UC has the right to forbid a person to come onto this property."												
5A	Limit the number of off-duty hours officers can work to 20-30 hours in addition to their normal work week.												
5B	Require UCPD approval of any collateral employment to prevent conflict of interests.												
6A	Require that officers complete a police/public safety officers' bike course, and receive a certification prior to being allowed to deploy on a bicycle.	✓											
7A	Rewrite the Unlawful Assemblies policy to include a section on when student assemblies can/should be deemed unlawful.												
8A	Rewrite the Plain Clothes Detail policy to address supervisory oversight, notification protocols (UCPD and CPD), when plain clothes details may be utilized and collateral issues to plain clothes deployment.												
9A	Prohibit the use of Confidential Informants (CIs) except in extraordinary circumstances with clearance at the University reporting level.												

Scheduled for Assessment

Not Scheduled for Assessment

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X Not Compliant

10A	Rewrite the Gangs policy to focus on what specific behaviors constitute a constitutional stop or other law enforcement encounter with a gang member, and to clarify what constitutes gang activity, and how an individual becomes classified as a known gang member.												
11A	Revise Active Shooter policy so that the section on tactical responses is consistent with Multi-Assault Counter-Terrorism Capability (MACTAC)	✓											
12A	Update Bomb Threats policy to incorporate the likely motivations of modern bomb threat callers and to ensure alignment with current realities of today's domestic and foreign terrorist bombers.												
13A	Make Clery notifications for reportable only for Clery incidents, and make other crime data available on the University's website	✓											
14A	Build out a dedicated Emergency Operations Center, designed to facilitate planning and response to both planned and unplanned events in coordination with other federal, state and local agencies.												
Review of Officer Recruitment, Hiring, Promotion, and Retention – Section 5													
1A	Update hiring policy by requiring diversity applicants throughout the police officer candidate recruitment process.		○										
1B	Partner with well-established minority groups who will share and forward the UCPD's recruitment advertisements.												
2A	Work with officers, student population, and community members to craft a UCPD mission statement that states the reason that UCPD exists, what IT does, and reflects its basic philosophy.		○										
2B	Develop a strong employer brand that will contribute to its becoming the law enforcement employer of choice in Cincinnati.												
3A	Expand the search for police officer candidates by partnering with well-established groups to share and forward recruitment advertisement to a broader community network.												
3B	Target all groups including women, Hispanic, Asian, AA and LGBTQ both in the community and on campus.												
3C	Increase recruitment efforts among the more diverse pool of UCPD campus security officers and other university employees who serve in different campus departments who may have demonstrated commendable performance and good judgment.												

○ Scheduled for Assessment
 Not Scheduled for Assessment

✓ Compliant
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X Not Compliant

3D	Ensure that recruitment campaigns reflect UCPD's commitment to diversifying and market values like community engagement, partnerships, shared responsibility for crime prevention, etc.												
3E	Leverage, to the greatest extent possible, its family tuition payment program, in an attempt to bring seasoned, diverse, mission-appropriate candidates into the recruitment mix.		○										
4A	Revise and update the current hiring policy to a true best practice recruitment and selection plan that acknowledges the need for diversity and sets diversity as a goal.		○										
5A	Explore the adoption of the Community Collaboration Model for recruitment.		○										
5B	Ensure that recruitment outreach is inclusive of all on and off campus communities including the LGBTQ community.												
5C	Carefully select and train officers who attend recruiting events like career fairs.												
5D	Establish recruitment ambassadors, comprised of University staff, students and community members, that will work with officers and on their own to help recruit applicants.												
5E	Work toward making recruitment part of UCPD officers' regular interactions with the community.		○										
6A	Track the performance of former Security Officers to assess any impact of the streamlined hiring process.		○										
6B	Use lateral and retired officers, after careful screening to ensure that their qualifications and background are consistent with the mission and philosophy of UCPD.												
6C	Consider a relocation bonus for lateral hires.	✓											
6D	Build a process that gives priority to Cincinnati residents (1) at the beginning of a career or (2) in transition from a previous career and whose career aspirations are consistent with the mission and philosophy of UCPD.												
6E	Actively work with local high schools to identify and work with young people who may aspire to a career consistent with the UCPD mission and philosophy.												
6F	Consider creating a UCPD Police Cadet program and a student intern program.												
6G	Consider offering a free Candidate Applicant Preparation Program												

○ Scheduled for Assessment

□ Not Scheduled for Assessment

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X Not Compliant

7A	Ensure that the annual evaluation process proposed in the Diversity Plan include the collection of data at every step, test, and exclusion point in the hiring process, including those who voluntarily drop out of the process. Use this data to continuously improve the hiring process.												
8A	Consider developing and providing support mechanisms for all applicants to reduce the number of no shows and failures.												
8B	Ensure that the proposed suitability assessments of the applicants to the agency is preceded by the adoption of a roadmap to change existing culture to the extent necessary to align it with that of the newly defined mission of the department.												
8C	The panel interview should be conducted by a diverse panel.												
8D	Review the process to be used by the contractor, and confirm it's been tested for bias and is aligned with the UCPD mission.												
8E	The annual evaluation process proposed in the Diversity plan should include the collection of data at every step, test, and exclusion point in the hiring process, including those who voluntarily drop out of the process.												
9A	Define the desired traits and qualifications for a supervisor, and those should be reflected in assessment center exercises, interview questions and scoring protocol.												
10A	Ensure that the process for promotion is evaluated annually by the Chief, Assistant Chief and Lieutenants, and consider annual review of both the promotion and career development process by both the Chief and the Director of Public Safety												
11A	Use students and community members in the assessment center exercises and in the interview processes.												
12A	Update the promotional policies and procedures to reflect the position of Sergeant.												
13A	Select a turnover/attrition metric to identify and react to deviations from the expected rate.												
13B	Enhance the recruitment and hiring process to ensure that candidates have proper expectations and are the right fit the job.												
13C	Conduct, maintain and analyze exit interviews in order to better understand any deviations from the expected attrition rate.												

Scheduled for Assessment

Not Scheduled for Assessment

Compliant

DW Determination Withheld

X Not Compliant

Review of Training – Section 6												
1A	Draft and adopt consistent policies and procedures for the development and approval of all UCPD courses and ensure that all courses are consistent with UCPD mission and philosophy.											
1B	Ensure appropriate oversight of outside training to ensure it is consistent with Department Mission, Vision and Values.		○									
1C	Require proper tracking, and evaluation of all courses and instructors.											
1D	Require instructors to attend a certified instructor development course.											
1E	Ensure training is consistent with officer tasks and competencies to successfully serve in an urban and campus environment in a manner consistent with Department Mission, Vision and Values.											
1F	Establish and maintain a “lessons learned” program.											
1G	Establish a Training Committee responsible for review of training policies and procedures, curricula development and course delivery.		○									
1H	Ensure that training opportunities are available to all employees both sworn and unsworn.											
2A	Locate the training office within headquarters and create a state of the art on-campus learning environment by identifying a professional setting for in-service training.											
3A	Develop a portion of the 80-hour class in an e-learning format, to be delivered immediately upon swearing in, so as to allow for appropriate orientation before the commencement of patrol functions.											
4A	Develop introductory curricula, with time allotment and method of delivery (e-learning versus classroom) for the Clery Act; Mission, Vision and Values of UCPD; and community relations for inclusion in orientation training.											
5A	Design courses to specifically meet unique training needs including courses addressing the unique intersection of urban and university policing, and training designed to promote effective interactions with diverse populations.											
6A	Build on the recommendations of this report relative to needs assessment and conduct a formal review of training, to be repeated on an annual basis.											
6B	Develop an annual training plan consisting of goals and strategy based on an annual formal needs assessment, with input from the Chief of Police, a training committee comprised of UCPD personnel, training unit officer-in-charge, and the community.											

○ Scheduled for Assessment

□ Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

7A	Develop as part of the annual training plan a mandatory training curriculum in modular format, to be reviewed and modified annually, including the state-mandated training as well as those courses which are determined to be best suited for UCPD-mandated annual training.																	
7B	Infuse the curriculum developed with elements of community policing, including a clear and unified message as to the UCPD's commitment to community policing, as well as with critical thinking and problem solving skills training throughout.	✓																
7C	Develop a series of elective courses in different relevant subject matter areas all of which would have to be completed over a three-year period.																	
7D	Consider courses for the mandatory training that include updates on trends and innovations in both municipal and university policing, an update on Ohio criminal law, a use of force update including de-escalation techniques, community and problem solving policing updates, and anti-bias training.																	
7E	Elective courses should include: Community-police relations; Building partnerships with communities both on and off campus; Critical thinking and problem solving; Ethics and Integrity; Diversity; Biased policing; Substance Abuse; Date rape; Leadership; De-escalation skills through the perishable skills training (defensive tactics, firearms, driving and communication skills); Equal Employment Opportunity; Interactions with persons with mental illness.																	
7F	Determine the appropriate split of total mandatory annual training hours between mandatory and elective courses.																	
7G	Increase diversity and biased policing training and require these subject to be recurrent training annually.	✓																
7H	Centralize and maintain records of all training in an electronic format which becomes part of an Officer's personnel package																	
8A	Develop a process by which UCPD develops its curricula.																	
9A	Establish a lessons learned program, derived from UCPD uses of force, post-incident debriefings, employee suggestions, personnel complaints and case law updates.																	
10A	Develop a list of tasks and skill competencies expected of an FTO.																	
10B	Create a selection process to assess whether an applicant has the skills necessary to train new officers.																	
10C	Ensure that all FTO's support the Mission, Vision and Values of UCPD and will be a strong role model for new employees.																	

Scheduled for Assessment

Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

10D	Ensure that the selection process includes a detailed review of the disciplinary and merit file of the candidate.																			
10E	Ensure that there is a policy that requires a timely suitability review of any FTO in the case of a sustained complaint involving that FTO.																			
11A	Require instructors to be OPOTC Certified Instructors.																			
12A	Require all courses taught by UCPD instructors to have written lesson plans that include clearly stated, realistic performance objectives and learning activities that utilize multiple learning modalities.																			
12B	Base the training approach on the tenets of adult education, promoting decision-making and critical thinking.																			
12C	Develop problem-based scenarios and case studies that allow the student to apply problem solving skills & knowledge of diverse populations.	✓																		
12D	Require curriculum review before a class is taught.		○																	
12E	Observe instructors and rate performance.																			
12F	Survey students relative to the performance of their instructor.																			
13A	Ensure that community relations issues are included in use of force courses and that unique campus life issues are included in the defensive tactics course.																			
14A	Require by policy that all non-UCPD training be reviewed and approved prior to authorizing attendance at such program, and that a syllabus of such training be obtained for inclusion in the attending employee's file.	✓																		
15A	Ensure that the training lieutenant is devoted primarily, if not exclusively, to all of the tasks attendant to training.		○																	
15B	Re-establish the Training Review Committee under the direction of the training lieutenant and include a member from the university and two members from the community.		○																	
15C	Ensure that an annual Continuing Education Plan and Learning Needs Assessment is conducted.																			
15D	Review, approve, and maintain the curriculum of every outside course approved for attendance by a UCPD officer.	✓																		
16A	Obtain a Learning Management System (LMS) to track all training records, retain expanded course outlines and lesson plans, allow for automated employee training requests and approvals.																			

○ Scheduled for Assessment
 Not Scheduled for Assessment

✓ Compliant
DW Determination Withheld
X Not Compliant

16B	Use best practice templates to design training, evaluate training delivery and instructors.		○																	
16C	Complete regular assessments of courses and training delivery. Ensure curricula includes relevant and realistic officer tasks and competencies.	✓																		
16D	Training Unit lieutenant should approve all internal courses and lesson plans, and approve all outside courses prior to employees being allowed to attend to ensure consistency with UCPD policies, procedures, and agency mission, vision and values.	✓																		
17A	Identify the actual training budget for equipment and off-site training each year and hold the department accountable for working within its training budget.																			
18A	Develop a policy with respect to the selection of instructors and for the evaluation of their performance.																			
19A	Develop a policy which charges the training lieutenant with mandatory attendance (either by himself or an appropriate designee) of training in order to evaluate, in writing, its effectiveness.	✓																		
20A	Extensively collaborate with the University on issues of training and should consider the creation of a Community-Police Academy for surrounding communities and a Student Community-Police Academy for campus communities.																			
21A	Collaborate with CPD on issues of training																			
22A	Utilizing the Claremont Campus OPOTC-certified Police Academy as its own internal academy where sponsored/hired cadets could attend.																			
Review of Accountability Mechanisms – Section 7																				
1A	Each of the three patrol shifts should be made up of two squads of officers, with each squad having a permanently assigned sergeant who works the same rotating schedules as their officers.	✓																		
1B	Consider redesigning the Organization chart so that it is comprised of sub charts showing Field Operations and Support Services in greater detail, and should be updated to reflect latest changes and clearly reflect each squad sergeant and the officers assigned to the squad.	✓																		
1C	Conduct a comprehensive review of the patrol chart to determine if it deploys the patrol force and the supervisors in the most effective manner.																			
2A	Finalize the Managing Performance and Early Intervention policy and procedure that documents the use of Guardian Tracking.																			
3A	Develop a list of critical duties and responsibilities for these positions.																			

○ Scheduled for Assessment

□ Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

3B	Consider requiring that patrol sergeants perform documented visits, preferably in the field, to each subordinate during their shift.	✓											
4A	Implement a quality control process to ensure compliance with the performance evaluation requirements, and incorporate related duties on the list of supervisor responsibilities.												
5A	Draft Complaint Initiation Policies and Procedures that (a) call out the different methods of initiating/receiving complaints; (b) allow for the receipt of anonymous complaints; (c) provide for walk-in complaints at UCPD headquarters; (d) prohibit any attempt to dissuade an individual from filing a complaint; (e) requires appropriate notification from UC General Counsel anytime a lawsuit alleging police misconduct is filed; (f) requires notification to UCPD by any officer who is arrested or otherwise criminally charged or the subject of a lawsuit that alleges physical violence, threats of physical violence or domestic violence; (g) requires officers to report the misconduct of other officers including improper use or threatened use of force, false arrest, unlawful search or seizure, or perjury; and (h) allows for the processing of internally generated complaints.	DW	○										
5B	Draft Complaint Investigation Policies and Procedures that (a) requires the categorization of complaints; (b) defines the workflow of the different categories of complaints from investigation to adjudication; (c) provides time frames for the investigative process; and (d) establishes complaint investigation protocols.		○										
5C	Draft Complaint Adjudication Policies and Procedures that (a) set forth the standard of proof; (b) prohibit automatic credibility preference being given to an officer's recitation of facts; (c) define the categories of potential disposition; (d) define the timeframe in which adjudication should be completed.		○										
6A	Compile complaint information into a simple database, which can be accessed by the ICS system, and includes several fields (year, date of complaint, nature of the complaint, employee, investigating supervisor, disposition and date completed).		○										
7A	Develop brochures, in hard copy and for inclusion on UCPD's website, about the complaint process and complaint forms and make such materials available and include as a requirement in a new SOP governing civilian complaints.												
8A	Consider establishing a subgroup of the CAC to review the UCPD'S investigation of complaints made against employees.												

○ Scheduled for Assessment
 Not Scheduled for Assessment

✓ Compliant
DW Determination Withheld
X Not Compliant

9A	Create a separate SOP detailing how disciplinary matters should be handled by UCPD. Such a procedure should include creating a form that summarizes details of an allegation of misconduct and creates a log listing the number of the issue starting at 001 of year and including the name of the employee, the dereliction charged, the name of the supervisor reporting and/or investigating the matter and the date adjudicated.		○									
10A	Establish an Inspectional Services or Audit unit, reporting directly to the Vice President for Public Safety and Reform.											
11A	Enter into a voluntary independent monitorship which would provide regular status updates to the Board of Trustees and the public relative to the progression of reform within the Department	✓										
Review of Community Engagement, Problem-Oriented Policing, and Crime Prevention – Section 8												
1A	Recognize the essential nature of the community affairs function within the UCPD and appropriate resources dedicated to it.											
1B	The Community Affairs organization should be elevated to a more prominent position in the organization and should be staffed appropriately.	✓										
1C	Create a separate Community Affairs Office which reports directly to the Chief, thereby exercising greater authority across the organization.	✓										
1D	Rescind the existing SOPs and write new policies and procedures to reflect the new structure and mission of the unit.											
1E	Consider whether the Victim Services Coordinator belongs in the Community Affairs Office or whether it might be more appropriately housed elsewhere within UCPD or the University.	✓										
2A	The Community Affairs Office should be managed by a supervisor with formal operational authority to manage all of the various components of the Community Affairs mission.	✓										
2B	The supervisor position could either be a civilian title, e.g., Director, or a uniformed title, e.g., Captain but should be of sufficient stature as to be able to coordinate resources across the organization, particularly those resources that are not specifically assigned to Community Affairs duties.	✓										
2C	Staff the Community Affairs Office with a minimum of two officers whose sole responsibilities are community affairs duties.	✓										

○ Scheduled for Assessment

□ Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

2D	Consider assigning officers as community liaisons to designated community groups.	✓																	
2E	Consider revising the provision of the Collective Bargaining Agreement that prescribes a four-year rotation period for CAO's.																		
2F	Design and implement a selection process for the Community Engagement Officers which evaluates candidates against the specific qualifications necessary for effective performance of the function, and includes the opportunity for community and student body input.																		
3A	Provide Community Affairs Office staff with specialized training on public speaking, crime prevention, labor relations, and social media																		
4A	Establish the supervisory position of Event Coordinator, with appropriate staff																		
5A	Train personnel in a community policing problem solving model.	✓																	
5B	Consider adopting the CAPRA community policing problem solving model.	✓																	
5C	Develop a problem-solving approach to chronic crime and disorder problems.																		
5D	If UCPD continues to patrol off campus, then problem-solving groups should also involve community residents and CPD.																		
5E	Develop a policy that outlines the problem-solving program, and contain clear roles, responsibilities and expectations regarding the UCPD's problem-solving efforts.																		
6A	Increase the number of CCTV cameras deployed in both the on and off campus communities, and collaborate with the CPD to identify strategic locations to place the additional cameras.																		
6B	Institute a 'Safe Haven' program whereby local businesses register with UCPD, agree to display a distinctive logo on their storefronts that identifies them as a Safe Haven, and pledge to assist University affiliates in distress.																		
6C	Consider implementing Operation Blue Light, a program that authorizes UCPD personnel to mark property with an invisible ink discernible only under a special blue light.																		
6D	Consider implementing Operation ID, a nationwide program that aims to deter theft by permanently identifying valuable property with an indelible, inconspicuous, specially assigned number.																		
6E	Consider implementing PC PhoneHome/Mac PhoneHome, a program that allows authorities to locate a lost or stolen computer by identifying its location when the machine is connected to the Internet.																		

