

**City of Cincinnati
Independent Monitor's
Seventeenth Report**

May 1, 2007

Monitor's Report regarding compliance with and implementation of the Collaborative Agreement between the Plaintiffs, the Fraternal Order of Police and the City of Cincinnati

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**CITY OF CINCINNATI
INDEPENDENT MONITOR'S SEVENTEENTH REPORT**

EXECUTIVE SUMMARY

We are now in the fifth and final year of the Collaborative Agreement (CA) among the City of Cincinnati, the Plaintiff Class, and the Fraternal Order of Police (FOP). The CA calls for the implementation of Community Problem-Oriented Policing (CPOP), mutual accountability and evaluation, bias-free policing and the establishment of the Citizen Complaint Authority (CCA). This is the Independent Monitor's Seventeenth Report. The period covered is from October 31, 2006 through December 31, 2006, though we also review more recent activities from January 1, 2007 to April 1, 2007.

MEMORANDUM OF AGREEMENT

On April 12, 2007, the Memorandum of Agreement between the City of Cincinnati and the Department of Justice ended. The Monitor was requested by the Department of Justice and the CPD to prepare a final report prior to April 12, 2007. Although the Monitor was not able to review data from the fourth quarter of 2006 and the first quarter of 2007, based on our monitoring and evaluation through our January 15, 2007, Fifteenth Report, significant accomplishments in police reforms have taken place in the City of Cincinnati during the past five years. These reforms are a strong foundation for sustained and continued improvement in policing in Cincinnati.

COLLABORATIVE AGREEMENT

The last two Monitor's Reports noted that the Memorandum of Agreement and the Collaborative Agreement both had less than a year to go, and that the Parties had been urged to prioritize unfinished items and develop mechanisms to ensure that the progress made to date is preserved and the reforms continue into the future. We see this final year of the CA as a critical time in the advancement of effective, respectful and publicly accountable policing in Cincinnati. Full implementation of the CA will enable the City of Cincinnati to engage the community as active partners and co-producers of public safety, enhance public trust in the police, and strengthen the relationship between the community and the police.

CPOP

This quarter, we report that the Parties are in compliance with eight of the 17 CA provisions relating to community problem-oriented policing (CPOP). It is in partial compliance with eight other CA provisions, and remains out of compliance with one CA provision.

The provisions with which the Parties are in full compliance have resulted in the following benefits to Cincinnatians: a public collection of best practices in community-oriented policing and problem-solving, available on-line and in the public library; jointly-delivered CPOP training to communities that request it; annual CPOP awards for high quality problem-solving projects; police policies and procedures that are transparent to the public because they are reviewable on-line by the public; a communications audit of the CPD and a plan to improve its internal and external communications with its employees and the public; a CPD Community Relations Office; an annual problem-solving report documenting efforts of the police and the community; and the addition of training segments in the Police Academy to enhance training on policing in an urban environment.¹ Also, we determined that Cincinnati moved from “partial compliance” to “in compliance” this quarter for the CA provision requiring quarterly problem-solving reports – CA¶29(k).

The elements of the CA in which the Parties are in partial compliance, and so require additional effort for compliance include: the coordination of City agencies in CPOP efforts; a continuous learning environment around problem-solving within the CPD; collection of information about problem solving conducted in other police agencies, and research of analogous problem-solving approaches in other fields; additional on-going dialogue with the public about CPOP; a CPD staffing review in light of its CPOP commitment; the implementation of a consistently functioning problem-solving tracking system, containing problem-solving efforts of reasonable quality; and accessible data systems that can retrieve and link patterns, including repeat offenders, repeat victims, and/or repeat locations that are necessary to community problem-oriented policing.²

The element of the CA with which the Parties are not in compliance or partial compliance is CA¶29(o), requiring revised job descriptions, organizational plans and performance evaluation standards that are consistent with a commitment to CPOP.

Evaluation Protocol

The CA provisions call for a comprehensive approach to evaluation.

¹ The CA provisions for these items are 29(b), (e), (g), (h), (i), (j), and (l).

² The CA provisions for these items are 29 (a), (c), (d), (f), (m), (n), (p) and (q).

On December 12, 2006, the RAND Corporation (RAND) issued its second evaluation report on community-police relations in Cincinnati. Like its 2005 Report, the 2006 Report found that blacks and whites in Cincinnati experience “substantively different types of policing” (RAND Second Year Report, xxiii). Black residents are more likely than whites to live in neighborhoods characterized by crime and disorder, and residents in high-crime neighborhoods in Cincinnati are more likely to see “proactive policing” such as aggressive traffic enforcement, pedestrian stops, and officers patting down individuals on the street corner. On average, black residents in Cincinnati experience traffic stops that are longer, are more likely to involve searches for drugs, weapons and contraband, and more likely to involve investigation of all of the vehicle’s passengers. Black residents are also more likely than whites to be stopped for equipment violations. In addition, 75 percent of those arrested by the CPD in Cincinnati are black, and 77 percent of the incidents involving CPD use of force involve black subjects.

Now that Cincinnati is in the final stages of the Collaborative Agreement, it is crucial that the Parties and the larger Cincinnati community “fully and fairly” put this data to use. In our Reports, we have set out recommendations for actions that the Parties and the Cincinnati community should take. The CPD will need to increase the level of community dialogue to build trust with the African American community.

CCA

The City is in compliance with the CA provisions relating to the CCA investigation process, intake and assignment, and CPD and City cooperation with CCA investigations. The Parties have agreed that the CPD and the CCA do not need to develop a “shared electronic database,” as the City has developed a manual spreadsheet that includes information on IIS and CCA investigations. However, the most recent spreadsheet provided to the Monitor is not current, and the City will need to update that matrix to be in compliance with CA¶80.

The City and the CCA are in compliance with the CA provisions relating to prevention of police misconduct and reducing citizen complaints, and to public dissemination of information about the CCA and how it operates. The CCA issued its 2006 Annual Report in March 2007. The report describes the CCA’s activities and procedures, and also provides several examples of case reviews, describing the incident, the complainant’s allegations, the relevant police procedures and practices, and the outcome of the complaint investigation. These summaries provide the public with important information about issues such as Taser use, the CPD’s use of force procedures, and search and seizure requirements.

CHAPTER ONE. INTRODUCTION

On April 12, 2007 the Memorandum of Agreement between the CPD and the Department of Justice came to an end. We were requested by the CPD and the Department of Justice to prepare a final report prior to April 12, 2007. As a result the Monitor team was not able to review data from the fourth quarter of 2006 and the first quarter of 2007. However, based on our monitoring and evaluation through our January 15, 2007, Fifteenth Report, significant progress in police reforms has taken place in the City of Cincinnati during the past five years. In our final report on the MOA, we found the CPD in compliance with 92 percent of the MOA provisions. The Department of Justice stated in its April 12, 2007, letter of termination to the City and the CPD:

We congratulate the City on its progress and have closed this matter. This accomplishment demonstrates the City's commitment to constitutional policing and fairness for all who travel through its jurisdiction.

The remaining challenge is for the City, the Plaintiffs and the FOP to reach compliance under the CA. As stated by Archbishop Daniel Pilarczyk, the Collaborative Agreement is "one of the most comprehensive road maps towards reconciliation and transformation for a community racked by distrust that the nation has ever seen."

This quarter, we report that the Parties are in compliance with eight of the 17 CA provisions relating to CPOP. They are in partial compliance with eight other CA provisions, and remain out of compliance with one CA provision. The pieces that remain undone, such as effective performance evaluations, a continuous learning organization, a community dialogue plan, and suitable job descriptions for CPD members, are at the heart of full implementation of the CA.

In this Seventeenth Report, we specifically focus our review and assessment on CPOP items of non-compliance or partial compliance in the hope that concentrating on these items will allow the Parties to direct their efforts to achieving full compliance with the CA. Every effort is being made to bring the resources of the Parties, the Monitor and the Court to bear on the non-compliance and partial compliance provisions. Since February 1, 2007, the Parties and the Monitor have been meeting under the guidance and supervision of United States District Court Judge Susan Dlott and United States Magistrate Judge Michael Merz, to chart a course to achieve full CA compliance. On April 19, 2007, the Parties and the Monitor met with Judge Merz, in an even more focused session, to work on non-compliance and partial compliance CA provisions. Judge Dlott and Judge Merz have agreed to continue to make themselves available to facilitate the process of reaching CA compliance.

In the Monitor's Fifteenth Report, we discussed the impact of the CPD's heavy reliance on zero-tolerance efforts such as Operation Vortex to deal with the rising violent crime and homicides the City of Cincinnati has experienced. We described the Vortex zero-tolerance operations as inconsistent with the CA, and expressed this concern based on the following:

- The requirement of paragraph 16 of the CA that provides: "The City of Cincinnati, the plaintiffs and the FOP, shall adopt problem solving as the principal strategy for addressing crime and disorder problems."
- The recent revision by the CPD of its Problem-Solving Procedure (12.370) to state "[the] SARA problem-solving methodology is the primary process for addressing crime and disorder problems."
- The findings of the RAND Second Year Report reiterating that the impact of saturation patrol/zero tolerance results in different policing experiences for black and white residents in Cincinnati.

In the beginning of March 2007, the CPD submitted information to support its view that Vortex is part of a "multifaceted Over-The-Rhine initiative," and "part of a long term comprehensive problem-solving approach originally applied to Over-The-Rhine." The CPD submission has not changed our conclusion that Vortex does not meet the definition of problem solving as defined in the CA, and as further defined by agreement of the Parties. However, to find that Vortex is not problem solving does not put an end to this difficult issue, because it is clear from the testimonials of Cincinnati residents that many residents believe this strategy has improved their level of safety. There are many ways to reduce crime, some have more deleterious unintended consequences than others. The CPD chose a strategy that imposes a very heavy burden on the African American community, as illustrated by RAND's findings. In the time remaining under the CA, the Parties must address these issues directly, and reconcile their commitment to CPOP with the zero-tolerance enforcement approach used in Operation Vortex.

For more than a year the Parties have been admonished by the Monitor to set priorities, focus and implement. The pace was much too leisurely. Now there are less than 120 days to the scheduled termination of the CA. What has been a stroll must now become a sprint, if the Parties are to reach compliance by August 8, 2007.

CHAPTER TWO. COLLABORATIVE AGREEMENT

I. Implementation of CPOP [CA ¶29]

Problem solving is at the center of the Collaborative Agreement, and each CA requirement is a building block in shaping a police agency into a community problem-oriented policing (CPOP) organization. As noted in paragraph 16 of the CA: “The City of Cincinnati, the plaintiffs and the FOP, shall adopt problem solving as the principal strategy for addressing crime and disorder problems.” This fundamental approach grew from a jointly signed Agreement that seeks a positive, collaborative path for Cincinnatians towards improved police-community relations, organized around more effective policing. Progress on CPOP and Cincinnati Police Department reform is reported below.

This quarter, we report that the Parties are in compliance with eight of the 17 CA provisions. It is in partial compliance with eight other CA provisions, and remains out of compliance with one CA provision.

The provisions with which the Parties are in full compliance have resulted in the following benefits to Cincinnatians: a public collection of best practices in community-oriented policing and problem-solving, available on-line and in the public library; jointly-delivered CPOP training to communities that request it; annual CPOP awards for high quality problem-solving projects, police policies and procedures that are transparent to the public because they are reviewable on-line by the public; a communication audit of CPD and a plan to improve its internal and external communications with its employees and the public; a CPD Community Relations Office; an annual problem-solving report documenting efforts of the police and the community; and the addition of training segments in the Police Academy to enhance training on policing in an urban environment.³

The elements of the CA in which the Parties are in partial compliance, and so require additional effort for compliance include: the coordinated interagency CPOP system; a continuous learning environment around problem-solving within the CPD; collection of information about problem solving conducted in other police agencies, and research of analogous problem-solving approaches in other fields; additional on-going dialogue with the public about CPOP; a CPD staffing review in light of its CPOP commitment; the implementation of a consistently functioning problem-solving tracking system, containing problem-solving efforts of reasonable quality; and accessible data systems that can retrieve and link patterns, including repeat offenders, repeat

³ The CA provisions for these items are 29(b), 29(e), 29(g), 29(h), 29(i), 29(j), and 29(l).

victims, and/or repeat locations that are necessary to community problem oriented policing.⁴

The element of the CA with which the Parties are not in compliance or partial compliance is a review of, and where appropriate, revisions to, the CPD policies and procedures, organizational plans, job descriptions and performance evaluations, to ensure that they are consistent with a commitment to CPOP.