Scheduled for Assessment

Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

6F	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.																						
6G	Look into Bicycle Registration, where a permanent decal is affixed to the bicycle, thus giving it a unique ID number that is registered with the UCPD.																						
Review of Encounters with Individuals with Mental Health Concerns – Section 9																							
1A	Establish clearly written policies and procedures based upon existing best practices used by campus police departments.		○																				
1B	Include in the new policy a list of generalized signs and symptoms of behavior that may suggest mental illness.		○																				
1C	Include in the new policy should a list of indicators that will help an officer determine whether an apparently mentally ill person represents an immediate or potential danger.		○																				
1D	The new policy should include guidelines for officers to follow when dealing with persons they suspect are mentally ill.		○																				
1E	Review applicable reports from other jurisdictions, including the USC and LA Mental Health Advisory Board, and incorporate suggestions from those reports in policies, procedures and training.		○																				
2A	Implement a Student Concerns Committee that consists of first responders and those potentially in a position to take notice of irrational student behavior.		○																				
2B	The Student Concerns Committee should meet on a weekly basis to discuss issues that took place during the previous week and are potentially related to mental health, and collaboratively create a plan of action.		○																				
3A	Ensure that additional officers trained in crisis intervention are deployed during potential peak periods of stress for students.																						
4A	Provide all sworn officers with CIT, and with documented refresher training on a bi-annual basis.																						
4B	Utilize UCMC experts to educate officers on issues specific to student populations, particularly those within the University community, including sensitivity training highlighting the position of students who are away from home for the first time.																						
4C	Consider establishing proactive response teams pairing an on-call UCMC clinician with a law enforcement officer to provide emergency field response to situations involving mentally ill, violent or high risk individuals.		○																				

○ Scheduled for Assessment

□ Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

5A	After every encounter with an individual suffering from a mental illness, UCPD should mandate detailed reporting for inclusion in the ARMS system.		○																
5B	In order to improve performance, annually audit the handling of mental health-related calls and incidents for that year.		○																
Review of Equipment – Section 10																			
1A	Re-deploy CEDs.																		
1B	Review policies and procedures related to the use of CEDs to include when the use of the devices is authorized and the allowable number of discharges of the device.		○																
1C	Develop intensive training on the use of CEDs and the relevant policies, including scenarios in which the utilization of CEDs is appropriate and those instances where it is not.																		
1D	Designate a CED training officer, who should receive training as a trainer and whose responsibilities should include remaining current on all relevant literature and data on the use of CEDs.		○																
2A	Work with CPD and appropriate neighborhood organizations to provide significantly greater deployment of video surveillance in the off-campus patrol areas.	✓																	
3A	Conduct a review of all existing video surveillance equipment in conjunction with the exploration of an off-campus video system.																		
4A	Develop or adopt appropriate training for the use of the batons, and ensure that every member of UCPD receive such training.		○																
5A	Evaluate and choose an automated commercial off-the-shelf product for tracking of all equipment.																		
6A	Evaluate the need and potential utilization of the bomb robot.	✓																	
6B	If there is justification to retain the robot, appropriate initial and refresher training and qualification of a select group of sworn officers on the utilization of the robot and related skill sets including bomb disposal should be developed and deployed.	✓																	
7A	Evaluate the need and potential utilization of the sniper rifle.	✓																	
7B	If there is justification to retain the rifle, appropriate initial and refresher training and qualification of a select group of sworn officers on the utilization of the rifle should be developed and deployed.	✓																	
8A	Consider installing in-car video as an adjunct to the current deployment of body cams, providing for potential additional views of and redundancy in any critical incident.																		

○ Scheduled for Assessment

□ Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

9A	Work with the Director of Emergency Management to build out a dedicated Emergency Operations Center, designed to facilitate planning and response to both planned and unplanned campus events in coordination with other federal, state and local agencies.																			
Review of Technology – Section 11																				
1A	Require that each officer create a test recording before they deploy to the field each day to ensure the body camera is functional.		○																	
1B	Re-write Body cam policy to address how to specifically handle video in use of force (i.e., who takes custody of the camera, who reviews the video, when should an officer review video, etc.).		○																	
1C	Those developing the body camera policy should continue to refine and improve the policy as lessons are learned, and collaborate with other agencies that have deployed cameras to learn from those experiences.		○																	
1D	Consider including the body camera policy as a topic of discussion in community forums, student body meetings, etc.	✓																		
2A	Consult a subject matter expert to assist in negotiating an agreement for cameras and storage so that it includes discounted pricing; a “termination for convenience” clause; the appropriate level of on-site training and support from Taser; etc.		○																	
2B	UCPD should identify any video in storage that must be retained into the future, and work with Taser to migrate that video to Evidence.com for long-term storage.		○																	
2C	Consider engaging a provider for additional system training, to ensure the Department is making full use of its video management system	✓																		
3A	Modify the practice of tagging video with only a suspect’s name. Instead, it should consider utilizing additional identifiers, such as the CAD incident number and/or an RMS record number.																			
3B	Consider contracting with a vendor that allows for CA integration with its video management system.	✓																		
4A	Ensure that all business/functional requirements for ARMS are clearly documented and that testing of the upgraded ARMS is conducted against those requirements before the system is accepted.																			
5A	Consider implementing an ARMS Mobile Product on MDCs and/or tablets to enable officers to complete reports from the field.																			

○ Scheduled for Assessment
□ Not Scheduled for Assessment

✓ Compliant
DW Determination Withheld
X Not Compliant

6A	Add a radio console to the third position so it can be in a position to handle multiple calls/traffic at one time.	✓											
7A	Implement a 9-1-1 system that provides the actual geo location of the call, as is standard in dispatch centers across the country.												
8A	Explore ways to expand adoption of Live Safe on campus and potentially off-campus as well.	✓											
9A	Identify funding for a replacement card access system.												
9B	PSTS should document the requirements for a replacement system, which should include a plan for how to integrate the card access system with an existing key management system that was developed in-house.												
10A	Consider adding one IT Project Manager to PSTS staff to ensure large IT projects are implemented according to IT management best practices.	✓											
10B	PSTS should engage in a study to determine the appropriate IT staffing levels. It appears that additional Technicians are likely required to support the IT needs of the Department.												
Review of Data Collection Systems, Data Usage, Automation, and Records Management – Section 12													
1A	Integrate all data collection systems into one large database that tracks all of UCPD's information.												
2A	Ensure that access to stored CAD data is easily obtainable and meets UCPD's mandated reporting functions to the state and federal governments												
2B	Research whether the new CAD system from TriTech can be integrated into ARMS, and integrate if possible.	✓											
2C	If integration is not possible, continue to use the CPD CAD.	✓											
3A	Evaluate the ARMS module for Field Contacts, and ensure that all required data fields can be reported through the module.	✓											
3B	If the data fields can not be included or the ARMS' module for Field Contacts utilization is otherwise undesirable, maintain the MAD and ensure that all data is transferred into the ICS Dashboard.	✓											

Scheduled for Assessment

Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

4A	Work with ICS and UCPD IT experts to identify standardized reporting from ARMS data in a variety of formats, such as bar graphs, pie charts and line graphs, that will assist UCPD in analyzing crime, operational, staffing and performance data on various indicators.																			
5A	Integrate the DPLF and PPF MADs into the ARMS system. If integration is not possible, continue to collect this data and ensure that the data can be exported into the ICS Dashboard.		○																	
6A	Work with ICS to further develop the functionality of the Dashboard.																			
6B	Capture data relative to race, gender, age and ethnicity, so as to better foster transparency and legitimacy.		○																	
7A	Add the following fields to its MAD: whether the stop was a traffic or pedestrian stop, whether there was a frisk or search of the person or property, and whether force was used during the stop.		○																	
7B	Monitor stop data regularly as part of an early warning system, surfacing potentially at-risk behavior of policy violation or biased policing.		○																	
8A	Continue to utilize the Guardian Tracking electronic database for documenting and tracking positive and negative aspects of employee performance.	✓																		
8B	Conduct a thorough review of the capabilities of the Guardian Tracking system and its potential interface with the ICS Dashboard, so as to allow for inclusion of Guardian Tracking data in ICS dashboards and more fulsome early warning system.																			
9A	Establish an electronic database to track and maintain data related to internal affairs complaints, and can readily communicate with other UCPD databases (ARMS).																			
10A	Establish an electronic database to track and maintain data related to uses of force, and investigations thereof, and can readily communicate with other UCPD databases (ARMS).																			
11A	Integrate the data and analysis available from the ICS tool into bi-weekly meetings and consider adding additional UCPD command staff to the meeting.	✓																		
11B	Institute a regular Compstat-like process which goes beyond just examination of crime data, analyzing other relevant information including Uses of Force, Complaints, and other performance-related issues																			
12A	UCPD should leverage the technology available in the ICS Dashboard to build a proactive risk management database, which will track and analyze risk related information, and data related to a series of performance indicators.																			
12B	Analysis should include the crime and performance data currently available in the Dashboard in order to obtain a more holistic picture of an officer's performance.																			

○ Scheduled for Assessment

□ Not Scheduled for Assessment

✓ Compliant

DW Determination Withheld

X Not Compliant

12C	Work with ICS to establish appropriate performance thresholds triggers, including Department-Level Thresholds (e.g., 3 internal affairs complaints in 12 months); Peer Officer Averages (compares performance with similarly situated officers); and Performance Indicator Ratios (e.g., ratio of UOF incidents to # of arrests).												
12D	Establish a protocol for the resolution of EWS notifications of potentially at risk officers.												
13A	Consider including the following data on its website: (1) yearly totals for Part 1 and significant Part 2 crimes; (2) an incident map; (3) the Daily Crime Log; (4) pedestrian and traffic stop totals broken down by demographic data; (5) use of force data broken down by type of force used and whether the force was in or out of policy (no officer names should be provided); and (6) sustained internal affairs complaints with the disciplinary action taken (no officer names should be provided).												

Scheduled for Assessment

Not Scheduled for Assessment

 Compliant

DW Determination Withheld

X Not Compliant

Appendix B – Memorandum of Compliance



The Memorandum of Compliance is the documentation of the Monitor's assessment of Compliance.

Specifically, the Memorandum will include:

- Exiger's initial finding as delivered in Exiger's Final Report
- Exiger's Recommendation, the compliance with which is being assessed
- The compliance definition as collaboratively agreed upon resulting in the MADC
- The compliance proffer from UCPD
- The data reviewed in arriving at Exiger's determination of compliance
- Exiger's determination of compliance
- The date of next assessment



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 31, 2017

Rec Ref No.: 1.2.C

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 1.2.C

Exiger Finding

The UCPD currently has no internal audit, inspectional service, or monitoring function.

Exiger Recommendations

In addition to the audits, a voluntary monitoring function, similar to that imposed in the DOJ Consent Decrees, should be established to track each of the reforms outlined in the recommendations of this report and ensure that they are implemented according to the suggested or agreed upon schedule.

MADC Definitions of Compliance

Compliance with the above ER will be achieved when the UCPD has achieved compliance with ER 7.11.A. Note: ER 1.2.C is one of the Fundamental Findings that was included in Section 1 as a summarized version of ER 7.11.A and includes identical requirements.

Proffer of Compliance from UCPD

N/A

Data Reviewed

N/A

Current Assessment of Compliance

In Compliance

The UCPD achieved compliance with 7.11.A and is therefore in compliance with this ER.

Next Reviews

No further review of this ER is required due to duplication in ER 7.11.A.

Attachments

N/A

Date: March 31, 2017

Rec Ref No.: 1.3.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 1.3.A

Exiger Finding

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

Exiger Recommendations

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

MADC Definitions of Compliance

Compliance with the above ER will be achieved when the UCPD has achieved compliance with ER 4.1.A. Note: ER 1.3.A is one of the Fundamental Findings that was included in Section 1 as a summarized version of ER 4.1.A and includes identical requirements.

Proffer of Compliance from UCPD

N/A

Data Reviewed

N/A

Current Assessment of Compliance

In Compliance

The UCPD achieved compliance with 4.1.A and is therefore in compliance with this ER.

Next Reviews

No further review of this ER is required due to duplication in ER 4.1.A

Attachments

N/A

Date: March 29, 2017

Rec Ref No.: 1.5.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have an implemented policy on biased policing.

Exiger Recommendations

UCPD should fully implement a policy on biased policing that clearly and unequivocally indicates that UCPD officers may not use race, color, ethnicity, or national origin, to any extent or degree, in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group.

MADC Definitions of Compliance

Compliance with the above ER will be achieved when the UCPD has achieved compliance with ER 2.2.A. Note: ER 1.5.A is one of the Fundamental Findings that was included in Section 1 as a summarized version of ER 2.2.A and includes identical requirements.

Proffer of Compliance from UCPD

“1.5.A: The University of Cincinnati Police Department has implemented a Bias Free Policing policy. The policy specifically states “that officers may not use race, color, ethnicity, or national origin, to any extent or degree, in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group.” Furthermore, the department maintains an electronic signature for every policy sign-off from each officer showing the date and time as to when it was signed. Also, included is a PowerPoint regarding bias free policing that was instructed at rollcall. Lastly, below recommendations and attachments will show the lesson plans and power point shown during training.”

Data Reviewed

Listed in memorandum related to ER 2.2.A

Current Assessment of Compliance

In Compliance

The UCPD achieved compliance with ER 2.2.A and is therefore in compliance with this ER.



Office of the Independent Monitor
University of Cincinnati Police Department

Next Reviews

No further review of this recommendation is required due to duplication of requirements in ER 2.2.A.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 31, 2017
Rec Ref No.: 1.5.B

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have an implemented policy on biased policing.

Exiger Recommendations

UCPD should develop a curriculum and institute training on the biased policing policy including training on implicit bias and should deliver such training both to new and existing members of the department. In-service training on the topic should be developed and delivered annually.

MADC Definitions of Compliance

Compliance with the above ER will be achieved when the UCPD has achieved compliance with ER 2.2.B. Note: ER 1.5.B is one of the Fundamental Findings that was included in Section 1 as a summarized version of ER 2.2.B and includes identical requirements.

Proffer of Compliance from UCPD

“1.5.B: The University of Cincinnati Police Division has implemented a curriculum that involves teaching a lesson plan from the Fair and Impartial Policing Institute (FIP). This training is included for every new officer when initially hired. This course is taught by two UCPD instructors that attended the instructor course specifically for Fair and Impartial Policing. Additionally, as part of our annual training, every officer must complete a refresher that is about bias-free policing. In 2015, every officer completed the initial course taught by the instructors from FIP. In 2016, OPOTA required a portion of their mandated training hours to include training on implicit bias. This training was mandatory for every Ohio officer to keep their commission; attached are the sign-in sheets and lesson plans regarding what the state required. Lastly, the bias-free policing policy explicitly states that bias-free policing training will be conducted annually.”

Data Reviewed

Listed in Memorandum related to 2.2.B

Current Assessment of Compliance

In Compliance

The UCPD achieved compliance with 2.2.B and is therefore in compliance with this ER.



Office of the Independent Monitor
University of Cincinnati Police Department

Next Reviews

No further review of this ER is required due to duplication in ER 2.2.B.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 29, 2017

Rec Ref No.: 2.2.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD did not, until very recently, have a policy on biased policing. Its new policy has not been fully implemented.

Exiger Recommendations

UCPD should continue its full implementation of the recently enacted policy on biased policing. The implementation should include training and should ensure that UCPD officers not use race, color, ethnicity, or national origin, to any extent or degree, in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group. The training and implementation should further ensure that even when UCPD officers are seeking one or more specific persons who have been identified or described in part by their race, color, ethnicity, or national origin, they may rely in part on race, color, ethnicity, or national origin only in combination with other appropriate identifying factors and may not give race, color, ethnicity, or national origin undue weight.

MADC Definitions of Compliance

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

1. UCPD has adopted a policy against bias policing;
2. UCPD policies are clear that officers may not use race, color, ethnicity, or national origin, to any extent or degree, in conducting stops or detentions, or activities following stops or detentions, except when engaging in appropriate suspect-specific activity to identify a particular person or group;
3. UCPD has developed a curriculum and instituted training against biased policing;
4. UCPD trainings make clear that officers may not use race, color, ethnicity, or national origin, to any extent or degree, and that all conducted stops or detentions, or activities following stops or detentions, are based only on appropriate suspect-specific activity;
5. UCPD trainings make clear that even when officers are seeking one or more persons who have been identified or described in part by their race, color, ethnicity or national origin, these factors should not be given undue weight, and must work in combination with appropriate identifying factors; and,
6. UCPD has appropriately disseminated the existence of its policy against biased policing and implicit bias trainings. Dissemination should include posting on web-site, posting in all UCPD facilities, and integration into training.

Proffer of Compliance from UCPD

“2.2.A: The University of Cincinnati Police Division, as stated above, has implemented a policy regarding bias-free policing that explicitly states that officers may not use race, color, ethnicity, or national origin, to any extent or degree. The training that has specifically made this clear is the Fair and Impartial Policing training completed in 2015. The 2016 state mandated training also makes it clear that policing must be done fairly and impartially. The existence of the Bias-Free Policing policy is widely known amongst, not only our officers, but also within the university community. The policy was first disseminated to our officers; each officer has an electronic signature recorded signifying their understanding. Additionally, the UCPD has partaken in presentations taught by one of our instructors to the university community. Lastly, the UCPD website provides the non-discriminatory policy of the university on its website demonstrating our commitment to treating everyone in a fair and impartial manner.”

Data Reviewed

1. Bias Free Policing Policy 1.2.9
2. Training Policy (Draft)
3. Electronic sign-off for the Bias Free Policing Policy
4. Train-the-Trainer Certificates for Fair and Impartial Policing, DeJarnette & Gutierrez
5. Fair and Impartial Policing rosters conducted in 2015
6. Fair and Impartial Policing Lesson Plans and Curriculum
7. FIP Scenario Training and Case Study Guidebook
8. Rollcall sign-in sheets and Rollcall PowerPoint
9. OPOTA documentation of 2016 Continuing Professional Training showing the topic of **Community-Police Relations**, including implicit bias.
10. OPOTA PowerPoint from **Community-Police Relations**, including implicit bias.
 - i. <https://www.uc.edu/content/dam/uc/safety-reform/WebsiteDocs/OPOTA%20PowerPoint%20Community%20Police%20Relations-2016%20Annual%20Training.pdf>
11. OPOTA rosters from all completed **Community-Police Relations** 2016 training
12. <http://www.uc.edu/about/policies/non-discrimination.html>
13. Community Workshop Advertisement and Community FIP PowerPoint
14. Safety and Reform Update Presentation PowerPoint

Current Assessment of Compliance

In Compliance

The UCPD has adopted a policy against biased policing. On May 18, 2016, UCPD issued SOP Number 1.2.9, which is titled “Bias Free Policing,” and contains: (1) a description of UCPD’s policy against biased policing; (2) a definition of the terms “illegal profiling,” “articulable suspicion (reasonable suspicion),” and “probable cause”; and (3) procedures for prohibiting profiling, providing bias based profiling training, handling complaints of discrimination, and the administrative review of agency practices. Of particular note, SOP 1.2.9 states that officers may not “*consider race, ethnicity, national origin, gender, sexual orientation/identity, socio-economic status, religion and/or age in carrying out law enforcement activities, except when seeking one*

or more specific persons who have been identified or described in part by any of the above listed characteristics.”

UCPD’s Training Policy mandates that all patrol and security officers take a course on Fair and Impartial Policing. UCPD has been administering a Fair and Impartial training course, which was developed by the Fair and Impartial Policing Institute. This course includes lesson plans on Bias Free Policing and a module that covers Implicit Bias in detail. The module on implicit bias includes case studies, and forces officers to consider situations where their implicit biases could affect their judgment. The stated goals of these lessons are to get officers to “*recognize (their) own human/implicit biases; understand how implicit biases can affect (their) perceptions and behavior; understand how biased policing negatively impacts community members and the department; and develop skills and tactics to reduce the influence of biases on police practice and allow you to be safe, effective and just police professionals.*” These lessons make clear that officers may not use race, color, ethnicity, or national origin, to any extent or degree, and that all conducted stops or detentions, or activities following stops or detentions, should be based solely on appropriate suspect-specific activity. They also make clear that even when officers are seeking one or more persons who have been identified or described in part by their race, color, ethnicity or national origin, these factors should not be given undue weight, and must work in combination with appropriate identifying factors. These trainings were taught by UCPD officers Robert Gutierrez and John DeJarnette, both of whom received their certificates of training for the Fair and Impartial Policing Officer’s Training.

As discussed above, the policy against biased policing and implicit bias has been integrated into UCPD’s training. Furthermore, UCPD has informed the Monitor that, on or before April 7, 2017, the policy against biased policing will be posted to the UCPD website, and will be displayed in UCPD facilities.

Next Reviews

No further review of this recommendation is required.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 31, 2017
Rec Ref No.: 2.2.B

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD does not have an implemented policy on biased policing.

Exiger Recommendations

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

MADC Definitions of Compliance

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

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

Proffer of Compliance from UCPD

"2.2.B: The University of Cincinnati Police Division has implemented annual implicit bias trainings in both 2015 and 2016. As shown in our Training Policy draft, every officer hired will be trained in Fair and Impartial policing; this 8 hours is included in the 80 hours of training required before going out with a training officer. The annual refresher training is incorporated into the annual required training for every UCPD officer. Lastly, UCPD has conducted a series of community workshops where Bias-Free Policing, our policy, and our training was discussed."