This reporting period, we will report more specifically on those CPOP items of non-compliance or partial compliance, in hopes that concentrating on these items will allow the Parties to focus in so they can achieve full compliance with the CA. By doing so, we acknowledge the good work of the CPD, the Plaintiffs, and the FOP in achieving full compliance on the areas mentioned above, and refer the public to the Monitor's Fifteenth Report where those areas are discussed in full. The CA was thoughtfully crafted; each section of paragraph 29 is a step in the building process of fully adopting CPOP. Thus, pieces such as compatible performance evaluations, a continuous learning organization, a community dialogue plan, and job descriptions reflecting an emphasis on CPOP and problem solving, should they remain undone, jeopardize the whole of the Agreement. We believe that Cincinnati can take these last strides if the City leadership is committed and conscientious to that end.

A. Paragraph 29

1. Requirement 29(a)

The City, in consultation with the Parties, shall develop and implement a plan to coordinate the work of City departments in the delivery of services under CPOP.

2. Status

In the second quarter of 2003, the Parties adopted a CPOP coordination plan, entitled the "City of Cincinnati Plan for Community Problem-Oriented Policing." Since then, liaisons from the Departments of Buildings and Inspections, Public Services, Community Development and Planning and Health, Parks and Recreation, Fire, Water Works, and Metropolitan Sewer District received training on their roles and responsibilities as resources to the Problem Coordinators (the CPD member or Partnering Center outreach worker assigned to a CPOP team). In October 2005, with its new CPOP tracking

⁴ The data systems cover 29(p) and 29(q). The Monitor has agreed that an updated Records Management System will suffice if it is capable of producing the information required under these two sections.

system, the CPD had planned to track and report on the joint actions of the different City agencies working together to resolve specific community crime and safety problems. This portion of the tracking system, however, has not become operational.

This quarter, the CPD submitted to the Monitor a list of ten projects involving interagency collaboration, each involving the Code Enforcement Resource Team (CERT). The list includes the start date for the project, the address of the problem, the City departments involved, actions taken, the success of the intervention along with a project completion date. This data allows the City to evaluate the type and extent of interagency collaboration on projects focused on reducing crime and safety problems, learn if joint efforts to reduce problems are working, see how long it takes from the time a particular City agency is contacted until that agency's work is completed, and if the action by that agency reduced the problem.

3. Assessment

As we noted in prior Reports, the Monitor's assessment of compliance is based on documentation of the City's implementation of its coordination plan. The documentation can include relevant information such as the number of agencies involved, the range of City services provided, the number of projects with interagency cooperation, contact and action dates, and whether the intervention assisted in reducing the problem. The CPD provided a log of CERT activity that included ten projects that occurred in the past year. While this information is both helpful and consistent with the CA provision, it is limited. There have been other CPD problem-solving projects undertaken during this same time period that involved City agencies other than the ones listed, such as Parks and Recreation, Public Works, the Law Department, and Transportation and Engineering. The CPD should be able to quickly identify these among the projects listed in its own CPOP tracking system. If the projects on which CPD officers sought help from other City agencies are included (as they should be) in the documentation of interagency collaboration, it provides a much broader list (beyond code enforcement) of the use of City services in reducing crime and safety problems, and reveals whether these efforts are having an impact, or if improvements are needed.

The Monitor finds the City in partial compliance.

1. Requirement 29(c)

The City, in consultation with the Parties, shall:

- Develop a continuous learning process through the CPD

- Document and disseminate experiences with problem-solving efforts in the field throughout the CPD
- Make available to the public experiences with problem-solving efforts
- Emphasize problem-solving in (but not limited to) academy training, in-service training, and field officer training

2. Status

The CPD is in compliance (and has been so for more than two years) with one of the sub-elements of 29(c) listed above - making available to the public experiences with problem-solving. We focus here on the other three sub-elements.

Continuous Learning Process in the CPD: In its March 5, 2007, CA Status Report, the CPD includes the agenda/lesson plan for 2007 in-service training for CPD sworn personnel. The in-service training did not list any problem-solving training, however. In January 2007, a crime analysis steering committee was formed and met to establish project goals and to begin to look at the CPD's crime analysis capacity. The CPD is collaborating with the University of Cincinnati on this endeavor.

Experiences with problem-solving efforts in the field will be documented and disseminated throughout the CPD: The CPD reports that some officers during this reporting period received the *Collaborative Quarterly* (summer 2006), the brochure that accompanied the Second Annual CPOP Awards Banquet, and the August 2006 CA Annual Problem-Solving Report. In addition, the CPD notes that officers can access the CPOP website to review problem-solving examples, and that it emphasizes the availability of the CPOP website.

Problem solving will continue to be emphasized in (but not be limited to) Academy training, in-service training, and field officer training: No training specific to problem-solving is reported by the Parties for November 6, 2006 through February 6, 2007. The CPD also reports that during this time it made efforts to locate examples of training the Monitor recommends for supervisors regarding time management and guiding, coaching and training officers in problem solving; the CPD states that it was unable to locate such training.

3. Assessment

We address the three sub-areas of 29(c) where compliance remains partial.

Continuous Learning Process in the CPD: As part of continuous learning, in mid-2005, the CPD stated it would develop one roll-call training per month devoted to problem solving. The first was delivered in September 2005. It described a drug market reduction effort on a bridge in Kennedy Heights. The CPD has not developed any additional problem-solving roll-call segments in 2005 or through February 6, 2007. We believe the Department should be able to develop and conduct roll-call trainings on problem-solving between May and September of this year. On the crime analysis front, the Monitor sees the collaboration with the University of Cincinnati as significant and needed. Given that these efforts have just begun, we are concerned whether sufficient changes can be accomplished by the CPD before August 2007, when the CA is scheduled to be completed. For instance, the District year-end 2006 crime analysis reports do not include any problem-solving analysis of crime.

Experiences with problem-solving efforts in the field will be documented and disseminated throughout the CPD: The Monitor is familiar with the *Collaborative Quarterly*, the 2006 Annual Problem Solving Report and the CPOP Awards Banquet materials. We believe that if these publications are disseminated to all of the CPD's employees, the City would be in compliance with this element of 29(c). While the CPOP website does contain some problem solving efforts, they are in uneven shape, and accessing the website requires an affirmative step by employees. Distributing the *Collaborative Quarterly*, the Annual Problem Solving Report and the CPOP Awards materials to each employee provides them with many examples of problem solving.

Problem solving will continue to be emphasized in (but not be limited to) Academy training, in-service training, and field officer training: As we stated in a number of prior Reports, now that all patrol officers are expected to participate in problem solving, training about these expectations and the skills to accompany them is required. The training should prepare officers to dig into problems; it will require training and mentoring on documentation, how to manage calls, community meetings, longer term problem-solving efforts, and the use of analysis. The Monitor would like to see additional training occur to achieve compliance. And, as we mentioned in earlier reports, expectations for involvement should be clear and ultimately supported by the performance appraisal system, which to-date is not the case.

As we noted above, the 2007 in-service training agenda did not include problem-solving topics. In addition, the CPD did not report on efforts to include problem solving in the FTO program. Also, an important aspect to the training will be the sergeants' role in officer time-management. The sergeant, rather than the 911 dispatcher, needs to be able to help manage calls, making sure that officers have time to problem-solve and that officers spend their proactive time wisely, not just on car stops or routine patrol. Sergeants will

play a key role in ensuring or inhibiting the successful transition of problem-solving responsibilities from specialized units to patrol officers. Because the CPD was unable to identify training that they can replicate, the CPD will need to develop its own training on this topic. To provide greater assistance, the Monitor Team developed a two-page document for the CPD that includes some of the considerations in developing this kind of training, attached as Appendix 1.

The City remains in partial compliance with this subsection.

1. Requirement 29(d)

The Parties will research information about how problem solving is conducted in other police agencies, and disseminate research and best practices on successful and unsuccessful methods for tackling problems. The Parties will also disseminate information on analogous problem-solving processes used by other professions.

2. Status

The Community Police Partnering Center held Crime Prevention Through Environmental Design (CPTED) training in November 2006. One of CPD's officers co-presented one segment of the training to the 16 citizens and ten officers in attendance. This training shows how the design of a place or setting can cause or reduce crime.

In addition, the Partnering Center on April 21, 2007, conducted its second annual CPOP Summit, which highlighted several problem-solving projects and best practices from other jurisdictions. The primary focus of the CPOP Summit was Gun Violence Reduction and Prevention. A summary agenda listing some of the summit workshops is attached as Appendix 2.

3. Assessment

CPTED training, such as that provided in November, is a good example of how problem solving in another profession, in this case the design field, can play an important role in producing or reducing crime and fear and is a great tool in problem solving. The Partnering Center and the CPD partnered with the Tri-State Regional Community Policing Institute for this half-day training. Ten officers were in attendance, some are the crime analysts in the CPD Districts. In the past, about 15 officers have attended similar training that the Partnering Center helped put together.

We believe that if the CPD develops a plan for familiarizing officers throughout the CPD with CPTED and situational crime prevention (a crime reduction approach specifically mentioned in the CA), and follows through on

the plan the City would be in compliance with this CA section. The April 21, 2007, CPOP Summit also highlighted problem solving examples to address community safety and crime reduction. Disseminating this information to officers in the field and throughout the CPD also will demonstrate compliance.

The Parties are in partial compliance with this provision.

1. Requirement 29(f)

The Parties shall coordinate efforts through the Community Police Partnering Center to establish ongoing community dialogue and structured involvement by the CPD with segments of the community, including youth, property owners, businesses, tenants, community and faith-based organizations, motorists, low income residents, and other city residents on the purposes and practices of CPOP.

2. Status

For compliance under this section of the CA, it was agreed that the Parties would need to submit a structured plan for dialogue with the community, including different segments of the community, about policing, crime, and policing practices. The Parties agreed that the Plaintiffs would submit the plan. The March 5, 2007, CA Status Report did not contain a draft of a plan for structured dialogue.

Despite the lack of a plan, during this reporting period, the Parties participated in many events and meetings.

Events/Efforts Involving Community Dialogue and Interaction

- On December 7, 2006, the Parties participated in a panel discussion hosted by Leadership Cincinnati, a program that expands the potential of participants for civic responsibility by providing basic community information in a creative manner. The topic, “How effective was the Collaborative Agreement and what is its future?” elicited a conversation between panelists and members of Cincinnati’s business community.
- On January 24, 2007, several CPD women employees attended a panel discussion with police clergy to provide a better understanding of the challenges faced by women in policing compared to their male counterparts.
- On January 30, 2007, in response to RAND’s release of the Police-Community Relations in Cincinnati: Year Two Evaluation Report, the City Manager invited RAND’s Dr. Greg Ridgeway to provide an

overview of the results to the City Council's Law and Public Safety Committee. In addition, the Parties sponsored a community forum at the Urban League on February 1, 2007, where RAND researchers discussed their findings and shared the stage with other panelists, including Chief Streicher, Partnering Center Executive Director Rick Biehl, Monitor Saul Green, Out of the Crossfire Director Dr. Jennifer Williams, and Dr. Victor Garcia of Children's Hospital, who advocated the approach to violent crime promoted by David Kennedy of the John Jay College of Criminal Justice.

- In February 2007, the Police Department mailed 16,000 brochures about its new chronic nuisance premises ordinance to property owners. In addition, the CPD scheduled five informational sessions about the ordinance across the City drawing about 100 people, even though inclement weather caused the cancellation of some of the scheduled sessions.
- On April 19, 2007, the Friends of the Collaborative held a quarterly meeting to address what efforts remain to be accomplished under the CA.

3. Assessment

The CA requires the Parties, coordinated through the Partnering Center, to establish community dialogue and interaction with different segments of Cincinnati's population. In prior Monitor Reports, we have stated that a plan for structured dialogue, joint promotion of events and a review of the feedback from those events would show compliance with this CA subsection. It would also demonstrate compliance if the Parties scheduled follow-up meetings, and reported on the outcomes of the discussions and meetings, descriptions of areas of agreement and disagreement in the dialogue, and next steps. The Parties agreed that the Plaintiffs should develop a draft plan for presentation in this Report. We request that the Plaintiffs expedite the drafting of a plan.

The Parties are in partial compliance with this provision.

1. Requirement 29(k)

The CPD District Commanders and Special Unit Commanders or officials at comparable levels shall prepare quarterly reports detailing problem-solving activities, including specific problems addressed, steps towards their resolution, obstacles faced and recommendations for future improvements.