Data Reviewed

1. Bias Free Policing Policy 1.2.9
2. Training Policy (Draft)
3. Electronic sign-off for the Bias Free Policing Policy
4. Train-the-Trainer Certificates for Fair and Impartial Policing, DeJarnette & Gutierrez
5. Fair and Impartial Policing rosters conducted in 2015
6. Fair and Impartial Policing Lesson Plans and Curriculum
7. FIP Scenario Training and Case Study Guidebook
8. Rollcall sign-in sheets and Rollcall PowerPoint

9. OPOTA documentation of 2016 Continuing Professional Training showing the topic of **Community-Police Relations**, including implicit bias.
10. OPOTA PowerPoint from **Community-Police Relations**, including implicit bias.
 - i. <https://www.uc.edu/content/dam/uc/safety-reform/WebsiteDocs/OPOTA%20PowerPoint%20Community%20Police%20Relations-2016%20Annual%20Training.pdf>
11. OPOTA rosters from all completed **Community-Police Relations** 2016 training
12. <http://www.uc.edu/about/policies/non-discrimination.html>
13. Community Workshop Advertisement and Community FIP PowerPoint
14. Safety and Reform Update Presentation PowerPoint

Current Assessment of Compliance **In Compliance**

UCPD's Training Policy mandates that all patrol and security officers take a course on Fair and Impartial Policing. UCPD has been administering a Fair and Impartial training course, which was developed by the Fair and Impartial Policing Institute. This course includes lesson plans on Bias Free Policing and a module that covers Implicit Bias in detail. The module on implicit bias includes case studies, and forces officers to consider situations where their implicit biases could affect their judgment. The stated goals of these lessons are to get officers to "*recognize (their) own human/implicit biases; understand how implicit biases can affect (their) perceptions and behavior; understand how biased policing negatively impacts community members and the department; and develop skills and tactics to reduce the influence of biases on police practice and allow you to be safe, effective and just police professionals.*" These lessons make clear that officers may not use race, color, ethnicity, or national origin, to any extent or degree, and that all conducted stops or detentions, or activities following stops or detentions, should be based solely on appropriate suspect-specific activity. They also make clear that even when officers are seeking one or more persons who have been identified or described in part by their race, color, ethnicity or national origin, these factors should not be given undue weight, and must work in combination with appropriate identifying factors. These trainings were taught by UCPD officers Robert Gutierrez and John DeJarnette, both of whom received their certificates of training for the Fair and Impartial Policing Officer's Training.

UCPD's policy on Bias Free Policing, contained in SOP Number 1.2.9, makes clear that it is the department's intention to provide trainings on an annual basis. SOP 1.2.9 states that "*the agency will provide annual training on non-bias based policing and will ensure that officers receive training in professional traffic stops.*" UCPD's policy on Training and Professional Development, contained in SOP Number 6.1.100, states that every UCPD officer will "*complete a minimum of 80 hours of Continuing Professional Training (CPT)*" which includes "*annual mandated training and UCPD identified professional development courses with topics including...Bias-free policing.*" SOP Number 6.1.100 goes on to detail the procedures for curriculum maintenance, and determining "*whether (UCPD training) courses are to be continued, updated or retired.*"

As discussed above, the policy against biased policing and implicit bias has been integrated into UCPD's training. Furthermore, UCPD has informed the Monitor that, on or before April 7, 2017,



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the policy against biased policing will be posted to the UCPD website, and will be displayed in UCPD facilities.

Next Reviews

The Monitor will assess the UCPD's compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 2018 and Q9 2019.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 15, 2017

Rec Ref No.: 2.4.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 2.4.A

Exiger Finding

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

Exiger Recommendation (“ER”)

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

MADC Definition of Compliance

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

Proffer of Compliance from UCPD

Dissemination of the submitted Procedural Order serves as compliance with this recommendation.

Data Reviewed

1. UCPD Procedural Order No. 17-01, dated 02/20/2017
2. Printout from PowerDMS listing UCPD personnel who had an electronic receipt or “sign-off” indicating receipt of the Procedural Order “*Appropriate Incident Response Levels*”

Current Assessment of Compliance

In compliance

Both pedestrian and traffic stops have been anecdotally reported on occasion to be over-staffed, with multiple cars and officers responding to otherwise routine stops. Some members of the community described the high response level as giving them the impression that they were living in a police state. In response, the UCPD has issued a Procedural Order (“PO”) which provides

appropriate generalized background information regarding those response levels including a reference to the community perception issues that can occur with an exaggerated level of response. The PO noticeably gives proper credence to officer safety, tactical decision-making and certain types of calls that are inherently more dangerous - therefore warranting a higher number of officers to respond. The PO also appropriately assigns on-scene decision making to the lead officer and ultimate responsibility with the shift OIC and explains the importance of answering questions from the public.

In discussing the specific operational direction of the PO regarding initial assignment of calls for service, the Monitor learned that while there is currently no UCPD dispatch policy, the Computer Aided Dispatch (CAD) system contains certain thresholds based on the type of call for service. As example, in a domestic dispute CAD will automatically assign two officers and a call involving a potential mental illness will include a supervisory response. The Monitor was advised that a UCPD Dispatch policy is currently under development which will further assist in determining the initial response level when receiving and assigning calls for service.

Next Reviews

The Monitor will assess the UCPD's compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 (Q1 2018) and Q9 (Q1 2019), and/or when or if complaints of this nature are received, the monitor will review to assess the resolution of same.

Attachments

UCPD Procedural Order No. 17-01, dated 02/20/2017

Date: April 10, 2017

Rec Ref No.: 3.6.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 3.6.A

Exiger Finding

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

Exiger Recommendation

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

MADC Definitions of Compliance

Compliance with this recommendation will be achieved through an assessment of quality and timeliness of Use of Force investigations concluded within the quarter. A timely investigation is one that, absent extenuating circumstances, is concluded within 90 days of the event, with the initial review occurring within 14 days from the date of the incident.

A quality investigation is one that is complete - identifies and explains all supervisors with respect to post-incident response and conduct at the scene during the incident; includes a canvass of the scene to locate witnesses where appropriate; contains all appropriate interviews and evidence, or, if evidence is missing, an explanation of why the evidence is missing; addresses any inconsistent information; articulates the legal/policy basis for the officer's action; and, addresses any concerns raised regarding training, policy, or tactics.

Additionally, if during the course of any use of force or complaint investigation, the investigating officer has reason to believe that misconduct may have occurred other than that alleged by the complainant, the alleged victim of misconduct, or the triggering use of force, the investigating officer must notify a supervisor, and an additional Complaint investigation of the additional misconduct issue shall be conducted.

Proffer of Compliance from UCPD

N/A

Data Reviewed

Use of Force Report and Investigation Summary No. UF-17-001

Current Assessment of Compliance **Determination Withheld**

While the Monitor reviewed the one UOF incident and related investigation that occurred on Jan 1, 2017 which was submitted to the Monitor in Quarter 1 (“Q1”), the Monitor is withholding its determination of compliance for this reporting period because the Methodologies to Aid in the Determination of Compliance (“MADC”) for this ER had not yet been discussed or agreed upon, nor had the applicable policies been finalized and submitted for review.¹ Therefore, the Monitor’s final determination of compliance will be included in the next quarterly report for the period ending in Q2.

During Q2, the Monitor will discuss with the UCPD, the specific definitions of compliance contained in the MADDC and will assess this ER to include the aforementioned incident along with any others that occur during Q2. In assessing all UOF incidents, the Monitor will determine the reasonableness and appropriateness of the officer’s actions and whether or not anything within the UOF rises to the level of potential misconduct necessitating the initiation of an internal complaint. The Monitor will conduct its review based on the details contained in the reports, along with the statements of all involved parties (officers, witnesses, and supervisors). The Monitor’s review will also determine the adequacy of the UCPD’s response to the UOF incident including the initial supervisory response to the scene, the overall quality of the investigation, and all remediation efforts associated with any policy violations and/or misconduct and the subsequent initiation of an internal complaint investigation.

Next Reviews

The Monitor will review all uses of force that occur on an ongoing basis.

Attachments

The data reviewed is available in the UCPD Document Repository #0004.

¹ The UCPD did not schedule ER 3.6.A for Q1 as the applicable policies were not ready for submission.

Date: March 31, 2017

Rec Ref No.: 4.1.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 4.1.A

Exiger Finding

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

Exiger Recommendation (“ER”)

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

MADC Definition of Compliance

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

Proffer of Compliance from UCPD

“The UCPD has hired and assigned their Organizational Development Coordinator (John DeJarnette) the responsibility of ensuring all policies and procedures are updated and in accordance to best practices in law enforcement. In Attachment #1, Organizational Development Coordinator Job Description, the Coordinator is specifically tasked with “Reviewing and designing/redesigning policies and procedures for conformity to accreditation standards.” To this end, all UCPD policies and procedures are compared to the best practices as identified by IACLEA, IACP and other sources for best practices in policing. These policies and procedures include the critical areas mentioned in the Exiger Final Report, such as officer supervision and accountability, department transparency, effective diversity recruitment, and development of community trust and partnership.

The UCPD Organizational Development Coordinator and Chief of Police are in the process of creating a standardized process for the annual and systematic review of policies and procedures in order to identify necessary updates as they arise, as law enforcement best practices continually evolve. Finally, the UCPD has committed to a three-year voluntary monitorship of its comprehensive reform agenda, which contains a specific plan and timeline to update all policies and procedures. This is additional evidence of the UCPD’s commitment to updating its policies and procedures.”

Data Reviewed

Current Assessment of Compliance

In Compliance

The Monitor applauds the UCPD's decision to add the Organizational Development Coordinator as a dedicated position assigned to ensure that UCPD's policies are developed and updated consistent with best practices. The Monitor notes that as described in the UCPD's proffer related to ER 4.1.D, the implementation of policy committee meetings to include a cross section of agency personnel and the purchase of a subscription to IACPNet as a resource to ensure actual best practices are used in the process, is a significant stride towards improving UCPD as a whole.

Those policies submitted during Q1, as examples the *Bias Free Policing* and the *Training Policy*, do in fact meet best practice standards and appear to have been reviewed and approved in the manner described in the UCPD's proffer. Going forward, the Monitor will continue to review policies submitted in relation to best practices and the implementation of UCPD's stated review and approval process.

Next Reviews

The Monitor will assess the UCPD's compliance with this recommendation on an ongoing basis as additional policies are submitted to the Monitor, and/or at a minimum will be scheduled in Q5 2018 and Q9 2019.

Date: February 28, 2017
Rec Ref No.: 4.1.D

TO: File
FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 4.1.D

Exiger Finding

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

Exiger Recommendation ("ER")

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

MADC Definition of Compliance

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

Proffer of Compliance from UCPD

"The Department of Public Safety leadership has carefully divided up the report policy recommendations throughout the organization as to not overload any one individual. The department also implemented policy committee meetings that include a cross section of agency personnel to assist in updating and developing policies. In addition, UCPD has purchased a subscription to IACPNet as a resource to enhance the agency's ability to conduct policy and procedure research of best practices. The Organizational Development Coordinator serves as the final reviewer and publisher of the approved policies.

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

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

Data Reviewed

1. UCPD Memorandum outlining its proffer of compliance (in italics above)

2. Interview of UCPD Organizational Development Coordinator, John DeJarnette, on 2/22/17 regarding the resources and level of support that has been provided to date.

Current Assessment of Compliance

In Compliance

The characterization of the term “critical agenda” in regards to the Coordinator’s position used to evaluate compliance with this recommendation, was defined at a minimum as the Coordinator’s ability to manage the policy development process and the accreditation program. While no additional staff have been directly assigned to the Coordinator, the process of developing and drafting policies through the support teams is managed by the Coordinator and appears to be working well given the numerous policies being finalized and submitted for review. The draft policies are discussed during policy committee meetings and once approved by the Chief of Police, are forwarded to appropriate UCPD staff via the PowerDMS. The Coordinator described the UCPD’s goal of applying for a 3-year assessment for accreditation through the International Association of Campus Law Enforcement Administrators (ICALEA) which will coincide with the end of the Monitoring engagement. At that time, the UCPD intends that the best practices needed for accreditation will have been implemented as a result of the Exiger review recommendations.

The Exiger report also describes other important functions for the Coordinator position such as strategic planning to assist with goals development, and developing career and promotional tracks. The need for additional support or resources in these areas may need to be reassessed going forward.

During our review it was noted that the Policy Review Committee includes a cross-section of “agency” personnel rather than a cross-section of both UCPD and University resources as recommended in the Exiger report.¹ It was also realized that the UCPD had not yet implemented a policy approval process to include the Vice President of Safety and Reform and General Counsel, however the issue was resolved regarding the policies submitted to the Monitor for review during the current period.²

Next Reviews

The Monitor will assess the UCPD’s compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 (Q1 2018) and Q9 (Q1 2019).

Attachments

4.1.D Monitor Memorandum.doc

¹ ER 4.1.B, (establishment of a policy and procedure review committee) is not scheduled for review in the current reporting period.

² ER 4.1.E, (establishment of a policy approval process) is also not scheduled for review in the current reporting period.

Date: March 31, 2017

Rec Ref No.: 4.2.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 4.2.A

Exiger Finding

Many of UCPD's policies and procedures are based on CALEA standards, and were adopted without being tailored to the specific needs of the UCPD.

Exiger Recommendation ("ER")

UCPD should establish adequate and consistent policies and procedures in several key critical areas including officer supervision and accountability, department transparency, effective diversity recruitment, and essential goal setting to develop community trust and partnership.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD establishes a process to ensure that adequate and consistent policies and procedures are developed in each of the functional areas.

Proffer of Compliance from UCPD

"The UCPD has hired and assigned their Organizational Development Coordinator (John DeJarnette) the responsibility of ensuring all policies and procedures are updated and in accordance to best practices in law enforcement. In Attachment #1, Organizational Development Coordinator Job Description, the Coordinator is specifically tasked with "Reviewing and designing/redesigning policies and procedures for conformity to accreditation standards." To this end, all UCPD policies and procedures are compared to the best practices as identified by IACLEA, IACP and other sources for best practices in policing. These policies and procedures include the critical areas mentioned in the Exiger Final Report, such as officer supervision and accountability, department transparency, effective diversity recruitment, and development of community trust and partnership.

The UCPD Organizational Development Coordinator and Chief of Police are in the process of creating a standardized process for the annual and systematic review of policies and procedures in order to identify necessary updates as they arise, as law enforcement best practices continually evolve. Finally, the UCPD has committed to a three-year voluntary monitorship of its comprehensive reform agenda, which contains a specific plan and timeline to update all policies and procedures. This is additional evidence of the UCPD's commitment to updating its policies and procedures."



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Data Reviewed

UCPD's Proffer

Current Assessment of Compliance

In Compliance

The Monitor applauds the UCPD's decision to add the Organizational Development Coordinator as a dedicated position assigned to ensure that UCPD's policies are developed and updated consistent with best practices. Going forward, the Monitor will continue to review policies submitted in relation to each of the functional areas and assess the implementation of UCPD's stated policy development, review and approval process.

Next Reviews

No further review of this ER is necessary given the specific policies will be assessed elsewhere in the monitoring process.

Date: March 21, 2017
Rec Ref No.: 4.6.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 4.6.A

Exiger Finding

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

Exiger Recommendation ("ER")

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

MADC Definition of Compliance

Compliance with this provision will be achieved when

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

Proffer of Compliance from UCPD

"The University of Cincinnati Police Division has updated its policy regarding "Bicycles: Assignments, Use and Maintenance." The policy specifying the completion of a police mountain biking course is included within this policy. The instruction required for certification is through the International Police Mountain Biking Association; IPMBA has been in existence since 1991 and is considered one of the top organizations to train police for bike patrol. Lastly, supervisors now have the ability to verify who is a certified bicycle officer; this verification is included within each shifts line-up sheet."

Data Reviewed

1. UCPD Memorandum outlining its proffer of compliance (in italics above)
2. Policy 9.2.101 "Bicycles: Assignments, Use and Maintenance."
3. Bicycle Repair request Form
4. Certificates from certified officers
5. Certificate for Certified IPMBA Instructor
6. Updated line-up sheet with verification ability

Current Assessment of Compliance **In Compliance**

The UCPD has revised its bicycle patrol policy to require officers to complete a certification course created by the International Police Mountain Bike Association (“IPMBA”) prior to riding a bicycle on patrol duty. The UCPD has designated an officer, who has been certified by the IPMBA as an instructor, as the bicycle program coordinator and to provide in-house training and ensure bicycle repairs and maintenance are conducted as required. The revised policy adequately addresses the ER as it is consistent with best practices¹ and states that “*Only officers that have completed bicycle certification course and have been designated as patrol cyclist are authorized to operate a bicycle while on duty.*” After some collaborative discussion, the UCPD resubmitted the policy to include refresher training for all bicycle patrol officers every two years. The revision appropriately includes a mandatory supervisory evaluation for possible refresher training, of any officer that has been off of bicycle patrol for six months or more.

The Monitor’s review of line up sheets noted that while each shift has bike certified officers available and includes a space to notate when bike officers are deployed; no bike officers were deployed during this review due to inclement winter weather. The Monitor will include a review of additional line up sheets during the next schedule to review as a means of verifying that only certified and qualified officers are deployed on bike patrol.

Next Reviews

The Monitor is next scheduled to review compliance with this recommendation in Q5 (first quarter of 2018.)

¹ The International Association of Chiefs of Police, *Bicycle Patrol Model Policy* dated April 2014, was used as the model to compare for best practices.

Date: March 29, 2017
Rec Ref No.: 4.11.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 4.11.A

Exiger Finding

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

Exiger Recommendation ("ER")

Ensure UCPD's Active Shooter policy is consistent with best practices and revised so that the section on tactical responses is consistent with best practice.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

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

Proffer of Compliance from UCPD

None offered

Data Reviewed

1. UCPD General Order update dated February 16, 2017 and assigned S.O.P. #17.1.600
2. UCPD Active Shooter Presentation video on the UC website under Public Safety
3. Active Shooter training certificates and attendance roster submitted by UCPD
4. FBI Active Shooter training video "The Coming Storm" (E-mail with link uploaded to SmartSheet)

Current Assessment of Compliance

In Compliance

The original recommendation by Exiger stated that the Active Shooter policy should be revised to be consistent with the "Multi-Assault Counter-Terrorism Capability (MACTAC)" standards but it was agreed upon during the initial monitoring site visit that this recommendation would be modified so that the revised order would be consistent with "best practices". In review of the revised policy it appears to track the International Association of Chiefs of Police (IACP) model policy on Active Shooter response, although it is abbreviated in consideration of the size of UCPD

and lack of full time specialized units that are mentioned in the IACP policy. The guidelines and philosophies that are employed as best practice throughout the profession appear to be enumerated in the UCPD policy. Additionally, the UC website published a training video featuring the Director of Public Safety offering a presentation educating the UC community on what to expect during an active shooter scenario and how to respond. This presentation covers the “Run-Hide-Fight” training that evolved as a national standard in training for victims of mass shootings after numerous tragic scenarios of this type. Finally, all commissioned personnel viewed and were tested via Power DMS on the FBI Active Shooter training video entitled “The Coming Storm”, which presents as a shooting on a college campus.

Training certificates for instructors and students were submitted as proof of the training required for department personnel. The PowerDMS (automated training/testing software) rosters and tests were also included as proof of training. All but three sworn personnel have attended the training. It should be noted that neither the security officers nor emergency dispatch officers attended the training. As a result, subsequent discussions were held with a UCPD executive member (Captain D. Smith) who agreed with the importance of having all departmental personnel, including those sworn personnel who did not attend the training, view the FBI video “The Coming Storm” and take the requisite DMS test to include non-commissioned personnel as well as senior level command staff.

The training video by the Director mentioned above, talks about the difficulty in conducting live training scenarios for active shooter situations since there is always a high risk of non-involved citizens or in this case students and faculty observing the training, and creating a panic because they do not know that it is a training scenario. Be that as it may, live training scenarios in these types of incidents are extremely valuable and the department should devise a way to conduct them in a safe environment, and hopefully in partnership with other agencies that may be involved.