2. Status

In April 2005, the Parties agreed on the definition of problem solving, as defined in ¶16 of the CA. The Parties also agreed that future reporting of problem solving will have the identifying characteristics of: (a) problem definition; (b) analysis of the problem; and (c) the range of alternatives considered.

In December 2005, the CPD worked in conjunction with members of the Monitoring team to create the template, *Critical Elements Which Must Be Addressed in Quarterly Problem-Solving Reports*. The form was created for District and Unit Commanders to use as a uniform tool for reporting problem-solving activities. At this point, not all units have access to the new SARA/CPOP application, so those units that do not have access to the CPOP tracking system are expected to use the Critical Elements form.

The CPD asked its District Commanders, at the Monitor's request, to place problem-solving projects in the CPOP tracking website, unless they are in very preliminary stages.

Sergeants in District One and District Three reviewed their entries in the CPOP system and made improvements to their cases. The CPD asked units other than patrol to submit their problem-solving efforts on Form 17 Quarterly Problem Solving Reports.

3. Assessment

Districts have access to the CPOP website and so, beginning this reporting period, all District problem-solving efforts are housed in the CPOP tracking system, unless they are in preliminary stages and therefore not ready for inclusion in the tracking system.

District 1 Quarterly Problem-Solving Reports

- A CPOP Team for Over-the-Rhine Mulberry/McMicken Safety Sector will be selecting one problem from the seven safety problems they have considered for a CPOP project.
- All of the District's other problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

District 2 Quarterly Problem-Solving Reports

- All of the District's problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

District 3 Quarterly Problem-Solving Reports

- All of the District's problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

District 4 Quarterly Problem-Solving Reports

- All of the District's problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

District 5 Quarterly Problem-Solving Reports

- Vehicles parked in the 7:00 a.m. to 9:00 a.m. traffic lane were causing traffic to back up and accidents, resulting in a request for clear, posted signage to prevent the problem. The officer reviewed the number of parking citations and accidents at the location and physically observed the site prior to making the recommendation that signage was needed.
- All of the District's other problem-solving projects are contained in the CPOP tracking system and are discussed in 29(m).

Criminal Investigations Section

- The Vice Unit has an effort aimed at reducing out-of-town drug buyers. The buyers are arrested and if the buyer's vehicle is used in the crime, officers impound it and a \$500 bond is required for its release. Of the 305 buyers arrested in 2006 (87 of whom are out-of-towners), none have been rearrested. This effort is just one part of a multi-tiered strategy to arrest drug dealers and drug buyers and deter drug buyers from the area.
- The Homicide Unit provided an update to an effort to reduce the number of accidental child deaths resulting from the parents suffocating the child when they turn over during sleep in the same bed. The Family and Children First Council is taking the lead in alerting the public to the hazards of co-sleeping.
- The Personal Crimes Unit provided an update on their Pinwheels child abuse and neglect awareness campaign, which they participated in last year. The CPD experienced an increase in child abuse and neglect cases in 2006, as did the State of Ohio. A repeat of the effort

is scheduled this spring. It is unclear if the project is supposed to increase reporting or decrease incidents.

Special Services Section

- The Traffic Unit provided an update to its project to reduce traffic accidents, particularly those accidents resulting in fatalities. The Traffic Unit attributes reductions in fatal, serious injury, and minor injury crashes to this effort, which targets high crash locations using monthly data. Refinements are made as best practices are researched. The Traffic Unit periodically meets with Traffic Engineering to insure that road design issues are also analyzed as possible causes of crashes. It is unclear if the numbers provided represent full year numbers for 2005 and full year numbers for 2006.
- The Youth Services Unit provided an update to their truancy project. They state that the concentrated patrols show lower numbers of children being found on city streets during school hours. They have also received positive feedback from business owners who formerly complained about the youth disturbing their businesses. The project does not include numbers from the Cincinnati Board of Education about the actual number of truants and if the number was reduced by this effort.
- The Park Police Unit provided an update to its project on sexual activity in Mt. Airy Forest. During the response phase the Unit learned of the POP Guide entitled Sexual Activity in Public Places. Design changes to the bathroom, the stalls, and the area surrounding the bathroom were discussed with the Parks and Recreation Department. The Mt. Airy Community Council expressed interest in monitoring any high profile arrests through the court system. The Unit made multiple arrests at the Park for public indecency, solicitation, and sexual imposition. The Police and the Board have noticed less cruising. This may be due to the arrests (nearly 30), inclement weather, video cameras, or the lack of road access to the problem area due to a construction project that will have the effect of increasing natural surveillance.

Intelligence Section

- An update to the copper theft project begun in 2006 included a PowerPoint presentation about copper thefts and possible strategies. The Police Specialist working on this project interviewed officers and investigators in each police district to learn more about the problem, in addition to mapping thefts, looking to see if there is a nexus

between abandoned buildings and these thefts. He also searched the internet and an area intelligence database for potential remedies.

Crime Analyst End of Year Summaries

- The crime analysts in each District looked for basic patterns in robbery, aggravated assault, burglary, auto theft and theft from auto for 2006.⁵

We see it as an advance that most of the projects are now in the CPOP tracking system. This way, they are recorded and are easily searchable. We report on the CPOP tracking system and the projects in it under 29(m). There remain a few District projects that still appear on paper - one from District 1 and one from District 5.⁶ The District 1 project is in its early stages, the CPOP team has not yet selected a problem, so appropriately it is not in the tracking system. The District 5 project is a good example of a small problem-solving project, and it is far enough along (it is in the response stage) that it should be entered into the CPOP tracking system.

The special unit projects remain weak. Most do not clearly state the problem that they are trying to reduce; the exceptions are the traffic fatality/serious injury project, the infant death project, the Mt. Airy Forest project, the out-of-town buyers project, and the copper theft project. The other project write-ups contain little or no data on the problem, no analysis of the problem, no analysis of patterns, and solutions are not evaluated for impact.