Next Reviews

The Monitor will assess the UCPD’s compliance with this recommendation on an ongoing, annual basis that will be scheduled in Q5 2018 and Q9 2019.

Attachments

The e-mail response from Captain D. Smith is available in the UCPD Documentation Repository in DR0012

Date: March 15, 2017

Rec Ref No.: 4.13.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 4.13.A

Exiger Finding

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

Exiger Recommendation ("ER")

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

MADC Definition of Compliance

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

Proffer of Compliance from UCPD

N/A

Data Reviewed

1. UCPD SOP No. 16.3.200: "Timely Warning and Emergency Notifications", SOP No. 16.3.200, dated February 17, 2017
2. Most recent UC's Public Safety report issued in 2016
3. Six months of archived Clery notifications: September 2016 thru February 2017

Current Assessment of Compliance

In Compliance

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

The UCPD had historically extended the reporting mandates of the Clery Act beyond the requirements of the act itself. Specifically, “Timely warning” notifications required by the Act were made for crimes occurring in off-campus areas that were not required to be made. As such, misunderstandings regarding the state of crime at UC compared to other universities was engendered. While crime in the neighborhoods abutting the University is of interest and should be published by UCPD, we concluded that Clery notifications, and statistics generated pursuant to the Act should remain only those called for by the Act.

In response, the UCPD modified both their Clery notification policy and procedures to ensure that Safety Alerts are only sent out for the specific crimes listed in the Clery Act and only for such crimes occurring within the reportable geographic areas as defined in the Act. . Any of those same crime type occurring outside the Clery boundary are also sent as notifications but are sent separately and titled “UC Aware” notifications to make the distinction between those that are on campus or within the immediate area, and those incidents that are further away geographically.

A review of the most recent six months of alert notifications, which are archived and available on the UC’s Public Safety website, revealed a total of 10 Safety Alerts (“Timely Warning” alerts under the Act) and 10 UC Aware notifications. The content and timing of each were reviewed and found to be appropriate.

The revised policy/SOP was also reviewed as compared to the prior documentation (training PowerPoint) and was found to be complete and compliant with the Clery Act requirements. The most recent Public Safety report, also available on the UC’s website, contained a listing of all crimes both on and off campus for the prior three years as required by the Clery Act.

In order to further their efforts of ensuring on-going compliance, on February 1, 2017 the UCPD elevated the Clery Compliance Specialist position within the organization who now reports to the Chief of Police.

Next Reviews

The Monitor will assess the UCPD’s compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 (Q1 2018) and Q9 (Q1 2019).

Attachments

See Smartsheet Data Repositories for:

- UCPD SOP No. 16.3.200: “Timely Warning and Emergency Notifications”, SOP No. 16.3.200, dated February 17, 2017
- Clery Act CSA Training PowerPoint
- UCPD Organization Charts, both Old and New

Date: March 18, 2017

Rec Ref No.: 5.6.C

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 5.6.C

Exiger Finding

While UCPD's recent decision to no longer require candidates to be pre-certified as police officers along with its decision not to give special consideration to candidates who have already completed the academy are critical steps toward increasing the diversity of the applicant pool, the plan can be enhanced.

Exiger Recommendation ("ER")

UCPD should consider a relocation bonus for qualified and appropriate lateral hires.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD gives meaningful consideration to enacting a policy of providing a relocation bonus for qualified and appropriate lateral hires.

Proffer of Compliance from UCPD

"The Department of Public Safety Business Office has conducted a review of Exiger recommendation 5.6C, relocation bonuses for lateral hires. Upon considering the University's thorough Human Resources and financial management systems, it has been determined that the departmental budget cannot absorb the expenditures and therefore respectfully rejects the recommendation."

Data Reviewed

UCPD Proffer of Compliance memo dated February 13, 2017

Current Assessment of Compliance

In Compliance

The UCPD's proffer clearly illustrates the UCPD's consideration of the ER and the subsequent rejection due to budgetary infeasibility.

Next Review

No further review of this recommendation is required.

Date: March 28, 2017

Rec Ref No.: 6.7.B

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 6.7.B

Exiger Finding

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

Exiger Recommendation ("ER")

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

MADC Definition of Compliance

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

Proffer of Compliance from UCPD

"The University of Cincinnati Police Division has developed a Training Policy draft that is much more inclusive with elements of community policing and problem solving. This training policy is evolving, but currently demonstrates a commitment to community policing, problem solving, and critical thinking by developing a list of "Core Competencies," which includes conflict resolution, problem solving, community-specific problems, and communications skills. These Core Competencies will aid in meeting our commitment to training in the areas of critical thinking, community policing, and problem solving. Our Standard Course Requirements ensure that lesson plans are consistent with our department mission, guidelines, and policies. In addition to the statements within the training policy, the training plan also displays the courses that are mandatory (Problem-Solving, Verbal Defense and Influence, and Fair and Impartial Policing) along with the time frame that each must be completed in. Furthermore, the required annual training plan also displays required refresher training for Problem-Solving, Verbal Defense and Influence, and Anti-Bias Policing. The early training of any officer in the subjects listed will take place in the initial 80 hour training or within a specified time frame as shown. Yearly training completed after will have a base annual requirement as shown; additional training will be determined after examining trends in policing and evaluating what is most relevant at the time.

Overall, the training plan will be evaluated on a yearly basis; the training will then be determined after the yearly evaluation.

Data Reviewed

UCPD Training and Development Policy dated March 22, 2017

Current Assessment of Compliance

In Compliance

The UCPD provided their most current version of its training policy, *Department of Public Safety, Police Div. Operations Policies and Procedures, Training and Professional Development* dated March 22, 2017 (“Training Policy”) which outlines the duties and responsibilities of the training unit as well as course content requirements.

The ER requires that curriculum be infused with elements of community policing, including a clear and unified message as to the UCPD’s commitment to community policing. Further, that training curriculum include critical thinking and problem solving skills throughout. The latter two elements have been infused into the training plan; however, community policing is not emphasized to the degree that is intended within the ER, or the in the manner that is defined by community policing experts.

The Training Policy includes the term “community policing” in reference to the Police Training Officer Program, and also under the patrol and supervisor competencies; however it is written in a manner that mentions only one element of community policing, that being problem solving. The term “community oriented policing” is also present in the 80-hour annual Continuing Professional Training (“CPT”) requirement, but on review of the CPT Annual Training Schedule, appears to be part of the 4-hour block on “Problem Solving Refresher” and again is centered on problem solving alone.

The absence of a requirement or emphasis that all UCPD officers are responsible for community policing in its basic form, that of creating an ongoing synergistic relationship between all members of the police organization and their community, is more than the basic crime “problem solving” aspect of community policing. UCPD officers should have instruction in the broader aspects of community policing not only problem solving using the SARA model or crime specific problem solving.

In order to enhance community policing within the UCPD and campus community, a better understanding of community policing should be included in the next iteration of the Training Policy. Community policing concepts should be expanded, clarified and defined, and an emphasis should be placed to ensure that basic community policing is a part of all pertinent curriculum. For example, the emphasis should be to include the overall purpose of community policing, which is to bridge gaps and promote transparency between the university community and the police in order to more effectively solve problems and improve the quality of life and ultimately improve the educational experience. The needs of a very unique community should be addressed in all training and a quality relationship created between all officers and their community, not only the two Community Engagement Officers.



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Given the UCPD considers the Training Policy to be a “living document” that will be revised as needed throughout the development and enhancement of its training on various subjects, the Monitor is comfortable with the determination of compliance for this assessment in Quarter 1, but will be assessing any revisions and implementation of this policy in future reviews.

Next Reviews

The Monitor will assess the UCPD’s compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 2018 and Q9 2019.

Date: April 4, 2017
Rec Ref No.: 6.7.G

TO: File
FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 6.7.G

Exiger Finding

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

Exiger Recommendation (“ER”)

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

MADC Definition of Compliance

Compliance with this recommendation will occur when:

1. UCPD implements a policy requiring that both diversity training and biased policing training be given annually;
2. UCPD provides annual diversity training and biased policing training; and
3. The new training is determined to be effective at increasing officer understanding of diversity and biased policing.

Proffer of Compliance from UCPD

“On October 5, 2015 the entire police department attended an in-house training that was 8 hours long entitled Fair and Impartial Policing (FIP). Then on the week of July 7, 2016 John DeJarnette and Lt. Rob Gutierrez attended a train the trainer program that will allow them to teach any incoming officer and every newly promoted sergeant. The attended program can be found at <http://www.fairimpartialpolicing.com/>. Every incoming officer will have the full 8 hour course and the recurring annual training will be a minimum of 1 hour as displayed in the training policy draft.”

Data Reviewed

UCPD Proffer (in italics above)
UCPD Training and Development Policy dated March 22, 2017
Annual Training Schedule, rev 3.17
FIP and Community Policing Curriculum and Rosters

Current Assessment of Compliance

In Compliance

The UCPD provided their most current version of its training policy, *Department of Public Safety, Police Div. Operations Policies and Procedures, Training and Professional Development* dated March 22, 2017 (“Training Policy”) which mandates that all patrol and security officers take a course on Fair and Impartial Policing (“FIP”). UCPD has been administering a Fair and Impartial training course, which was developed by the FIP Institute. This course includes lesson plans on Bias Free Policing and a module that covers Implicit Bias in detail.

The module on implicit bias includes case studies, and forces officers to consider situations where their implicit biases could affect their judgment. The stated goals of these lessons are to get officers to “*recognize (their) own human/implicit biases; understand how implicit biases can affect (their) perceptions and behavior; understand how biased policing negatively impacts community members and the department; and develop skills and tactics to reduce the influence of biases on police practice and allow you to be safe, effective and just police professionals.*” These lessons make clear that officers may not use race, color, ethnicity, or national origin, to any extent or degree, and that all conducted stops or detentions, or activities following stops or detentions, should be based solely on appropriate suspect-specific activity. They also make clear that even when officers are seeking one or more persons who have been identified or described in part by their race, color, ethnicity or national origin, these factors should not be given undue weight, and must work in combination with appropriate identifying factors. These trainings were taught by UCPD officers Robert Gutierrez and John DeJarnette, both of whom received their certificates of training for the FIP Officer’s Training.

The UCPD’s Training Policy, along with the Annual Training Plan, and the FIP curriculum, supports the UCPD’s proffer of compliance of the ER; the UCPD has in fact increased the amount of diversity and bias free policing training and requires the training annually.

A review of the training attendance documentation submitted for 2016 found that 70/74 (94.6%) of UCPD sworn officers attended the Bias Free Policing training; however, only 7/24 Security Officers and none of the Emergency Communication Dispatch Officers attended the course. While the UCPD’s proffer indicates that “the entire department” attended in-house training in October 2015, it is unclear whether this included Security Officers and Dispatchers. In any event, UCPD’s Annual Training Plan specifies the FIP training as mandatory for Patrol Officers, Patrol Supervisors and Security Officers. Notably, the policy excludes Dispatch Officers from the required training. While the Monitor commends the UCPD for exceeding the initial Exiger Recommendation by including the Security Officers in the annual training requirements, the Monitor suggests that going forward all UCPD employees including the Security and Dispatch officers attend the Bias Free Policing training. Because of potential public interaction at all levels of the Department and the possibility that biases at any level of the Department are undesirable, training all personnel simply makes the most sense. As such the MADC going forward will be modified to include training for all Department personnel.

Next Reviews

The Monitor will assess the UCPD’s compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 2018 and Q9 2019.

Date: March 28, 2017

Rec Ref No.: 6.12.C

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 6.12.C

Exiger Finding

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

Exiger Recommendation ("ER")

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

MADC Definition of Compliance

Compliance with this recommendation will occur when:

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

Proffer of Compliance from UCPD

"The University of Cincinnati Police Division developed a cumulative training policy implementing several recommendations suggested by Exiger. A copy of the policy is available demonstrating compliance for this specific recommendation. This policy is updated as additional proffers of compliance are submitted. The compliance of this recommendation begins on page 10 of the policy under "Approval" and continues onto page 11, 2nd bullet point from the top. All other documents needed to show compliance are included in remaining attachments.

Data Reviewed

1. UCPD Training and Development Policy dated March 22, 2017
2. UCPD Problem Investigations2 PowerPoint presentation
3. UCPD POP Training Outline and Lesson Plan
4. Sexual Assault Problem Solving Student Example
5. Problem Solving Roster
6. Instructor Bios
7. ICS Visual Analytics UCPD Manual Final

8. ICS dashboard roster
9. Case Studies and Theory

Current Assessment of Compliance **In Compliance**

The UCPD provided their most current version of its training policy, *Department of Public Safety, Police Div. Operations Policies and Procedures, Training and Professional Development* dated March 22, 2017 (“Training Policy”) which outlines the duties and responsibilities of the training unit as well as course content requirements.

The Training Policy contains a number of references to the fact that UCPD training course development must include problem-based scenarios and specific case study requirements are also addressed as a curriculum requirement. Case studies were included in the two examples of classes conducted by outside vendors (Data Reviewed items 3 and 4 above: Problem Oriented Policing, “POP”, and Sexual Assault). Both classes met the requirements for problem-based scenarios including one class requiring the students to research a problem using the POP tools.

The requirement for knowledge of diverse populations was included as a patrol officer competency and one of the two courses submitted included a scenario mentioning the LGBT community. Future problem-based scenarios should reinforce other diverse populations from within the UC community and the surrounding area served by the university.

Next Reviews

The Monitor intends to review compliance with ER 6.12.C on an ongoing basis, at minimum annually in Q5 2018 and in Q9 2019.

Date: March 29, 2017

Rec Ref No.: 6.14.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 6.14.A

Exiger Finding:

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

Exiger Recommendation (“ER”)

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

MADC Definition of Compliance

Compliance with this recommendation will occur when:

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

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

Proffer of Compliance from UCPD

“The above recommendations have been grouped together due to the topic of each recommendation falling under “Training Oversight.”

The University of Cincinnati Police Division has created a Training Policy draft that has specific items included within it in order implement the recommendations for training best practices provided in the Exiger Final Report. There have been several documents created, attached and to be discussed below, that will enable us to assess, evaluate, and approve any future course considered for training at UCPD. Lastly, it is asked that consideration be given to these recommendations for compliance as these documents and practices are only now being

implemented in the fashion that they will be done in the future; some of the documents are currently in draft form as well.

The training policy draft that has been created demonstrates that all courses, internal and external, will be reviewed and approved prior to attendance by the Training Lieutenant; it additionally states that curriculum will be maintained through a yearly training needs analysis to ensure that it is still best practice and meets the department mission statement. Lastly, the training policy states the questions to be examined when determining if an external course is to be implemented; these questions determine whether it meets minimum consideration requirements. The minimum requirements are the minimum standards that any course must meet or surpass to be implemented as training within the police division.

Additionally, the training policy draft specifically requires trainings and instructors to be evaluated. Instructors are to be evaluated by the students when completing a course, as well as evaluated by the Training Lieutenant or an appropriate delegate on a yearly basis. Evaluation, assessment, and implementation will be completed on an ongoing basis with the attached documents.

The attached documents also provide the approval process regarding the requirement of the training Lieutenant to approve all internal course and lesson plans along with the evaluation and approval of outside courses. Consideration is asked to be given as these documents have only recently been created, but will be utilized for future trainings, both internal and external.

Lastly, the Training Policy draft also requires the mandatory attendance by the Training Lieutenant or a delegate at all training for the purpose of evaluating any training prior to its implementation to ensure that it is consistent with the UCPD mission. Consideration is asked to be given in regards to compliance as the Course Consideration Analysis and the Curriculum Analysis for external course have only recently been developed. These documents will be utilized for any future training when determining whether or not to send an officer to training. Additionally, the list of all courses approved and denied in the attached excel spreadsheet from 2016 displays the training attended by the Training Lieutenant, highlighted in yellow. Future trainings will show documentation to demonstrate the evaluation process to ensure if specific training is either brought back here to train internally or others will be sent out to attend courses hosted by a third party.”

Data Reviewed

1. UCPD Training and Development Policy dated March 22, 2017
2. List of all non-UCPD training course requests Jan 2015 through Feb 2017

Current Assessment of Compliance

In Compliance

The UCPD provided their most current version of its training policy, *Department of Public Safety, Police Div. Operations Policies and Procedures, Training and Professional Development* dated March 22, 2017 (“Training Policy”) which outlines the duties and responsibilities of the training unit as well as course content requirements.

The Training Policy outlines the elements to be followed in the evaluation process of any outside or Vendor course including the specific requirements as described in ER 6.14.A. As a means to ensure consistency, the Training Committee uses a template “Course Consideration Analysis” to evaluate any proposed course. Copies of Outside Training Requests were attached covering a period of January 2015 through February 2017. While the documentation illustrates the process of logging requests to include the person requesting the training, along with the title and dates of the course, and the word “approved” or disapproved”, further detail should be added to the form to ensure proper tracking such as the name of the vendor, the date of request, the date of approval/denial, and who evaluated and approved/denied the training course, and confirmation of student attendance. Additionally, a syllabus or copy of the course content which was attended by each employee should be maintained within the training database to ensure an accurate record of employee training is available. This detailed information is important to create a historical record as well as for upcoming internal inspection/audit purposes. As such, future determinations of compliance will consider the inclusion of the above detail and supporting documentation review.

Next Reviews

The Monitor will assess the UCPD’s compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 2018 and in Q9 2019.

Date: March 31, 2017

Rec Ref No.: 6.15.D

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 6.15.D

Exiger Finding:

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

Exiger Recommendation ("ER")

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

MADC Definition of Compliance

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

Proffer of Compliance from UCPD

"The above recommendations have been grouped together due to the topic of each recommendation being "Training Oversight."

The University of Cincinnati Police Division has created a Training and Professional Development policy that has specific items included within it in order to gain compliance of each recommendation identified within this memorandum. Several documents were created to enable us to assess, evaluate, and approve all future courses considered for training at UCPD; these documents are discussed below. It is asked that consideration be given to these recommendations for compliance as these documents and practices are only now being implemented in the fashion that they will be done in the future.

The Training and Professional Development policy dictates that all internal and external courses be reviewed and approved by the Training Section Commander, or designee, prior to approving the course as part of the UCPD training curriculum. Additionally, the policy states that the curriculum will be maintained through a yearly training needs analysis to ensure that it continues to satisfy the departments training needs and meet the department mission statement. Lastly, the

Training and Professional Development policy outlines the criteria to be examined when determining if an external course is to be implemented; this criteria helps determine whether a course meets minimum consideration requirements. The minimum considerations requirements are the minimum standards all courses must meet in order to be approved as part of the police division's curriculum.

Additionally, the Training and Professional Development policy requires that all trainings and instructors be evaluated. Instructors are to be evaluated by the students when completing a course, as well as by the Training Section Commander, or appropriate delegate, on an annual basis. Evaluation, assessment, and implementation will be completed on an ongoing basis with the attached documents.

The attached documents also support the approval process, which requires the Training Section Commander to approve all internal and external courses and lesson plans. Consideration is asked to be given as these documents have recently been created and will be utilized for future trainings, both internal and external.

Lastly, the Training and Professional Development policy requires that, as part of the evaluation process, the Training Section Commander, or delegate, observe all training courses prior to the courses being implemented into the curriculum. Observation of the course is to ensure consistency with the UCPD mission. Consideration is asked to be given in regards to compliance as the Course Consideration Analysis and the Curriculum Analysis for external course have only recently been developed to accomplish this task. These documents will be utilized for all future training when determining whether to include the course into the UCPD curriculum.

Additionally, all courses attended by the Training Section Commander are highlighted in yellow in the attached excel spreadsheet that lists all courses approved and denied in 2016. Future trainings will include documentation demonstrating adherence to the new evaluation process.”