In prior Reports, we had asked that the Department's Crime Analysis Unit submit a quarterly report to document its analysis efforts. The CPD responded in the past that the work of the analysts is contained in individual problem-solving reports in the District and Unit Commander reports. We are heartened to see the submission of year-end analysis reports by the District crime analysts. The year-end summaries show that even in a basic review of crimes there are a number of patterns that can be pursued in the Districts through problem-solving projects if they or the District Commander suggest them. We believe that it is extremely beneficial to have crime analysts and that the Department will continue to benefit from their work, particularly with the

⁵ It should be noted that the District 4 report shows that The Alms Apartments at 2525 Victory Parkway appears to remain a location of repeat felony assaults, repeat burglaries, and repeat auto thefts. The project in the CPOP tracking system at that address lists the project as resolved, even though, it appears, the location logged about 400 calls for service to it in a year. Another hotspot appears in the District 5 year-end crime analysis report, the Rest Inn on Central Parkway. That case too is listed as resolved in the CPOP tracking system.

⁶ There is also a District 1 SARA project that tries to fit efforts in Over-the-Rhine into a SARA project. The Department has provided the Monitor with a full loose-leaf binder pertaining to this, which we will discuss later in this section of the Report.

assistance of the University of Cincinnati in helping to further develop the analysis capability within the Department.

The CPD has over the last eight months asked the Districts to place their projects in the tracking system and to improve the quality of their projects. We believe that this is working and hope that there is continued accountability. The Special Units are reporting consistently now as well.

While we will continue to look for improvements in the quality of problem-solving efforts, we believe that with regard to documenting problem-solving in quarterly reports, all of the Department's Districts and Units are preparing quarterly reports or including their problem solving reports in the tracking system. The CPD is now in compliance with this section of the CA.

1. Requirement 29(m)

The Parties, in conjunction with the Monitor, shall develop and implement a problem tracking system for problem-solving efforts.

2. Status

The CPD developed a problem tracking system in 2003. In late 2004, the CPD recognized that its problem-tracking system required improvements and tasked its Community Relations Unit to undertake them. The Parties met several times about the problem-tracking system, reaching agreement on the following items, which they shared with Judge Merz and the Monitor at the March 10, 2005, facilitated meeting:

1. The Parties will work on a mechanism for posting items on the CPOP website.
2. The Parties will develop an analysis process that captures and provides more detail in the problem-tracking process.
3. The Parties will modify the tracking process as a result of items 1 and 2 above.
4. The Parties will reach consensus on problems to be posted on the CPOP website – i.e., District Commanders (neighborhood officers), and Partnering Center staff will have joint approval and shared responsibility to coordinate and share information about the problems to be posted as CPOP on the website.

The revised CPOP/SARA tracking system was put in use in September 2005. The system is Windows web-based and tied directly to the City's GIS system. It is accessible to viewers at <http://cagisperm.hamilton->

co.org/cpop/review/review.aspx. To community residents, it has an outward appearance similar to the old system with a few more capabilities, but for the CPD, the system is enhanced with greater capability of accessing information from a variety of City sources.

The system's users are able to search the system for an address, and query it by District and neighborhood. Users can access and display some GIS map information, parcel numbers, and view, if available, a photograph of a property. The CPD had hoped it would be able to query the system based on crime, arrest or contact information, such as FI's (field interviews), as well as code enforcement, and permit activities; however, many of these features have not been able to be added. The current database contains many pull-down menus and some free-form boxes. Officers are encouraged to use the free-form descriptions for specifics because the drop-down choices are more generic. However, the free-form descriptions and entries are not searchable entries.

It was hoped that the system would have tools to facilitate collaboration with other City agencies, such as a message board, quick mail, and an action list. The system was also intended to have accountability built into the system: the ability to track whether inquiries have been followed-up within specific time frames, and if actions are closed out by a certain date. Listed below are some additional aspects of the system that have not been realized:

- hyperlink to reports prepared by the Partnering Center concerning a specific problem-solving case in the database
- creating "virtual teams" within a problem-solving case, between other City agency employees, the CPD, and CPOP members, and offering quick mail and message boards
- linking to 911 calls for service, probation and parole information, crime data, and mug shots

The CPD states that "while this enhancement would be an excellent and convenient tool, it is not necessary for the compliance aspect of the problem tracking system."

During the first half of 2006, the tracking system crashed frequently and was not working effectively. The remedy for this problem is for those logging on the system to do so in a certain way, so that the GIS system is on first. CAGIS agreed to provide training to key people in the CPD, who in turn will train users of the system. The training is expected this year.

During a meeting late last year with the Assistant City Manager, the Monitor Team was assured that the City would continue to support the CPOP

website after the completion of the CA Agreement. At the meeting, the head of CAGIS stated that they are now willing to move ahead with building Partnering Center access to the tracking system so that the Partnering Center can add to and edit CPOP project write-ups. CAGIS negotiations with the Partnering Center regarding access to the tracking system have not been completed. Currently, the CPD is sharing crime and call-for-service data one month at a time with the Partnering Center so it can do some additional analysis of chronic crime problems.

3. Assessment

We will begin our assessment by discussing the capacity of the tracking system. We then discuss the problem-solving projects, by District, that are contained in the CPOP tracking system (and we note also those that are potentially promising projects). We follow with a discussion about the future of the tracking system.

The expected capacity of the tracking system has declined over the last two years. While the CA does not require the additions that were initially planned, these features would have given officers additional tools to equip them to do quality problem solving. As is, the tracking system remains something that needs to be managed properly. The CPD has had trouble since the tracking system's inception capturing some of the most basic information about crime and safety problems that have been selected for problem-solving projects.

There have been improvements in the system since it was put in place. The name of the officer (or the name of the officer whose password is used) is now next to each entry in the system. Also visible is the date the entry is made. Some projects contain more information than others, yet there are few projects that show the true capacity of officers in the CPD. Officers appear steered to enforcement and directed patrol. While these are aspects of policing, there is a wider tool set. For example, it is clear that for problem properties, the CPD's landlord specialist is the greatest asset the CPD has. Given the number of problem properties in Cincinnati, it is hard to imagine how the specialist is able to manage all of her workload. Some officers seem aware of this resource, but many of the projects in the tracking system suggest that officers could be more aware than they are currently of this resource. This would be an excellent problem-solving topic for roll call training, if it has not already been done.

One improvement in the tracking system is that in this reporting period most of the District officers made greater use of the "give specifics" boxes in the projects. The use of the drop-down menus provides only generic information, and still, some are clicked even though they have no relation to the project. A number of the projects contained better information about crime or calls, but

some still remained lacking, particularly a number of the projects from District 3.