Data Reviewed

1. UCPD Training and Development Policy dated March 22, 2017
2. List of all non-UCPD training course requests approved and denied from 2016
3. Examples of course curricula being maintained

Current Assessment of Compliance

In Compliance

The UCPD provided their most current version of its training policy, *Department of Public Safety, Police Div. Operations Policies and Procedures, Training and Professional Development* dated March 22, 2017 (“Training Policy”) which outlines the duties and responsibilities of the training unit as well as course content requirements. The Training Policy outlines the elements to be followed in the review and approval process of any outside training course as described in ER 6.15.D. The UCPD also submitted examples of several course curricula as a means of demonstrating their requirement to retain such materials.



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While the documentation illustrates the process of logging requests to include the person requesting the training, along with the title and dates of the course, and the word “approved” or disapproved” - further detail should be added to the form to ensure proper tracking. For example it would be helpful to include the name of the vendor; the date of training request; the date of approval/denial and who evaluated and approved or denied the training course; and, confirmation of student attendance. As such, future determinations of compliance will consider the inclusion of the above detail and supporting documentation review.

Next Reviews

The Monitor will assess the UCPD’s compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 2018 and in Q9 2019.

Date: March 28, 2017

Rec Ref No.: 6.16.C

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 6.16.C

Exiger Finding

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

Exiger Recommendation (“ER”)

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

MADC Definition of Compliance

Compliance with this recommendation will occur when:

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

Proffer of Compliance from UCPD

“The above recommendations have been grouped together due to the topic of each recommendation falling under “Training Oversight.”

The University of Cincinnati Police Division has created a Training Policy draft that has specific items included within it in order implement the recommendations for training best practices provided in the Exiger Final Report. There have been several documents created, attached and to be discussed below, that will enable us to assess, evaluate, and approve any future course considered for training at UCPD. Lastly, it is asked that consideration be given to these recommendations for compliance as these documents and practices are only now being implemented in the fashion that they will be done in the future; some of the documents are currently in draft form as well.

The training policy draft that has been created demonstrates that all courses, internal and external, will be reviewed and approved prior to attendance by the Training Lieutenant; it additionally states that curriculum will be maintained through a yearly training needs analysis to ensure that it is still best practice and meets the department mission statement. Lastly, the training policy states the questions to be examined when determining if an external course is to be implemented; these questions determine whether it meets minimum consideration requirements. The minimum requirements are the minimum standards that any course must meet or surpass to be implemented as training within the police division.

Additionally, the training policy draft specifically requires trainings and instructors to be evaluated. Instructors are to be evaluated by the students when completing a course, as well as evaluated by the Training Lieutenant or an appropriate delegate on a yearly basis. Evaluation, assessment, and implementation will be completed on an ongoing basis with the attached documents.

The attached documents also provide the approval process regarding the requirement of the training Lieutenant to approve all internal course and lesson plans along with the evaluation and approval of outside courses. Consideration is asked to be given as these documents have only recently been created, but will be utilized for future trainings, both internal and external.

Lastly, the Training Policy draft also requires the mandatory attendance by the Training Lieutenant or a delegate at all training for the purpose of evaluating any training prior to its implementation to ensure that it is consistent with the UCPD mission. Consideration is asked to be given in regards to compliance as the Course Consideration Analysis and the Curriculum Analysis for external course have only recently been developed. These documents will be utilized for any future training when determining whether or not to send an officer to training. Additionally, the list of all courses approved and denied in the attached excel spreadsheet from 2016 displays the training attended by the Training Lieutenant, highlighted in yellow. Future trainings will show documentation to demonstrate the evaluation process to ensure if specific training is either brought back here to train internally or others will be sent out to attend courses hosted by a third party.”

Data Reviewed

- UCPD Training and Development Policy dated March 22, 2017
- Class Review Form for both internal and external courses
- Student Evaluation Form
- Course Consideration Analysis for external courses
- UCPD Facilitator Evaluation and Observation Form (draft)

Current Assessment of Compliance

In Compliance

The UCPD provided their most current version of its training policy, *Department of Public Safety, Police Div. Operations Policies and Procedures, Training and Professional Development* dated

March 22, 2017 (“Training Policy”) which outlines the duties and responsibilities of the training unit as well as course content requirements.

The Training Policy establishes a “Training Committee” which is appointed by the Chief of Police and includes the key members of the Department including the Training Unit staff, other members of the UCPD (an officer, a sergeant, a union representative, and a dispatch officer) and outside elements to include a member of the Student Safety Board and the Community Advisory Council. This proposed staffing of the Training Committee meets the requirement for a broad based advisory group so long as the specific personnel selected are aware of both the UCPD policies and training needs.

The Training Committee is provided a synopsis of all course student evaluations, and the annual instructor evaluation performed by the Training Unit (as required in ERs 6.14.A and 6.19.A) and must meet annually to conduct a “Training Needs Analysis” and is directed to consider new courses, both inside and by outside vendors via a review of minimum requirements to include problem-based scenarios, student performance objectives, and specific UCPD officer and/or supervisor competencies. The results of the analysis determines whether courses are to be used, continued, updated, or retired.

As described by the UCPD, the process outlined above is relatively new and as such, no completed documentation could be provided for review at this time. As such, the Monitor has determined that the UCPD meets the policy requirements of ER 6.16.C and will include a more in-depth evaluation of the implementation of the procedures outlined in the Training Policy during its next review.

Next Reviews

The Monitor will assess the UCPD’s compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 2018 and in Q9 2019.

Date: March 28, 2017
Rec Ref No.: 6.16.D

TO: File
FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 6.16.D

Exiger Finding

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

Recommendation (“ER”)

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

MADC Definition of Compliance

Compliance with this recommendation will occur when:

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

Proffer of Compliance from UCPD

“The above recommendations have been grouped together due to the topic of each recommendation falling under “Training Oversight.”

The University of Cincinnati Police Division has created a Training Policy draft that has specific items included within it in order implement the recommendations for training best practices provided in the Exiger Final Report. There have been several documents created, attached and to be discussed below, that will enable us to assess, evaluate, and approve any future course considered for training at UCPD. Lastly, it is asked that consideration be given to these recommendations for compliance as these documents and practices are only now being implemented in the fashion that they will be done in the future; some of the documents are currently in draft form as well.

The training policy draft that has been created demonstrates that all courses, internal and external, will be reviewed and approved prior to attendance by the Training Lieutenant; it additionally states that curriculum will be maintained through a yearly training needs analysis to ensure that it is still best practice and meets the department mission statement. Lastly, the training policy states the questions to be examined when determining if an external course is to be implemented; these questions determine whether it meets minimum consideration requirements. The minimum requirements are the minimum standards that any course must meet or surpass to be implemented as training within the police division.

Additionally, the training policy draft specifically requires trainings and instructors to be evaluated. Instructors are to be evaluated by the students when completing a course, as well as evaluated by the Training Lieutenant or an appropriate delegate on a yearly basis. Evaluation, assessment, and implementation will be completed on an ongoing basis with the attached documents.

The attached documents also provide the approval process regarding the requirement of the training Lieutenant to approve all internal course and lesson plans along with the evaluation and approval of outside courses. Consideration is asked to be given as these documents have only recently been created, but will be utilized for future trainings, both internal and external.

Lastly, the Training Policy draft also requires the mandatory attendance by the Training Lieutenant or a delegate at all training for the purpose of evaluating any training prior to its implementation to ensure that it is consistent with the UCPD mission. Consideration is asked to be given in regards to compliance as the Course Consideration Analysis and the Curriculum Analysis for external course have only recently been developed. These documents will be utilized for any future training when determining whether or not to send an officer to training. Additionally, the list of all courses approved and denied in the attached excel spreadsheet from 2016 displays the training attended by the Training Lieutenant, highlighted in yellow. Future trainings will show documentation to demonstrate the evaluation process to ensure if specific training is either brought back here to train internally or others will be sent out to attend courses hosted by a third party.”

Data Reviewed

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

Current Assessment of Compliance

In Compliance

The UCPD provided their most current version of its training policy, *Department of Public Safety, Police Div. Operations Policies and Procedures, Training and Professional Development* dated March 22, 2017 (“Training Policy”) which outlines the duties and responsibilities of the training unit as well as course content requirements.

The Training Policy requires the Training Lieutenant to approve both internal and external courses to evaluate their effectiveness using the Vendor Course Review form which includes a statement that the course was “*fully vetted and is consistent with UCPD policies and procedures as well as*

with the agency mission, vision, and values". Additionally, the Training Committee is directed to review and approve all proposed courses (internal and external) to ensure they meet mission, guidelines, policies, and include problem based scenarios.

As described by the UCPD, the process outlined above is relatively new and therefore no completed documentation could be provided for review at this time. As such, the Monitor has determined that the UCPD meets the policy requirements of ER 6.16.D and will include a more in-depth evaluation of the implementation of the procedures outlined in the Training Policy during its next review.

Next Reviews

The Monitor will assess the UCPD's compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 2018 and in Q9 2019.

Date: March 29, 2017

Rec Ref No.: 6.19.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 6.19.A

Exiger Finding

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

Exiger Recommendation (“ER”)

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

MADC Definition of Compliance

Compliance with this recommendation will occur when:

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

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

Proffer of Compliance from UCPD

“The above recommendations have been grouped together due to the topic of each recommendation falling under “Training Oversight.”

The University of Cincinnati Police Division has created a Training Policy draft that has specific items included within it in order to implement the recommendations for training best practices provided in the Exiger Final Report. There have been several documents created, attached and to be discussed below, that will enable us to assess, evaluate, and approve any future course considered for training at UCPD. Lastly, it is asked that consideration be given to these recommendations for compliance as these documents and practices are only now being implemented in the fashion that they will be done in the future; some of the documents are currently in draft form as well.

The training policy draft that has been created demonstrates that all courses, internal and external, will be reviewed and approved prior to attendance by the Training Lieutenant; it additionally states that curriculum will be maintained through a yearly training needs analysis to ensure that it is still best practice and meets the department mission statement. Lastly, the training

policy states the questions to be examined when determining if an external course is to be implemented; these questions determine whether it meets minimum consideration requirements. The minimum requirements are the minimum standards that any course must meet or surpass to be implemented as training within the police division.

Additionally, the training policy draft specifically requires trainings and instructors to be evaluated. Instructors are to be evaluated by the students when completing a course, as well as evaluated by the Training Lieutenant or an appropriate delegate on a yearly basis. Evaluation, assessment, and implementation will be completed on an ongoing basis with the attached documents.

The attached documents also provide the approval process regarding the requirement of the training Lieutenant to approve all internal course and lesson plans along with the evaluation and approval of outside courses. Consideration is asked to be given as these documents have only recently been created, but will be utilized for future trainings, both internal and external.

Lastly, the Training Policy draft also requires the mandatory attendance by the Training Lieutenant or a delegate at all training for the purpose of evaluating any training prior to its implementation to ensure that it is consistent with the UCPD mission. Consideration is asked to be given in regards to compliance as the Course Consideration Analysis and the Curriculum Analysis for external course have only recently been developed. These documents will be utilized for any future training when determining whether or not to send an officer to training. Additionally, the list of all courses approved and denied in the attached excel spreadsheet from 2016 displays the training attended by the Training Lieutenant, highlighted in yellow. Future trainings will show documentation to demonstrate the evaluation process to ensure if specific training is either brought back here to train internally or others will be sent out to attend courses hosted by a third party.”

Data Reviewed

1. UCPD Training and Development Policy dated March 22, 2017
2. List of all non-UCPD training courses (approved and denied) from 2016

Current Assessment of Compliance

In Compliance

The UCPD provided their most current version of its training policy, *Department of Public Safety, Police Div. Operations Policies and Procedures, Training and Professional Development* dated March 22, 2017 (“Training Policy”) which outlines the duties and responsibilities of the training unit as well as course content requirements.

The Training Policy requires the Training Unit (“TU”) Lieutenant or designee to personally observe and evaluate every UCPD and outside/Vendor training throughout the year and on an annual basis. All of the related evaluation forms are presented to the Training Committee for review during the annual “Training Needs Analysis.” The related external and in-house student course evaluation forms allow the student to evaluate the course content as it related to his or her job, and evaluate the effectiveness of the presenter. Annually the Training Lieutenant or designee conducts a Trainer Observation and Evaluation form of both internal and outside/Vendor

instructors which is a very detailed and comprehensive review designed to evaluate the effectiveness of the instructor (OPOTA courses and instructors are excluded from this evaluation and the standards contained within the Training Policy).

As described by the UCPD, the tracking documentation and the related processes are relatively new and should be bolstered to include further details to demonstrate TU attendance and evaluation of training courses as outlined in the Training Policy as required by ER 6.19.A. This detailed information is important to create a historical record as well as for upcoming internal inspection/audit purposes. Future determinations of compliance will include a review of both completed evaluation documentation and updated tracking information to ensure that the procedures outlined in the Training Policy are being followed.

Next Reviews

The Monitor will assess the UCPD's compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 2018 and in Q9 2019.

Date: March 9, 2017

Rec Ref No.: 7.1.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 7.1.A

Exiger Finding

UCPD's level of supervision has been seriously inadequate, but the recent creation and filling of sergeant positions and realignment of lieutenant positions are much needed organizational improvements.

Exiger Recommendation ("ER")

Each of the three patrol shifts should be made up of two squads of officers, with each squad having a permanently assigned sergeant who works the same rotating schedules as their officers.

MADC Definition of Compliance

Appropriate and reasonable consideration has been given to the question of whether each of the three patrol shifts are made up of two squads of officers with one sergeant assigned to each squad. Interview officers and observe conduct to make sure that this arrangement is being followed in practice.

Proffer of Compliance from UCPD

"A review was conducted of the current shift personnel allotment, off day rotations, ten hour work day shift schedule, and contractual agreements between the department and labor unions representing the officers and supervisors. The goal of the review to was to assess the impact of breaking down each shift into two squads, each with an assigned sergeant and a lieutenant that would work an equal amount with each squad. The results of the review concluded that the aforementioned recommendation would not be feasible for the department for several reasons.

When assessing the current off day rotations, ten hour shift schedules, and the shift allotment, it was determined that deviating from this would cause an uneven disbursement of personnel which may cause undue overtime in the event of an officer taking time off for training, vacation, or sick time. Further, it was determined that it may cause scheduling difficulties when trying to schedule officers to fill off-duty details. Additionally, and most constricting, the contractual obligations with the union representing the supervisors limits the off day rotations of sergeants to a different rotation than that of the officers.

Understanding the impetus of the Exiger recommendation, that being supervisor accountability

and direct supervision of subordinates for requests and evaluation, several administrative practices have been put in place. For instance, if an officer has a request for time off, they make the request through the supervisor that would be working during the time requested off. Moreover, the lieutenant in charge of the shift assigns half of the officers to each of the sergeants; those sergeants are responsible for those officers' monthly evaluations, annual evaluations, training requests, etc. Finally, the opposing rotating schedule for the supervisors allows each supervisor, lieutenant and sergeants, to work with each shift officer an equal amount of time. Coupled with the staggered off day rotations of each shift officer, this measure provides a more cohesive shift of officers where all personnel assigned to a shift work together equally.

In conclusion, the department doesn't believe that dividing each shift in half would have a substantial improvement on supervisor accountability to justify violating or renegotiating contractual agreements with labor unions, and potentially damaging the cohesiveness of the various shifts and personnel."

Data Reviewed

UCPD Memorandum outlining its proffer of compliance (in italics above)

Current Assessment of Compliance

In Compliance

The UCPD conducted a thorough evaluation to consider the recommendation of sergeant to officer supervision and accountability. Upon conclusion, the UCPD opted for other very reasonable and appropriate options in order to meet the spirit of the Exiger recommendation.

Next Reviews

No further review of this recommendation is required.

Attachments

UCPD 7.1.A Monitor Memorandum.doc

Date: March 10, 2017

Rec Ref No.: 7.1.B

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 7.1.B

Exiger Finding

UCPD's level of supervision has been seriously inadequate, but the recent creation and filling of sergeant positions and realignment of lieutenant positions are much needed organizational improvements.

Exiger Recommendation ("ER")

The Organization Chart ("Org Chart") should be redesigned and comprised of sub charts showing Field Operations and Support Services in greater detail. The Org Chart should also be updated to reflect latest changes to the organizational structure.

MADC Definition of Compliance

Compliance with this recommendation will occur when UCPD updates the Org Chart to include the most recent organizational changes and implements a mechanism that ensures that the Org Chart remains current.

Proffer of Compliance from UCPD

Submission of the Public Safety and UCPD Org charts along with a position description for the Unit Coordinator.

Data Reviewed

1. Most recently submitted Public Safety and UCPD Org charts
2. Pre-monitorship Org Chart dated 2015
3. Position description for the Unit Coordinator

Current Assessment of Compliance

In Compliance

The Monitor review the updated Org Charts compared and confirmed the charts have been updated to reflect the current organizational structure, and that the Charts illustrate both Field Operations and Support Services in greater detail as compared to the pre-monitorship Org Chart. The UCPD also formally assigned the task of keeping the Org Charts updated to the Public Safety Unit Coordinator which will help to ensure the process of updating organization charts remains current.

Next Reviews

No further review of this recommendation is required unless changes to the organizational structure occur.

Attachments (Smart Sheet)

1. Most recently submitted Public Safety and UCPD Org charts
2. Pre-monitorship Org Chart dated 2015
3. Position description for the Unit Coordinator

Date: March 30, 2017

Rec Ref No.: 7.3.B

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 7.3.B

Exiger Finding

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

Exiger Recommendation ("ER")

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

MADC Definition of Compliance

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

Proffer of Compliance from UCPD

"Shift supervisors have been tasked with performing at least one visit to each branch campus in order to inspect the officer assigned at the branch campus and to ensure they are in compliance with policies, procedures, and practices of the department. Further they are to ensure they are providing the customer service expected of a departmental employee. In addition to visiting officers at the branch campuses, the shift supervisor will make a concerted effort to meet with each patrol officer assigned to the main Uptown Campus. They must also check on any off-duty details that officers may be working on campus. Again, the supervisor will ensure the officer is in compliance with policies, procedures, and practices of the department. The supervisor will also attempt to meet with officers while they are dealing with the public to ensure they are providing effective customer service. These officer visits are documented in a column on the shift line-up sheet entitled "Field Visit". The two branch campuses are also noted on the bottom of the line-up sheet.

Regarding the adequacy of supervisor training, each supervisor has attended, at a minimum, a forty-hour class of police supervision. This class was held at either OPOTA or at Butler Tech Law Enforcement Institute. Both classes have the same curriculum and are state approved classes.

This class covers topics such as leadership, vicarious liability, and evaluation of subordinates, handling citizen complaints, discipline, and critical incident management.”

Data Reviewed

1. UCPD Patrol directive to supervisors
2. Blank 1st 2nd and 3rd shift line-ups
3. Completed Lineup sheets from March 5 thru 11, 2017
4. Supervisor course certifications
5. OPOTA First Line Supervisor course description

Current Assessment of Compliance

In Compliance

On February 16, 2017 the UCPD Patrol Commander sent a directive to all police supervisors requiring the shift supervisor to meet with each officer assigned on the shift, at least one time during the course of the shift, and must occur in the field including branch campuses. The supervisor is further directed to checkoff the task on the daily lineup sheet with an “x” in the “field visit” column. A review of 21 line up sheets (7 per shift) for the week of March 5 - 11, 2017 determined that the officers working received a daily in-field visit by their shift supervisors on average, 79% of the time.¹ The data did not indicate that any one officer, sergeant, or shift was lacking in daily field visits and given the nature of the patrol sergeant’s supervisory function the Monitor is comfortable concluding that UCPD sergeants are generally performing in-field supervision as required by ER 7.3.B. It is important to note however, that given the number of activities and tasks expected of patrol sergeants in performing their supervisory duties, the quality of field supervision cannot be measured by a lineup checkmark alone, but rather through viewing the many different connected processes.²

In 2015 the UCPD added the position of sergeant as a shift supervisor to oversee police officers in the field. There are currently 7 sergeants listed on the UCPD’s personnel roster and since this is a relatively new function, in addition to the in-field visits, consideration of the adequacy of the supervisor training was included in this assessment.