For the most part, officers are not looking to other sources to understand problems and turn them around. It seems that most look to an officer in their own District, but no further. This means that the quality of the projects in the tracking system needs to be higher, so at least officers can look to these for insights about common crime problems. The crime world has changed. The CPD is beginning to adopt strategies that other police agencies have used or researchers have suggested. Line officers and investigators too should be knowledgeable about what is in the policing field. The CA requires the CPD to build a library of crime knowledge. While that has been done, there is little evidence that it is being used in the projects included in the tracking system.

District 1 Overview of Projects

One of the projects in this reporting period concerns a panhandler who also has a homeless encampment. A Homeless Outreach worker was brought in to encourage the person to take up the offer of assistance and the area was cleaned up. Another project was started to look at the nexus between public phones in Over-the-Rhine and open-air drug dealing spots. This project is in the analysis-response stage. The last project focuses on crime near a motorcycle club; the project is in its early stages.

District 2 Overview of Projects

There are three projects in the tracking system for this reporting period, although two of the three were projects begun in the prior reporting period; because the District Lieutenant believed that the tracking system was down, paper write-ups of the projects were done initially. One project describes an auto break-in series in Lunken Park's parking lot. Volunteers and police surveilled the location and police identified several thieves. The project showed a good use of data in baseline and assessment measures. Another project describes an apartment complex with drug dealing and prostitution on a cul-de-sac street. The CPOP tracking system would not accept the correct street name and address (5500 Glengate Lane), which may indicate a system flaw that needs correction. The officer made good use of calls-for-service data. The CPD's landlord specialist met with the property owner and the property owner agreed to make changes. This project is in the monitoring phase. The final project is a CPOP Team project. The Madisonville team has begun examining the problem of drug sales in and near Chandler and Whetzel Streets. The team reviewed calls for service and conducted a site survey.

District 3 Overview of Projects

This reporting period, District 3 projects were the most in need of improvement. Many of the projects in District 3 lack basic details. The “give specifics” boxes in many of the efforts are empty. Exceptions are the two Safe Corridor projects in West Price Hill (although even both of these are missing analysis details). The robbery problem on Glenway lacks data, although it is listed as resolved. The abandoned vehicle project on Eatondale lacks specifics in the scanning, analysis, and response sections, even though the project is listed as in the “response implementation” stage. The disturbance project on Harkness Street is also thin; there are no specifics in the scanning, analysis or response sections, even though the project is also listed in the “response implementation” stage. The “codezone” project on Glenway also lacks dates and details. For the parking problem on South Cumminsville, the project (SAR0600111) contains details about the problem and response, yet it is unclear how the project was measured. In addition, the same problem is in the CPOP tracking system, entered just a few months earlier, for the same address (different case number, this one is SAR0600088) and the project is listed as “response completed.” The robbery project on Warsaw focuses on a robbery problem involving a similar modus operandi across a robbery series; however, the number of these robberies is never mentioned, nor are the locations of the robberies. The abandoned building project on Schoedinger lacks specifics in the scanning, analysis, and response sections.

District 4 Overview of Projects

District Four contained several projects this reporting period. The trespass problem on Reading Road included information about the property owner signing a “no trespass” letter and vendors cited and moved on. In another project, an underpass where a group of homeless caused disturbances, drank and littered, was posted with “no trespassing” after it was determined who owned the property. The property was cleared of debris. On Cleveland Avenue in Avondale, an officer began to examine a prostitution problem. In another project, drug sales were stopped at a convenience store in Walnut Hills.

District 5 Overview of Projects

There was only one project this reporting period for District 5. It involved speeding vehicles on North Bend Road from the 1300 block to the 1600 block. Those blocks have seen over 60 accidents, 45 traffic hazards and over 200 police traffic stops. There is no analysis of the accidents or the hazards to suggest the extent to which speed is the culprit; even so, a speed wagon was placed there to alert drivers to their speed, and speed enforcement patrols have been added.

In August 2006, we stated that improvements to CPOP efforts and problem-solving documentation needed to occur immediately. We expressed concern that so many CPOP projects were summarily listed as resolved, without care as to whether in fact the crime and disorder problems that were identified were reduced or eliminated. Our expectations included:

- A fully functional CPOP tracking system
- Captains held accountable for the quality of the problem solving
- Projects completed or handed off to other officers appropriately
- The cases contain few errors or omissions
- Free form boxes are completed with relevant descriptions, data, analysis, response information, and assessment outcomes
- Supervisors and mentors are actively engaged in coaching and guiding officers so they can succeed in producing higher quality efforts that are consistent with the CPOP definition adopted by the Parties

Last reporting period, the Parties remained out of compliance. Projects still lacked analysis, some even appeared to have been abandoned, and of those completed, many lacked any real assessment of impact.

Improvements are still needed in the quality of the entries in the system for this tracking system to be the tool envisioned in the CA and for the CPD to be in compliance with this provision. There have been deficiencies in the tracking system itself this reporting period, but not as many as in prior reporting periods. Significantly, the CPD's tracking system seems to be down less frequently this reporting period, at least making it more accessible for entering problem solving projects. Also, the CPD has stated its commitment to work with its personnel "to address the quality of the information and level of analysis required to accurately describe problem-solving efforts." For these reasons, we have determined that the Parties are now in partial compliance with this CA provision.

1. Requirement 29(n)

The City shall periodically review staffing in light of CPOP, and make revisions as necessary, subject to the CA funding provisions. The CA requires ongoing review of staffing rather than a review by a certain deadline.

2. Status

The CPD asserts that creating seven crime analyst positions and eliminating the COP units (folding them into patrol, so that all officers have the responsibility for problem solving) shows that the Department has reviewed its staffing in light its commitment to CPOP. In its March 5, 2007, CA Status Report, the CPD also states that evidence of compliance includes:

- Departmental review of the staffing plan
- Workflow proposal (CPOP principles followed by each District)
- Proactive time used for problem solving

3. Assessment

The CA requirement suggests that an assessment is required of the Department's organization in light of the adoption of problem solving as the principal strategy for addressing crime and disorder problems.