As requested, the UCPD provided a course description of the OPOTA supervisory training which appears to cover the necessary topics for a first line supervisor, however only one of the seven attended the OPOTA training. The remaining six attended supervisory training at Butler Technical Law Enforcement Institute which is proffered to be similar to OPOTA and state approved. A

¹ When an ER and the related UCPS Directive require a task to occur in every instance (e.g., ER 7.3.B requires an in-field visit each day for each officer on the shift), the standard for quantitative compliance is usually determined to be greater than 94 percent. However, in the case of supervisory oversight, which is the intention of ER 7.3.B, the supervisor’s actions should also be considered from a qualitative perspective and not sole quantitative.

² The sergeant training requirements will be assessed within ER 6.6.B, development of an annual training plan. Furthermore, many qualitative aspects of patrol supervision will be covered within ER 5.12.A which requires the updating of all UCPD policies and procedures to consider the new sergeant positions, and as part of ER 7.3.A which requires the development of a list of critical duties and responsibilities of the new positions.

review of the training certificates found that most of the training courses were attended many years prior to the sergeant promotions; specifically, six of the sergeants attended training prior to 2008 and as far back as 2002, the remaining sergeant attended the course in 2014.

While the OPOTA and Butler Tech training courses are Ohio State approved and are appropriate as a prerequisite for the application for promotion to sergeant, due to the age of the attendance and the critical nature of this newly added field sergeant role, the training alone could not have covered the most recent UCPD and nationwide police supervisory issues. Neither of the courses would have been tailored to cover the specific job requirements and expectations of a UCPD field sergeant. The Monitor engaged in subsequent discussions with UCPD command staff who agreed that some type of UCPD specific orientation training should be provided to, and required of, sergeants upon promotion and on a regular ongoing basis. As a result, the UCPD has revised its Annual Training Plan to include such training.

Next Reviews

The Monitor intends to review compliance with ER 7.3.B on an ongoing basis, at minimum annually in Q5 2018, and in Q9 2019.

Date: April 10, 2017
Rec Ref No.: 7.5.A

TO: File
FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 7.5.A

Exiger Finding

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

Exiger Recommendation

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

MADC Definitions of Compliance

Compliance with this recommendation will be achieved through an assessment of quality and timeliness of Complaint investigations concluded within the quarter. A timely investigation is one that, absent extenuating circumstances, is concluded within 90 days of the event, with the initial review occurring within 14 days from the date of the incident.

A quality investigation is one that is complete - identifies and explains the all supervisors with respect to post-incident response and conduct at the scene during the incident; includes a canvass of the scene to locate witnesses where appropriate; contains all appropriate interviews and evidence, or, if evidence is missing, an explanation of why the evidence is missing; addresses any inconsistent information; articulates the legal/policy basis for the officer's action; and, addresses any concerns raised regarding training, policy, or tactics.

Additionally, if during the course of any complaint investigation, the investigating officer has reason to believe that misconduct may have occurred other than that alleged by the complainant, the alleged victim of misconduct, the investigating officer must notify a supervisor, and an additional Complaint investigation of the additional misconduct issue shall be conducted.

Proffer of Compliance from UCPD

N/A

Data Reviewed

1. UCPD's Memorandum dated 2/15/17 Complaint Categorization
2. Complaint Investigations IA-17-01 through IA-17-13

Current Assessment of Compliance

Determination Withheld

While the 13 complaint investigations that occurred in Quarter 1 ("Q1") were reviewed, the Monitor is withholding its determination for this reporting period because the Methodologies to Aid in the Determination of Compliance ("MADC") for this ER had not yet been discussed or agreed upon, nor had the applicable policies been finalized and submitted for review.¹ The Monitor will assess this ER to include the 13 complaint investigations and any others occurring during Q2 in the next reporting period. Notwithstanding its full assessment of this ER to be reported in Q2, a summary of the incidents is included below.

Summary of Complaints Incidents

Ten of the 13 complaints are categorized as "Citizen Complaints" (generated externally) and all ten were related to a complaint of service and/or discourtesy. The remaining 3 of the 13 were categorized as "Internal Agency" as they were generated internally and relate to policy violations.

Seven of the 13 investigations were completed/closed, the remaining six are open. Of the seven closed investigations, six were found to be sustained and one not sustained.

Next Reviews

The Monitor will review all complaint and related investigations that occur on an ongoing basis.

Attachments

The data reviewed is available in the UCPD Document Repository DR #0004.

¹ The UCPD did not schedule ER 7.5.A for Quarter 1 as the applicable policies were not ready for submission.



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 31, 2017

Rec Ref No.: 7.11.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 7.11.A

Exiger Finding

There is no provision for an on-going outside independent assessor of the state of reforms of the UCPD.

Exiger Recommendation ("ER")

UCPD should consider entering into a voluntary independent monitorship which would provide regular status updates to the Board of Trustees and the public relative to the progression of reform within the Department.

MADC Definition of Compliance

N/A

Proffer of Compliance from UCPD

N/A

Data Reviewed

N/A

Current Assessment of Compliance

In Compliance

The University decided to adopt the recommendation calling for the voluntary acceptance of a Monitor. The University held an open competition after which Exiger was chosen to provide the Monitoring services under the leadership of the designated Monitor, Jeff Schlanger. The Monitor applauds the UCPD's decision to enter into a voluntary Monitorship as a method of tracking the collaborative implementation of all agreed upon reforms outlined in the recommendations of the Exiger Report.

Next Reviews

N/A

Date: March 29, 2017

Rec Ref No.: 8.1.B

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD's effort to develop and maintain a robust community affairs program is not centralized or coordinated.

Exiger Recommendations

The Community Affairs organization, as currently described in the Organization Chart, should be elevated to a more prominent position in the organization and should be staffed appropriately. Consider whether the newly created position of Director of Community Police Relations may be the appropriate position for leadership of the organization.

MADC Definitions of Compliance

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

1. The Community Affairs Organization has been elevated to a more prominent position on the Organization Chart;
2. The Community Affairs Organization is being staffed properly; and
3. UCPD provides documentation that it gave meaningful consideration to making the newly created position of Director of Community Police Relations the leader of the Community Affairs Organization;

Proffer of Compliance from UCPD

"Recommendation 8.1.B, indicates the Division should elevate the Community Affairs Unit to a higher level in the organization. Jointly, Director S. Gregory Baker and Chief Anthony G. Carter have evaluated this recommendation and the decision has been made to place the Section within the Patrol Bureau, as identified in the attached organizational chart. The unit is now staffed with 2 officers and a supervisor. The Community Affairs Section Protocol, also attached, clarifies the staffing structure and duties of the unit. Currently, the CAS is staffed by Officer Douglas Barge and Officer James Vestring, and is supervised by Sergeant Brian McKeel."

Data Reviewed

1. Community Affairs Section Policy (SOP 12.1.100)
2. Training and Professional Development Policy (SOP 6.1.100)
3. Community Engagement Officer Job Description
4. Community Engagement Supervisor Job Description
5. UC Department of Public Safety Organizational Chart

6. Problem Solving Course sign-in sheets
7. Supervisor Certificates

Current Assessment of Compliance

In Compliance

UCPD has adopted a policy regarding the Community Affairs Unit. On February 20, 2017, UCPD issued SOP Number 12.1.100, which is titled “Community Affairs Section,” and provides that “*it shall be the policy of the University of Cincinnati Police Division to actively engage with community organizations in a cooperative and proactive manner to create a safe and inclusive community.*” Regarding staffing, SOP 12.1.100 states that “*at minimum, the Community Affairs Section will consist of a Police Lieutenant, Sergeant and two University Law Enforcement Officers.*” According to both the UC Department of Public Safety Organizational Chart, and UCPD’s memorandum to the Monitor regarding recommendations 8.1.B and 8.1.C, the Community Affairs Section has been elevated to a position with a direct report to the Patrol Bureau Commander, who oversees the Field Operations Section. Subsequent discussions with UCPD clarified that the Community Affairs Section is temporarily being supervised by Sergeant Brian McKeel until the promotion process for the lieutenant can be completed, within approximately two months from the date of this memo.

UCPD’s memorandum to the Monitor regarding recommendations 8.1.B and 8.1.C clearly outlines how UCPD considered placing the Director of Community Police Relations as the leader of the Community Affairs Section, and why it ultimately decided not to. Most critically, the memo states that doing this “*would not be efficient or practical*” because “*the (Director of Community Police Relations) falls outside of the Department of Public Safety*” and that “*to give supervisory responsibility of a police function to an entity outside of the Police Division would create a logistical issue.*”

Next Reviews

No further review of this recommendation is required.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 29, 2017
Rec Ref No.: 8.1.C

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD's effort to develop and maintain a robust community affairs program is not centralized or coordinated.

Exiger Recommendations

Consider whether UCPD should create a separate Community Affairs Office that has dual reporting to both the Director of Community Police Relations and the Chief, thereby providing for greater visibility and operating authority throughout the Department.

MADC Definitions of Compliance

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

1. UCPD provides documentation that it gave meaningful consideration to making the newly created position of Director of Community Police Relations the leader of the Community Affairs Organization; and
2. The UCPD has appropriately and reasonably considered the creation of the Community Affairs Office and having it report directly to the Chief of Police;

Proffer of Compliance from UCPD

"Recommendation 8.1.C, suggests the Community Affairs Unit report directly to the Police Chief. The recommendation has been reviewed and the UCPD has decided to go with an alternative reporting structure. The basis of this decision is that a position that reports directly to the Police Chief should be of a critical nature to the agency and require a high level of confidentiality to warrant such a relationship. While the Community Affairs Unit is a significant function of the agency, it does not possess the level of confidentiality required for a senior command level direct reporting status. However, considering the important role community engagement and partnerships play in policing, the Division agrees there is a need to codify this philosophy. Therefore, the Division elevated the CAU to the "Community Affairs Section (CAS)" and assigned a lieutenant, as identified in Recommendation 8.2.A, to manage the section (currently supervised by an Acting Commander). The Community Affairs Section has been placed under the authority of the Patrol Bureau Commander. A more thorough description of this unit and its reporting structure is available in the CAS Protocol.

Additionally, it is recommended the Director of Police Community Relations (D-PCR) and the Chief of Police have joint supervisory authority over the CAS (Recommendation 8.1.C). This recommendation has been evaluated by both the D-PCR and the Chief of Police, and both agree this is would not be efficient or practical. The D-PCR falls outside of the Department of Public Safety. To give supervisory responsibility of a police function to an entity outside of the Police Division would create a logistical issue. Both, Mr. Baker and I agree it is in the best interest of the Police Division for the CAS and the Police Community Relations to have a strong working relationship. As such, the Police Division has committed to work with the Police Community Relations on an ongoing basis. This relationship requires the section commander work in concert with the D-PCR on a regular basis.”

Data Reviewed

1. UCPD’s Memo Proffer of Compliance
2. UC Department of Public Safety Organizational Chart

Current Assessment of Compliance

In Compliance

UCPD’s memorandum to the Monitor outlines how UCPD considered placing the Director of Community Police Relations as the leader of the Community Affairs Section, and why it ultimately decided not to. Most critically, the memo states that it “*would not be efficient or practical*” because “*the (Director of Community Police Relations) falls outside of the Department of Public Safety*” and that “*to give supervisory responsibility of a police function to an entity outside of the Police Division would create a logistical issue.*”

The memo also outlines how UCPD considered having the Community Affairs Section report directly to the Police Chief, and why it ultimately decided that this would not be the best arrangement. Notably, the memo states that “*a position that reports directly to the Police Chief should...require a high level of confidentiality to warrant such a relationship*” and that “*while the Community Affairs Unit is a significant function of the agency, it does not possess the level of confidentiality required for a senior command level direct reporting status.*”

Next Reviews

No further review of this recommendation is necessary.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 29, 2017
Rec Ref No.: 8.1.E

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

UCPD's effort to develop and maintain a robust community affairs program is not centralized or coordinated.

Exiger Recommendations

Consideration should be given to whether the Victim Services Coordinator belongs in the Community Affairs Office or whether it might be more appropriately housed elsewhere within UCPD or the University.

MADC Definitions of Compliance

Compliance with the above ER will be achieved when the UCPD reasonably and adequately considers whether the Victim Services Coordinator should be housed in the Community Affairs Office, within the UCPD, or elsewhere in the University.

Proffer of Compliance from UCPD

"Recommendation 8.1.E, requests the Division consider the appropriate placement of the Victim's Services Coordinator (VSC). Upon consideration by Chief Carter, it is determined the VSC would be better suited to the Investigations Unit than the Community Affairs Section. The VSC works independently; however, the vast majority of the work produced by this position is, and has been, in conjunction with the Investigative Unit. This relationship has been beneficial and efficient for the Division and community we serve. As such, the VSC will be housed in the Investigations Unit, as demonstrated in the attached UCPD Organization Chart."

Data Reviewed

1. UCPD's Memo Proffer of Compliance
2. UC Department of Public Safety Organizational Chart

Current Assessment of Compliance

In compliance

UCPD's memorandum to the Monitor outlines how UCPD considered the appropriate placement of the Victim's Services Coordinator (VSC), and why it ultimately decided to house the position in the Investigations Unit. Most critically, the memo states that the VSC is best suited to the



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Investigations Unit because *“the vast majority of the work produced by this position is, and has been, in conjunction with the Investigative Unit”* and that *“this relationship has been beneficial and efficient for the Division and community.”*

Next Reviews

No further review of this recommendation is required.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 29, 2017

Rec Ref No.: 8.2.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Beyond the Director of Community Police Relations, daily supervision and leadership of the Community Affairs Program currently relies on the good faith efforts and initiative of the Community Engagement Officer and the Public Information Officer, both of whom lack the formal responsibility or authority to be able to implement ideas and programs effectively.

Exiger Recommendations

The daily activities of the Community Affairs Office should be managed by a supervisor with formal operational authority to manage all of the various components of the Community Affairs mission.

MADC Definitions of Compliance

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

1. The UCPD Community Affairs Office is managed by a supervisor with formal operational authority; and
2. The supervisor is trained and capable of managing all of the various components of the Community Affairs mission.

Proffer of Compliance from UCPD

"8.2.A: Due to the overlapping nature of each of these recommendations, this memo addresses each of the aforementioned recommendations at once. Recommendation 8.2.B states the supervisor of the Community Affairs Section (CAS) should have the authority to access resources throughout the Division. Currently, the CAS is supervised by Sergeant Brian McKeel. The CAS Commander is empowered to directly coordinate police resources with the D-PCR, to the extent possible (see job description 8.2.C). Where the commander believes requested needs are outside of their purview, and consensus cannot be met, the request will be addressed through their chain of command. The CAS Commander will report to the Patrol Bureau Commander."

Data Reviewed

1. Community Affairs Section Policy (SOP 12.1.100)
2. Training and Professional Development Policy (SOP 6.1.100)
3. Community Engagement Officer Job Description
4. Community Engagement Supervisor Job Description
5. UC Department of Public Safety Organizational Chart
6. Problem Solving Course sign-in sheets

7. Supervisor Certificates

Current Assessment of Compliance **In Compliance**

According to both the UC Department of Public Safety Organizational Chart, and UCPD's memorandum to the Monitor regarding recommendations 8.2.B, 8.2.C, and 8.2.D the Community Affairs Section is currently being supervised by Sergeant Brian McKeel. Sgt. McKeel has received Certificates from the Police Training Institute in both Police Supervision I, and Police Supervision III. Based on the information contained in the Community Engagement Supervisor Job Description, Sgt. McKeel's essential function will be to "*independently assist with resolution of departmental and community problems/needs to accomplish departmental mission & goals, act as team resource person to provide leadership and guidance to UCPD, and perform the core duties of (a) university law enforcement officer.*" Based on this, the Monitor finds that UCPD has complied with elements 1 and 2 in the MADC Definition of Compliance section.

Next Reviews

No further review of this recommendation is required.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 29, 2017

Rec Ref No.: 8.2.B

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Beyond the Director of Community Police Relations, daily supervision and leadership of the Community Affairs Program currently relies on the good faith efforts and initiative of the Community Engagement Officer and the Public Information Officer, both of whom lack the formal responsibility or authority to be able to implement ideas and programs effectively.

Exiger Recommendations

The supervisor position could either be a civilian title or a uniformed title but should be of sufficient stature as to be able to coordinate resources across the organization, particularly those resources that are not specifically assigned to Community Affairs duties.

MADC Definitions of Compliance

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

1. The UCPD Community Affairs Office is managed by a supervisor with formal operational authority; and
2. The supervisor is trained and capable of managing all of the various components of the Community Affairs mission.

Proffer of Compliance from UCPD

“8.2.B: Due to the overlapping nature of each of these recommendations, this memo addresses each of the aforementioned recommendations at once. Recommendation 8.2.B states the supervisor of the Community Affairs Section (CAS) should have the authority to access resources throughout the Division. Currently, the CAS is supervised by Sergeant Brian McKeel. The CAS Commander is empowered to directly coordinate police resources with the D-PCR, to the extent possible (see job description 8.2.C). Where the commander believes requested needs are outside of their purview, and consensus cannot be met, the request will be addressed through their chain of command. The CAS Commander will report to the Patrol Bureau Commander.”

Data Reviewed

1. Community Affairs Section Policy (SOP 12.1.100)
2. Training and Professional Development Policy (SOP 6.1.100)
3. Community Engagement Officer Job Description
4. Community Engagement Supervisor Job Description
5. UC Department of Public Safety Organizational Chart

6. Problem Solving Course sign-in sheets
7. Supervisor Certificates

Current Assessment of Compliance

In Compliance

The documentation submitted clearly states that the Community Engagement supervisor's essential function is to "*independently assist with resolution of departmental and community problems/needs to accomplish departmental mission & goals, act as team resource person to provide leadership and guidance to UCPD, and perform the core duties of (a) university law enforcement officer.*" According to both the UC Department of Public Safety Organizational Chart, and UCPD's memorandum to the Monitor, and subsequent discussion with Chief Carter; the Community Affairs Section is temporarily being supervised by Sergeant Brian McKeel until the promotion process for the lieutenant can be completed, within approximately two months from the date of this memo. As an added proffer to assure the CAS is being properly supervised, the UCPD submitted Sgt. McKeel's supervisory training documentation which the Monitor found to be adequate as an interim measure until the permanent lieutenant position can be filled.

Next Reviews

No further review of this recommendation is required.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 29, 2017
Rec Ref No.: 8.2.C

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Beyond the Director of Community Police Relations, daily supervision and leadership of the Community Affairs Program currently relies on the good faith efforts and initiative of the Community Engagement Officer and the Public Information Officer, both of whom lack the formal responsibility or authority to be able to implement ideas and programs effectively.

Exiger Recommendation

The Community Affairs Office should be staffed by a minimum of two officers whose sole responsibilities are community affairs duties.

MADC Definitions of Compliance

Compliance with the above ER will be achieved when the UCPD staffs the Community Affairs Office with two or more officers whose responsibilities are exclusively focused on community affairs duties.

Proffer of Compliance from UCPD

“Recommendation 8.2.C recommends two officers be assigned to CA. Currently, the CAS Commander is directly responsible for the supervision of two officers, as described earlier, assigned to the Community Engagement Unit and has oversight of the civilian supervisor of the NightRide and Campus Watch Programs (currently, Barbara Hayes). In the 3rd Quarter 2017, the Division anticipates vacancies on the rank of sergeant. It is proposed that one of these vacancies go to the CAU as a first line supervisor, allowing the section commander to focus greater attention on facilitating the relationship between the Division and the D-PCR. Job descriptions for all officers in this unit are attached.”

Data Reviewed

1. Community Affairs Section Policy (SOP 12.1.100)
2. Training and Professional Development Policy (SOP 6.1.100)
3. Community Engagement Officer Job Description
4. Community Engagement Supervisor Job Description
5. UC Department of Public Safety Organizational Chart
6. Problem Solving Course sign-in sheets
7. Supervisor Certificates

Current Assessment of Compliance
In Compliance

According to both the UC Department of Public Safety Organizational Chart, and UCPD's memorandum to the Monitor the Community Affairs Section is currently being supervised by Sergeant Brian McKeel whose essential function is to "*independently assist with resolution of departmental and community problems/needs to accomplish departmental mission & goals, act as team resource person to provide leadership and guidance to UCPD, and perform the core duties of (a) university law enforcement officer.*" The Community Affairs Section is currently staffed by Officer Douglas Barge and Officer James Vestring. Based on the information contained in the Community Engagement Officer Job Description, these officer's responsibilities are exclusively focused on community affairs duties. UCPD's SOP 12.1.100 provides that one of the Sergeant's responsibilities is to "*designate Community Affairs Officers to specific community groups, with the goal to have Officers increase familiarity and ultimately build relationships with these groups*" and further lists specific community groups that officers will be assigned to and a series of activities that they will be expected to perform with those groups.

Next Reviews

No further review of this recommendation is required.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 29, 2017

Rec Ref No.: 8.2.D

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Beyond the Director of Community Police Relations, daily supervision and leadership of the Community Affairs Program currently relies on the good faith efforts and initiative of the Community Engagement Officer and the Public Information Officer, both of whom lack the formal responsibility or authority to be able to implement ideas and programs effectively.

Exiger Recommendation

UCPD should assign CE officers as community liaisons to designated community groups, reporting in this function to the Community Affairs Office.

MADC Definitions of Compliance

Compliance with the above ER will be achieved when the UCPD assigns CE officers to designated community groups, as per UCPD protocol.

Proffer of Compliance from UCPD

“Recommendation 8.2.D, states the Division should consider assigning the two CAU officers as community liaisons to designated community groups. This consideration has been evaluated and accepted. The unit has performed these duties for over a year. The members of CAU represent the Division at surrounding community residential and business association meetings. They work with the on-campus community for crime prevention and safety assessment, surveys, and presentations. They partner with local law enforcement agencies to address crime prevention and quality of life matters. Details about how these officers are assigned are included in the attached CAS Protocol.”

Data Reviewed

1. Community Affairs Section Policy (SOP 12.1.100)
2. Community Engagement Officer Job Description
3. Community Engagement Supervisor Job Description
4. UC Department of Public Safety Organizational Chart

Current Assessment of Compliance

In Compliance

According to both the UC Department of Public Safety Organizational Chart, and UCPD's memorandum the Community Affairs Section is currently being supervised by Sergeant Brian



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McKeel and further lists specific community groups that officers will be assigned to as well as a series of activities that they will be expected to perform with those groups.

Next Reviews

No further review of this recommendation is required.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 29, 2017
Rec Ref No.: 8.5.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Our review found little evidence that UCPD has adequately integrated a problem-oriented policing approach into their policing practices.

Exiger Recommendation

All UCPD personnel should be trained in a community policing problem solving approach.

MADC Definitions of Compliance

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

1. Greater than 94% of UCPD personnel are trained in community policing problem solving approach;
2. Community policing problem solving training is appropriate and in accordance with best practices.

Proffer of Compliance from UCPD

“8.5.A: The University of Cincinnati Department of Police Division completed three distinct trainings in early January 2017 that was completed by >94% of police. The first training that was completed consisted of learning the Institute of Crime Science (ICS) Visual Analytics program. This program is often referred to as “Dashboard” and is used to analyze data collected from the city’s CAD (Computer Aided Dispatch), the university’s CAD and the university’s reporting program. This “Dashboard” allows an officer to enter specific search criteria resulting in returns that allow for the analyzation of trends of crimes or particular areas, as well as crimes during specific times. Ultimately, this helps us to determine deployment strategies and to recognize any concerning trends that could require problem-solving skills and further analyzation. This program is currently available to all police officers to use at any time. Furthermore, supervisors also use this program in the same manner, but also have the ability to analyze officer’s calls for service, their performance, and their contact with the public.

The second training is entitled Problem Solving Case Studies: Analysis and Results and was taught by Dr. Tamara Madensen. This portion of the problem-solving class focused upon analyzing case studies of problem solving and then exploring the results. Discussion within this section included looking at case studies from around the country, as well as Cincinnati. The combination of the ICS Dashboard training and this training provided a solid base for further development of problem-solving skills.

The third training that was utilized to gain compliance was a Problem-Solving course taught by Julie Wartell. This training involved using the U.S. Department of Justice Crime Analysis for Problem Solvers guidebook as a foundation of learning different methodologies for problem-solving. This was a two-day course that involved learning the basic knowledge of problem-solving skills, theories of problem-solving and the evaluation of case studies. The final day culminated with each student group identifying a problem that is relevant to our community, to analyze the identified problem, and to create a presentation of the selected problem with possible solutions. This group work involved using the Dashboard system to determine any trends and locations that should be focused on. Overall, the two courses combined give the UCPD tools necessary to analyze data from our community as well as the ability to apply problem solving skills when necessary.”

Data Reviewed

1. Community Affairs Section Policy (SOP 12.1.100)
2. Training and Professional Development Policy (SOP 6.1.100)
3. Community Engagement Officer Job Description
4. Community Engagement Supervisor Job Description
5. UC Department of Public Safety Organizational Chart
6. Community Policing Problem Solving Course sign-in sheets
7. Supervisor Certificates

Current Assessment of Compliance

In Compliance

In January of 2017, at least 66 of the 68 sworn officers on UCPD’s current roster took the course on Community Policing Problem Solving (CPPS). As of the date of this memorandum, the CPPS course has been completed by 97.1% of UCPD officers within the past year. It should be noted, however, that the majority of UCPD’s Security Officers, and Emergency Communication Dispatch Officers did not attend the CPPS training. While not critical for compliance purposes, the Monitor suggests that these officers also attend the CPPS training as persons in those positions also interact with the public/campus community, and can play important role in the CPPS processes.

The UCPD used outside vendors - Julie Wartell and Dr John Eck - for the CPPS training and submitted the associated curriculum and lesson plans. These are both experts who are qualified and recognized professionals in the area of Problem Oriented Policing. The Monitor reviewed the curriculum and agrees that use of this training is appropriate.

Next Reviews

No further review of this recommendation is required.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 29, 2017

Rec Ref No.: 8.5.B

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE

Exiger Finding

Our review found little evidence that UCPD has adequately integrated a problem-oriented policing approach into their policing practices.

Exiger Recommendations

UCPD should consider enhancing the SARA model by adopting the CAPRA community policing problem-solving model being used by the LAPD and other police departments in the US and Canada.

MADC Definitions of Compliance

Compliance with the above ER will be achieved when the UCPD considers adopting CAPRA community policing problem solving model, and provides documentation of this consideration.

Proffer of Compliance from UCPD

"8.5.B: Assistant Chief Maris Herold extensively researched the CAPRA problem-solving model and considered its effectiveness for UCPD. It should be noted that UCPD Police Chief Anthony Carter and Assistant Chief Herold have firsthand knowledge of the CAPRA model after spending a significant amount of time at the Royal Canadian Mounted Police Academy observing CAPRA problem-solving scenarios. Assistant Chief Herold recognizes CAPRA is designed to enhance both community policing and problem-solving skills of police officers. Equally, the SARA problem-solving model emphasizes the same essential principles as CAPRA. Both CAPRA and SARA are internationally recognized problem-solving methodologies. However, SARA is utilized and known in the United States. In addition, the Center for Problem Oriented Policing, utilizes the SARA model in their instructional POP guides which are utilized by police agencies across the nation, including UCPD officers. Moreover, Dr. John Eck, the creator of the SARA model, is a Professor at UC's Criminal Justice Department. Since, numerous UCPD officers attend the University of Cincinnati's Criminal Justice Program, and have become indoctrinated with the SARA model; it would be the preferred model to utilize for UCPD problem-solving projects. In addition, UCPD officers recently received 16 hours of problem-solving training by internationally recognized experts who emphasized the SARA model in their lesson plans and instruction. This training reinforced Dr. Eck's SARA methodology. UCPD has researched,

compared, and considered both models. Based on the above, UCPD believes the SARA methodology is the preferred.”

Data Reviewed

1. Community Affairs Section Policy (SOP 12.1.100)
2. Training and Professional Development Policy (SOP 6.1.100)
3. Community Engagement Officer Job Description
4. Community Engagement Supervisor Job Description
5. UC Department of Public Safety Organizational Chart
6. Problem Solving Course sign-in sheets
7. Supervisor Certificates

Current Assessment of Compliance

In Compliance

UCPD’s memorandum to the Monitor regarding recommendation 8.5.B outlines how UCPD has “*researched, compared, and considered*” both the CAPRA model and the SARA model, and why it ultimately decided to go with the SARA model. Most critically, the memorandum stresses that numerous UCPD officers have already become indoctrinated with the SARA model because (1) Dr. John Eck, the creator of the SARA model, is a professor at UC’s Criminal Justice Department, and (2) the SARA model has been emphasized during UCPD officer training.

Next Reviews

No further review of this recommendation is required.

Attachments

The data reviewed is available in the UCPD Document Repository connected with the related ER.

Date: March 20, 2017
Rec Ref No.: 10.2.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 10.2.A

Exiger Finding

There is currently limited utilization of video surveillance in the off-campus designated patrol areas.

Exiger Recommendation (“ER”)

UCPD, working with CPD and appropriate neighborhood organizations, should consider providing significantly greater deployment of video surveillance in the off-campus patrol areas. Video surveillance can potentially be monitored for crimes in progress, holding promise for both apprehension and deterrence, as well as being reviewed as an evidentiary tool in the case of a past crime.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD gives meaningful consideration to significantly increasing the deployment of video surveillance in the off-campus patrol areas to monitor crimes in progress, assist in apprehension and deterrence, and gather evidence in past crimes. If UCPD chooses to increase the use of video surveillance, it does so in conjunction with both CPD and neighborhood organizations.

Proffer of Compliance from UCPD

“UCPD has decided not to install off campus cameras at this time due to the complexity and cost to network them back to campus. In discussions between the UC Network Operations Center and Diane Brueggemann in August 2016, the options to network off campus included private fiber, VPN, and firewall open ports. Due to the costs and/or security vulnerabilities these options presented and the readily available option to view CPD cameras, no further action was taken to investigate the installation of cameras off campus.”

As of October 11, 2016, UCPD has access to view city cameras via an app installed on iPads which can be connected to large monitors. CPD recently added several new cameras in preparation for the Tensing trial in fall 2016. Fifteen of the city cameras have views in the area surrounding UC. In conversations with city camera representatives, it was noted that these cameras are wireless and can be moved to other areas if needed”

Data Reviewed

UCPD Proffer of Compliance memo dated February 14, 2017

Current Assessment of Compliance

In Compliance

As described in the UCPD's proffer of compliance, the UCPD has given reasonable consideration of the ER and while not adopted, the UCPD has taken other remedial steps in an effort to comply with the spirit of the ER – to use off-campus video surveillance as a means to better their service to the University of Cincinnati campus community.

We urge UCPD to continue its dialogue with the City to move toward even greater coverage of the relevant off-campus areas, including the sharing of costs for such coverage.

Next Review

No further review of this recommendation is required at this time.

Date: March 29, 2017

Rec Ref No.: 10.6.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 10.6.A

Exiger Finding

UCPD maintains a remote controlled bomb robot within its inventory. It is unclear if any member of the department is appropriately trained on its use, nor are there policies in place for its deployment and utilization.

Exiger Recommendation ("ER")

Ensure that UCPD conducts a cost benefit analysis of the need for the use of the bomb robot in light of the existing mutual aid agreements with and response times of bomb squads in neighboring jurisdictions and the cost of maintaining adequate training for its utilization.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD evaluates the need and potential utilization of the bomb robot against the total cost of maintaining adequate training for its utilization, considering existing mutual aid agreements with and response times of bomb squads in neighboring jurisdictions.

Proffer of Compliance from UCPD

The UCPD command staff and Emergency Management Director Ed Dadosky jointly agreed to suspend the department's Hazardous Device Unit on September 1st 2016. It was determined to no longer be a departmental need as the local fire department and local Hazmat Teams offer those services if the need for them arose. In addition, the department now has bomb canine units that conduct most of the department's security and bomb sweeps.

All equipment in the unit, including the Bomb Robot, is being liquidated and was sent to the University of Cincinnati's Assets and Utilization Department for public sale. I have included the inventory of the items that were transferred to UC Assets and Utilization with receipt from Teig Farrell, Director of Assets & Utilization. I have also included a photo of the room on campus in which we stored our equipment for the unit displaying an empty room.

Because the department has liquidated this equipment, initial and refresher training related to it, as recommended in 10.6.B, is not necessary.

Data Reviewed

1. UCPD Memorandum outlining its proffer of compliance (in italics above)
2. UC Assets Receipt
3. CBRNE Truck delivery verification
4. HDU Room delivery verification (3)
5. HDU Room photo

Current Assessment of Compliance

In Compliance

During the initial review of the UCPD, the UCPD indicated that it had within its arsenal a remote controlled bomb robot. Based on our findings and recommendations, the UCPD examined the bomb robot issue and determined the equipment and the unit it was assigned to was no longer a department need as the local fire department and local Hazmat Teams offer services that made the robot and HDU team non-essential. As such all associated equipment was liquidated and proof of liquidation was provided.

Next Reviews

No further review of this recommendation is required.

Attachments

The UCPD Memorandum and listed attachments are available in the UCPD Documentation Repository in DR0045.

Date: March 29, 2017

Rec Ref No.: 10.6.B

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 10.6.B

Exiger Finding

UCPD maintains a remote controlled bomb robot within its inventory. It is unclear if any member of the department is appropriately trained on its use, nor are there policies in place for its deployment and utilization.

Exiger Recommendation ("ER")

Ensure that should UCPD determine a potential need for the utilization of the bomb robot, UCPD must develop an appropriate training that includes exercises with agencies who provide mutual aid in relevant situations and qualifies a select group of sworn officers on the proper utilization of the bomb robot and bomb disposal.

MADC Definition of Compliance

Not applicable due to decision to liquidate the Bomb Robot.

Proffer of Compliance from UCPD

The UCPD command staff and Emergency Management Director Ed Dadosky jointly agreed to suspend the department's Hazardous Device Unit on September 1st 2016. It was determined to no longer be a departmental need as the local fire department and local Hazmat Teams offer those services if the need for them arose. In addition, the department now has bomb canine units that conduct most of the department's security and bomb sweeps.

All equipment in the unit, including the Bomb Robot, is being liquidated and was sent to the University of Cincinnati's Assets and Utilization Department for public sale. I have included the inventory of the items that were transferred to UC Assets and Utilization with receipt from Teig Farrell, Director of Assets & Utilization. I have also included a photo of the room on campus in which we stored our equipment for the unit displaying an empty room.

Because the department has liquidated this equipment, initial and refresher training related to it, as recommended in 10.6.B, is not necessary.

Data Reviewed

1. UCPD Memorandum outlining its proffer of compliance (in italics above)
2. UC Assets Receipt



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3. CBRNE Truck delivery verification
4. HDU Room delivery verification (3)
5. HDU Room photo

Current Assessment of Compliance

Not Applicable

This ER is not applicable given the decision of UCPD to eliminate the bomb robot from its arsenal.

Next Reviews

No further review of this recommendation is required.

Attachments

The UCPD Memorandum and listed attachments are available in the UCPD Documentation Repository in DR0045.

Date: March 8, 2017

Rec Ref No.: 10.7.A

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 10.7.A

Exiger Finding

UCPD maintains a Remington bolt action sniper rifle within its equipment inventory designated as a SWAT weapon. It appears that no member of the department is trained on its use, nor are there policies in place for its deployment and utilization.

Exiger Recommendation (“ER”)

UCPD should evaluate the need and potential utilization of the sniper rifle taking into consideration mutual aid agreements with and response times of SWAT teams in neighboring jurisdictions against the total cost of maintaining adequate training for its utilization.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD evaluates the need and potential utilization of the sniper rifle against the total cost of maintaining adequate training for its utilization, considering existing mutual aid agreements with and response times of SWAT teams in neighboring jurisdictions.

Proffer of Compliance from UCPD

“The rifle that was identified in the inventory was a Remington Bolt-Action rifle. This particular rifle is not maintained as a SWAT sniper rifle; it is utilized only for training drills by the UCPD officers that are members of the Hamilton County Police Association Honor Guard. The weapon currently has a blocked barrel and does not possess a firing pin (see attachments).

Because the rifle is an honor guard firearm only, and is non-functioning, initial and refresher training related to it, as recommended in 10.7.B, is not necessary.”

Data Reviewed

1. UCPD Memorandum outlining its proffer of compliance (in italics above)
2. Remington Bolt Action photos

Current Assessment of Compliance

In Compliance

During the initial review of the UCPD, the UCPD indicated that it had in its arsenal, a sniper rifle. Upon further review and evaluation the UCPD determined, and the Monitoring team verified, that said rifle was in fact a non-functioning rifle used by the Hamilton County Police Association



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Honor Guard. While onsite during the first quarter, the Monitoring team viewed photographs which clearly illustrated the non-functioning parts of the rifle. The UCPD does not intend to have functioning weapons of this nature now or going forward.

Next Reviews

No further review of this recommendation is required.

Attachments

10.7.A & B Monitor to File Memorandum.doc

Date: March 8, 2017
Rec Ref No.: 10.7.B

TO: File

FROM: Monitor Team

SUBJECT: ASSESSMENT OF COMPLIANCE 10.7.B

Exiger Finding

UCPD maintains a Remington bolt action sniper rifle within its equipment inventory designated as a SWAT weapon. It appears that no member of the department is trained on its use, nor are there policies in place for its deployment and utilization.

Exiger Recommendation (“ER”)

Should the above-recommended evaluation conclude that there is justification to retain the rifle, appropriate initial and refresher training and qualification of a select group of sworn officers on the utilization of the rifle should be developed and deployed. Training should include exercises with those agencies who would provide mutual aid in SWAT situations.

MADC Definition of Compliance

Not applicable due to non-rifle status.

Proffer of Compliance from UCPD

“The rifle that was identified in the inventory was a Remington Bolt-Action rifle. This particular rifle is not maintained as a SWAT sniper rifle; it is utilized only for training drills by the UCPD officers that are members of the Hamilton County Police Association Honor Guard. The weapon currently has a blocked barrel and does not possess a firing pin (see attachments).”

Because the rifle is an honor guard firearm only, and is non-functioning, initial and refresher training related to it, as recommended in 10.7.B, is not necessary.”

Data Reviewed

1. UCPD Memorandum outlining its proffer of compliance (in italics above)
2. Remington Bolt Action photos

Current Assessment of Compliance

In Compliance

During the initial review of the UCPD, the UCPD indicated that it had in its arsenal, a sniper rifle. Upon further review and evaluation the UCPD determined, and the Monitoring team verified, that said rifle was in fact a non-functioning rifle used by the Hamilton County Police Association



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Honor Guard. While onsite during the first quarter, the Monitoring team viewed photographs which clearly illustrated the non-functioning parts of the rifle. The UCPD does not intend to have functioning weapons of this nature now or going forward.

Next Reviews

No further review of this recommendation is required.

Attachments

10.7.A & B Monitor to File Memorandum.doc



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 27, 2017

Rec Ref No.: 11.1.D

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 11.1.D

Exiger Finding

UCPD has implemented body cameras which already places it ahead of most University police departments. The body camera policy, however, does not address a number of issues, including how video is handled subsequent to an incident involving a shooting or serious use of force.

Exiger Recommendation (“ER”)

The UCPD should consider including the body camera policy as a topic of discussion in community forums, student body meetings, etc.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD gives meaningful consideration to using its body camera policy as a topic of discussion in community forums and student body meetings.

Proffer of Compliance from UCPD

“The UCPD first equipped officers with body cameras in 2014, and created policies regarding their use and video storage. The UCPD’s body camera policy has been discussed during numerous public forums at the University of Cincinnati during the months after the officer-involved shooting. At that time, the greatest public concern was that officers were allowed to view the video footage prior to providing official statements after an officer-involved shooting. Use of force and body camera experts have since testified during the trial of Raymond Tensing, and these issues are now no longer raised at our public forums.

The body worn camera policy of the UCPD is publicly available on the Office of Safety and Reform’s website. Additionally, there has been extensive media coverage on UCPD’s body camera policy. Public sentiment has been generally favorable regarding the issuing of body cameras and our corresponding policies. Rather than being concerned about UCPD, community members have raised concerns with the Cincinnati Police Department for their lack of body cameras (implementation has now begun for CPD, based in part on this community pressure).

In the months after the trial, the UCPD has not received any negative feedback regarding the inadequacy of the body camera policy; rather, the use of cameras and associated policies have been praised. Therefore, we believe it would be more productive for UCPD to introduce topics of



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greater importance to the community during our public forums; we will, of course, answer any specific questions posed regarding our body camera policies and procedures. And we will continue to post the body camera policy and notify the public of any changes to this policy.”

Data Reviewed

None other than UCPD proffer (in italics above)

Current Assessment of Compliance

In Compliance

Based on the UCPD’s proffer of compliance it is clear that meaningful consideration has been given and adequate steps based on the information provided.

Next Reviews

No further review is required.



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 27, 2017

Rec Ref No.: 11.2.C

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 11.2.C

Exiger Finding

The battery life of the body cameras is only 7-8 hours. Some of the cameras deployed go into “offline mode,” which means the camera must be “reassigned” to the officer in Evidence.com by the system administrator. UCPD purchased very limited storage space (400 GB of storage for the entire camera deployment), which will fill up quickly, requiring video to possibly be deleted earlier than retention requires.

Exiger Recommendation (“ER”)

UCPD should consider engaging a provider for additional system training, to ensure the Department is making full use of the features and functionality of its video management system.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD gives meaningful consideration to engaging a provider for additional system training in order to ensure that the Department is making full use of the features and functionality of its video management system.

Proffer of Compliance from UCPD

“The UCPD sent Lt. Tim Barge to a four day instructor class to become a certified AXON Instructor for all the AXON equipment including Dash cameras, body cameras, and Evidence.com (Cloud Base storage).”

Data Reviewed

UCPD proffer (in italics above)
AXON training certificate, Lt. Tim Barge

Current Assessment of Compliance

In Compliance

Based on the UCPD’s proffer of compliance and accompanying certificate of training, the UCPD considered, accepted and has taken steps to fully implement the features and functionality of its video management system.

Next Reviews

No further review is required.



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Attachments

The data reviewed are available for review within the UCPD Document Repository under DR 0051.



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 27, 2017

Rec Ref No.: 11.3.B

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 11.3.B

Exiger Finding

Officers are not consistently categorizing the video as they capture it, leaving a considerable number of uncategorized videos. This could have a significant impact on video retention, and UCPDs ability to produce video as required by law. The current practice is to label or “tag” each video with a suspect’s name.

Exiger Recommendation (“ER”)

To aid in the effort of properly tagging video, UCPD should consider contracting with a vendor that allows for CAD integration with its video management system. By interfacing with CAD, the video management system would be able to utilize various attributes (e.g., date, time, geo-location, officer involved, etc.) to automatically associate video with the related incident in CAD.

MADC Definition of Compliance

Compliance with this provision will be achieved when:

- 1) UCPD gives meaningful consideration to contracting with a vendor that allows for CAD integration with its video management system;
- 2) If integration does occur, the video management system is able to utilize various attributes (e.g., date, time, geo-location, officer involved, etc.) to automatically associate video with the related incident in CAD.

Proffer of Compliance from UCPD

“UCPD has contracted with Taser International for video management. Per Lt. Barge, CPD has Taser video management as well and is already integrating with CPD CAD. Lt. Barge is in contact with the city and is setting up a meeting in early March to learn how to fully implement this integration. Attached is the signed Taser contract and purchase order as evidence of consideration and follow through on procuring the video system.

Attachments

Data Reviewed

1. UCPD proffer (in italics above)
2. 11.3.B Signed Taser Contract
3. 11.3.B PO # 4500095979



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Current Assessment of Compliance
In Compliance

Based on the review of the UCPD's proffer of compliance and the TASER contract provided, the UCPD has considered and adopted the ER, and is taking steps to fully implement the CAD integration.

Next Reviews

No further review is required.



Date: March 21, 2017
Rec Ref No.: 11.6.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 11.6.A

Exiger Finding

The dispatch center includes three CAD positions for dispatching, but only two of those positions are equipped with a radio console.

Exiger Recommendation (“ER”)

The UCPD should add a radio console to the third position so the Department can better handle multiple calls at the same time.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD adds a third radio console at the dispatch center.

Proffer of Compliance from UCPD

The contract for the 3rd radio console was initiated on 8/11/16. The Purchase order was issued on 9/23/2016. The console was installed in October 2016 with acceptance testing on October 25, 2016.

Data Reviewed

Memo 11.6.A Contract for 3rd Radio Console
Purchase Order for 3rd Radio Console
Radio Console Testing Document
Photograph of 3rd Radio Console Photo

Current Assessment of Compliance

In Compliance

As recommended during the Exiger Review, the UCPD purchased and had installed a third radio console in order to better handle multiple radio calls for service. This action demonstrates the UCPD’s willingness to ensure a timely response to emergency requests from the UC campus community.

Next Reviews

No further review of this Exiger Recommendation is necessary.

Date: March 27, 2017

Rec Ref No.: 11.8.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 11.8.A

Exiger Finding

The UCPD has implemented “Live Safe,” a mobile application that allows students to text tips to UCPD Dispatch and attach photos, call the campus police, or dial 9-1-1. Dispatchers monitor the system for tips, and to ensure that if a true emergency is submitted as a tip, officers can respond accordingly. The Live Safe app also provides “follow me” functionality so a student can have a friend watch his/her location as they walk across campus.

Exiger Recommendation (“ER”)

LiveSafe or similar program provides a great safety feature that should be implemented at colleges across the country. The UCPD should explore ways to expand adoption both on campus and potentially off-campus as well.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD explores ways to enhance and expand the use of "LiveSafe" or similar program both on and off campus.

Proffer of Compliance from UCPD

“UCPD is switching its Emergency Notification System from NIXLE to RAVE which is a more comprehensive and integrated solution. In turn, UCPD is also switching from LiveSafe to RAVE Guardian which is a component of the RAVE Notification System. Please see the attached which details the plan to switch to RAVE Guardian and enhance and expand the use of this type of application both on and off campus. The plan is a draft as some items may need to be modified depending upon budget and resources.”

Data Reviewed

UCPD Memo Proffer of Compliance
Guardian App Mrkt-Promo Plan

Current Assessment of Compliance

In Compliance

The UCPD’s decision for changing from LiveSafe to the RAVE Guardian notification system is commended as 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



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community. The UCPD's associated plan addresses both on and off campus for implementation (the first stages of implementation will begin in the summer 2017 and final should be completed in spring of 2018), is well thought out, and considerate of the potential communication complications that can arise when switching from one form of electronic system to another.

Next Reviews

The Monitor intends to review compliance with ER 11.8.A in Q7 2018 in order report on the status of implementation of the RAVE Guardian application.

Attachments

Data reviewed is available in the Document Repository under DR0054.



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 20, 2017
Rec Ref No.: 11.10.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 11.10.A

Exiger Finding

Public Safety Technical Services lacks project management resources to manage system implementations. IT projects may be at risk not because of technical issues, but due to lack of proper project management.

Exiger Recommendation (“ER”)

The University should consider adding one IT Project Manager to its Public Safety Technical Services staff to ensure large IT projects are implemented according to IT project management best practices.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD gives meaningful consideration to adding one IT Project Manager to its Public Safety Technical Services staff.

Proffer of Compliance from UCPD

“Consideration was already given in early 2016 to add an IT Project Manager. Budget request was submitted 3/10/2016 asking for additional funds to convert an open Electronic Security Technician Position to the IT Project Manager Position. This was approved and Steve Siereveld, an experienced Project Manager, was hired and started working on 11/28/2016.”

Data Reviewed

UCPD Proffer of Compliance memo dated February 14, 2017

Current Assessment of Compliance

In Compliance

The UCPD’s proffer demonstrates both the UCPD’s consideration and adoption of the ER.

Next Review

No further review of this recommendation is required.



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 30, 2017
Rec Ref No.: 12.2.B

TO: File
FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 12.2.B

Exiger Finding

The UCPD CAD system does not allow for easy access to stored data, and is not integrated with the UCPD's ARMS system.

Exiger Recommendation ("ER")

UCPD should research whether the new CAD system from TriTech can be integrated into ARMS. Many electronic records management systems, including ARMS, allow for an integrated CAD that imports related CAD data into the electronic records management system's incident report, thus eliminating the need for manual entry of CAD-related data to an incident report and the risk of data entry errors.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD gives meaningful consideration to fully integrating the CAD system data into ARMS and, if integration occurs, the new integrated system effectively combines the data included on both systems.

Proffer of Compliance from UCPD

"ARMS and CPD CAD are on separate secured networks which cannot be bridged. [12.2.C] UCPD has decided that the benefits of being on the CPD CAD system outweigh the benefits of a separate CAD system integrated with ARMS so UCPD will continue to use CPD CAD. The benefits of using the CPD CAD include the ability for UCPD to see what is happening in the areas surrounding the campus and improved communication between CPD and UCPD facilitating an improved joint working relationship. Please see attached purchase order and invoice as confirmation of continued use of CPD CAD."

Data Reviewed

UCPD proffer (in italics above)

Current Assessment of Compliance

In Compliance



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Based on its proffer above, UCPD has clearly researched the possibility of integrating the CAD system data into the ARMS and rightfully concluded that it was not feasible due to system incompatibility security reasons.

Next Reviews

No further review of ER 12.2.B is necessary.

Connected and/or Related Issues

ER12.2.C

Attachments

The data reviewed are available for review within the UCPD Document Repository under DR 0058.



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 30, 2017
Rec Ref No.: 12.2.C

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 12.2.C

Exiger Finding

The UCPD CAD system does not allow for easy access to stored data, and is not integrated with the UCPD's ARMS system.

Exiger Recommendation ("ER")

If integration is not possible, UCPD should continue to use the CPD CAD because the benefits of being connected with the CPD outweigh the benefits of UCPD having its own CAD that would be integrated into ARMS.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD continues its use of the CPD CAD if integrating CAD data into ARMS is not feasible.

Proffer of Compliance from UCPD

"[12.2.B] ARMS and CPD CAD are on separate secured networks which cannot be bridged. [12.2.C] UCPD has decided that the benefits of being on the CPD CAD system outweigh the benefits of a separate CAD system integrated with ARMS so UCPD will continue to use CPD CAD. The benefits of using the CPD CAD include the ability for UCPD to see what is happening in the areas surrounding the campus and improved communication between CPD and UCPD facilitating an improved joint working relationship. Please see attached purchase order and invoice as confirmation of continued use of CPD CAD."

Data Reviewed

UCPD proffer (in italics above)

Current Assessment of Compliance

In Compliance



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Based on its proffer above and attachments provided, the UCPD has demonstrated its intention to continue using the CPD CAD because the benefits outweigh any potential benefit of having a separate system.

Next Reviews

No further review of ER 12.2.C is necessary.

Connected and/or Related Issues

ER12.2.B

Attachments

The data reviewed are available for review within the UCPD Document Repository under DR 0058.



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 30, 2017

Rec Ref No.: 12.3.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 12.3.A

Exiger Finding

UCPD has not obtained access to ARMS' module for Field Contacts, and instead uses a Microsoft Access database to track demographic data associated with pedestrian and traffic stops. This database, however, does not feed into ARMS.

Exiger Recommendation ("ER")

UCPD should evaluate the ARMS module for Field Contacts, and ensure that all required data fields can be reported through the module.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD gives meaningful consideration to using the ARMS module for Field Contacts to track demographic data associated with pedestrian and traffic stops. If UCPD decides to use the ARMS module for Field Contacts, all required data fields are being reported through the module.

Proffer of Compliance from UCPD

"Director James Whalen and Chief Anthony Carter considered and ultimately made the decision not to use the ARMS Field Contact Module due to the "Racial Profiling" title of the module page. The UCPD leadership contacted the creator of ARMS during Fall 2016 to see if they would change the language on this tab; the company stated that they could not customize the title of this tab, and would be unable to change the language. Due to the negative association of titling a police data source as "racial profiling", the UCPD has considered and subsequently rejected using the ARMS to track field contacts. Instead, the UCPD will continue to utilize the Microsoft Access Database to maintain all Contact Cards filled out by UCPD officers."

Data Reviewed

1. UCPD proffer (in italics above)
2. Screenshots of the ARMS Field Contact Module (illustrating the terminology "Racial Profiling" within ARMS system.)

Current Assessment of Compliance

In Compliance



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Based on its proffer above, UCPD researched and contemplated the acquisition of the ARMS Field Contact module and concluded that the use of the terminology “Racial Profiling” was not acceptable. They attempted to resolve it with the ARMS Company but were unable to make any custom changes. Therefore the UCPD has opted to continue to track its field contacts within the current Microsoft Access Database.

Next Reviews

No further review of ER 12.3.A is necessary.

Connected and/or Related Issues

ER12.3.B

Attachments

The data reviewed are available for review within the UCPD Document Repository under DR 0059.



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 30, 2017

Rec Ref No.: 12.3.B

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 12.3.B

Exiger Finding

UCPD has not obtained access to ARMS' module for Field Contacts, and instead uses a Microsoft Access database to track demographic data associated with pedestrian and traffic stops. This database, however, does not feed into ARMS.

Exiger Recommendation ("ER")

If the data fields are not and cannot be included, or the ARMS' module for Field Contacts utilization is otherwise undesirable, UCPD should maintain the Microsoft Access database and ensure that all data is transferred into the ICS Dashboard.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD transfers data maintained in the Microsoft Access database into the ICS Dashboard, if the ARMS' module for Field Contacts is unattainable or undesirable.

Proffer of Compliance from UCPD

"The Contact Cards data fields will not be included in the ARMS' module for Field Contacts (see documents related to Recommendation 12.3.A). Upon completion of a contact card, UCPD officers turn those cards into their supervisors, who then review and approve the cards. Once cards are approved, they are subsequently placed into a designated location where the Clery Coordinator or Records Manager retrieves the cards each morning. The Microsoft Access database continues to be utilized by the Department of Public Safety to store contact card data, where it is jointly maintained by the Clery Coordinator and Records Manager.

All contact card data is transferred into the ICS Dashboard, and is displayed on the tab titled "UCPD Contact Cards". The data is updated on a daily basis, using an automatic process set up by the Institute of Crime Science. A screenshot of the website page is provided below, as evidence of the transfer of data and the ability for an eligible user to examine contact card patterns. Any data shown on the page is available for download into an Excel file, using the "Download Data" button found at the top of the screen. This allows the user to examine data at a more in depth level, beyond the specific tables provided on the ICS dashboard."



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Data Reviewed

1. UCPD proffer (in italics above)
2. Screenshot of the UCPD Contact Cards page on the ICS Dashboard illustrating use of ICS Dashboard)

Current Assessment of Compliance

In Compliance

Based on its proffer above, the UCPD maintains the Microsoft Access database and transfer data into the ICS Dashboard.

Next Reviews

The Monitor is scheduled to again assess compliance with ER 12.3.B in Q5 (Q1 2018).

Connected and/or Related Issues

ER12.3.A

Attachments

The data reviewed are available for review within the UCPD Document Repository under DR 0060.

Date: March 31, 2017

Rec Ref No.: 12.8.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 12.8.A

Exiger Finding

UCPD is currently using the Guardian Tracking software to document employee performance and to flag potential patterns in employee performance for early intervention. The interface of Guardian Tracking is simple and user-friendly, but UCPD is not currently using the categories and sub-categories correctly.

Exiger Recommendation (“ER”)

UCPD should continue to utilize the Guardian Tracking electronic database for documenting and tracking positive and negative aspects of employee performance.

MADC Definition of Compliance

Compliance with this provision will be achieved when UCPD continues to utilize the Guardian Tracking electronic database for documenting and tracking positive and negative aspects of employee performance.

Proffer of Compliance from UCPD

“This recommendation has been assigned to Chief Anthony Carter and Technical Services Manager Diane Brueggemann for disposition. The University of Cincinnati Police Division (UCPD) accepts this recommendation.”

UCPD has decided to continue use of Guardian Tracking and has increased the user licenses to include all incoming personnel and all student workers as indicated in the attached paid invoice. UCPD will provide view-only rights to the identified Exiger team member(s) allowing them access to Guardian Tracking for complaint and commendation data.”

Data Reviewed

1. UCPD’s Proffer of Compliance Memo (in italics above)
2. 12.8.A INV 2017-0071 PD Guardian
3. Overview/Access to Guardian system

Current Assessment of Compliance

In Compliance



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The Monitor applauds the UCPD's decision to continue, and increase, its use of Guardian Tracking as its tool for documenting employee performance and identifying potential patterns for early intervention. The Monitor also appreciates the system access provided which will allow for a continuous review and a thorough assessment of implementation going forward. An example of a future assessments of implementation would likely include a random sampling to ensure the correct usage of data fields is being addressed as described in the Exiger finding.

Next Reviews

The Monitor will assess the UCPD's compliance with this recommendation on an ongoing, annual basis which will be scheduled in Q5 2018 and Q9 2019.



Office of the Independent Monitor
University of Cincinnati Police Department

Date: March 30, 2017

Rec Ref No.: 12.11.A

TO: File

FROM: Monitoring Team

SUBJECT: ASSESSMENT OF COMPLIANCE 12.11.A

Exiger Finding

UCPD does not utilize a regular CompStat management accountability process with UCPD personnel. UCPD Command Staff does, however, participate in bi-weekly crime reduction meetings with CPD Command Staff and UC Administrators to discuss crime trends and enforcement strategies for the UC campus and the immediate area surrounding the campus.

Exiger Recommendation (“ER”)

UCPD should better integrate the data and analysis available from the Institute of Crime Science (ICS) tool into the bi-weekly UCPD/CPD meetings and should consider adding additional UCPD command staff to the meeting.

MADC Definition of Compliance

Compliance with this provision will be achieved when the UCPD integrates the data and analysis available from the ICS tool into the bi-weekly UCPD/CPD meetings; and gives meaningful consideration to adding additional UCPD command staff to the bi-weekly UCPD/CPD meetings.

Proffer of Compliance from UCPD

“The UC Crime Reduction Committee began in 2013, as a way for the UCPD to collaborate to reduce crime in the areas near the UC Uptown Campus with the Cincinnati Police Department. This committee meets on a bi-weekly basis to examine crime trends, deployment strategies, and discuss any crime and/or disorder problems which need to be addressed by the University. Beginning in late 2016, the ICS Visual Analytics Dashboard (“ICS tool”) was used regularly during the meeting, to examine crime trends beyond what is available on a paper document. Meeting notes from three UC Crime Reduction meetings are attached to this memo, as evidence of the use of the UCPD Visual Analytics Dashboard during the meeting.

Second, the UCPD has increased the number of UCPD command staff which attend these bi-weekly meetings. In addition to regular attendance by the UCPD Chief and Assistant Chief, both Captains attend the meeting. The presence of additional lieutenants and sergeants may be requested by command staff to clarify or detail a matter of discussion. The UC Crime Reduction Committee will continue to meet on a bi-weekly basis in the future.”



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Data Reviewed

UCPD proffer (in italics above)

UC Crime Reduction Committee meeting notes from 9/1/16, 10/13/16 and 12/8/16.

Current Assessment of Compliance

In Compliance

UCPD works with the ICS on crime analysis and uses a Dashboard created by ICS to provide data analytics and visualization, as well as crime analysis and mapping for the UC campus and the immediate area surrounding the campus. The review of meeting notes from three different Crime Reduction Committee meetings, which includes the names of those in attendance, supports the UCPD's proffer that the ICS data has been integrated into the bi-weekly meetings and that additional UCPD Command staff members are regularly attending the meetings.

Next Reviews

The Monitor will review ER 12.11.A on an annual basis, in Q5 (Q1 2018) and Q9 (Q1 2019).

Connected and/or Related Issues

None at this time.

Attachments

The data reviewed are available for review within the UCPD Document Repository under DR 0056.