We believe that the quality of the problem solving and how it is managed relates to this section of the CA as well. If the quality of the problem solving after four and one half years is high, then this suggests that the staffing issues (number of officers, what is included in their workload, what officers are asked to do, how they spend their time, and how they are deployed) is managed in a way that enhances problem solving. If officers do not have proactive time to problem solve and have trouble consistently attending CPOP meetings, if the quality of problem solving is lower than it should be, if the management of the tracking system is haphazard, if the analysis does not include problem analysis, then the staffing is not being managed in a way that commits to problem solving.

We believe that creating crime analyst positions is critical to good problem solving. The redeployment of COP officers back into patrol, widening the responsibility for problem solving, allowed the CPD, through transfers of officers, an opportunity to increase staffing at Districts that have high crime and calls for service. However, it may be that the additional officers assigned to patrol were counterbalanced by other officers being assigned to the Vortex Unit, so that it is unclear whether patrol officers have any additional proactive time available for problem solving, and whether the amount of proactive time is sufficient. This is why a staffing review is so important. The staffing review may suggest that there is sufficient time. If there is sufficient time, then the quality of the problem solving should reflect this.

In addition, if problem solving is the primary crime fighting strategy of the CPD, then the CPD should be able to demonstrate that a significant number of officers (perhaps most, or even half?) are engaged in problem solving. The projects in the CPOP tracking system do not suggest that this is the case. The problem-tracking system reflects that only a handful of officers in each District work on problem-solving projects. The CA requires that the CPD periodically review staffing so it uses problem solving as its main crime fighting strategy.

The City is in partial compliance with this provision. However, we believe that the Strategic Plan can help place the CPD into compliance. The CPD could (and should) monitor and measure, as part of the Strategic Plan, the amount of self-initiated time officers have for problem solving; this will help it better manage its resources. The same is true of crime analysts. If all or most of their time is spent on tactical analysis, then longer-term problem solving is given short shrift. This too can be measured and then managed as part of the Strategic Plan.

1. Requirement 29(o)

The City shall review, and where appropriate, revise police department policies, procedures, organizational plans, job descriptions, and performance evaluation standards consistent with CPOP.

2. Status

We report the status of the different aspects of this section in the following order: revisions to performance evaluations; job descriptions; police department policies; and organizational plans.

Revisions to Performance Evaluations: In late 2004, the City and the Civil Service Commission approved new police job descriptions and performance review standards. The police job descriptions and performance review standards were forwarded to and approved by the Civil Service Commission without input from the Plaintiffs (see January 2005 Monitor Report). In our April 2005 Report, we determined that the revisions did not meet the requirements of this CA paragraph.

On July 13, 2005, Chief Streicher approved a “performance evaluation process improvement team (PIT) to fundamentally change the current performance evaluation system the police department is using.” In its September 2005 CA Status Report, the Parties acknowledged that the current performance evaluation system is outdated and that the Five-Year Strategic Planning Committee will review the current organizational plans, job descriptions, and police department standards to recommend changes consistent with CPOP. The CPD stated that “the current outdated system of

numerically scoring eighteen trait categories is purely subjective with no interaction from the evaluated member. The Planning Section has received several contemporary performance evaluation systems used by other police departments throughout the country.” The CPD noted that the PIT team is a diverse group of police department sworn members of various ranks, and is diverse across gender and race. Additionally, both the FOP and the Sentinel Police Organization have representatives on the team.

The CPD has provided the Monitor and the Parties a revised performance evaluation system drafted by the PIT Team. It has ten core performance anchors for all sworn employees and assignment-specific performance anchors for uniformed patrol, the investigative units, administrative staff, and supervisory personnel. There are eight performance standards:

- (1) Exceptional
- (2) Exceeds Standards +
- (3) Exceeds Standards -
- (4) Meets Standards +
- (5) Meets Standards -
- (6) Needs Improvement +
- (7) Needs Improvement -
- (8) Unacceptable.

The ten core performance anchors are Attendance, Community Partnerships, Complies with Policies and Procedures, Customer Service, Decision Making, Grooming and Dress, Problem Solving, Teamwork, Work Product and Communication Skills.

During the April 19, 2007, facilitated meeting of the Parties, the CPD informed the Parties that the Chief has signed off on the performance evaluation standards and that the CPD has already begun training supervisors on the new system. Recently, the Monitor learned that the CPD may be implementing the performance evaluation standards as early as May 1, 2007.

Job Descriptions: The CPD believes that the job descriptions developed in November 2004, when combined with the Police Chief’s recent “integration of CPOP into all police operations through the redeployment of the neighborhood units,” satisfy the CA requirement to review and update job descriptions to reflect the Police Department’s commitment to CPOP.

Policy Revisions: The CPD revised its policies establishing which Units and Sections were to submit problem-solving reports to the Chief, consistent with the recommendations of the Monitor (see 29(k)). In October, 2006, the CPD also revised its problem-solving procedure to clarify the reporting requirements of the District and Unit Commanders and of officers related to problem solving. The CPD asked Unit Commanders to use the Critical

Elements form under Section 29(k) as its guide when documenting problem-solving efforts that will not be entered into the tracking system, such as for investigative units that do not have access to the CPOP tracking system.

Organizational Plans: CDP leadership has made several changes that relate to organizational planning. These include the drafting of a new Strategic Plan and the redeployment of COP officers. The changes resulting from the COP redeployment are discussed in 29(n).

3. Assessment

Performance Evaluations. The performance evaluation standards adopted in 2004 did not place the CPD in compliance. We turn to the new performance evaluation system. We stated that any new performance appraisal system should be consistent with the CA; it should support problem solving, reflect that problem solving is the principal strategy of the Department, and be a means of accountability within the Department. Performance evaluations are an essential element of the organizational infrastructure needed to sustain CPOP.

The revised 448 (Performance Appraisal) forms are modeled on what is known as a Behaviorally Anchored Rating System (BARS). The PIT team identified key common performance dimensions that the CPD has an interest in evaluating, along with various specialized dimensions that are unique to particular roles or assignments. For each of these dimensions, various examples of behaviors or performance have been identified to help raters and the employee better understand the standards used to assess the employee's performance in that specific dimension.

The Monitor agrees that this is a significant improvement over the current performance evaluation system and standards. The policy manual and materials that were developed to support this revised rating form and system are also superior to the materials and guidance previously offered.

We agree the new performance appraisal system reflects a marked improvement and does offer evidence of changes that would be more consistent with a commitment to CPOP. We also believe that with some revisions, the evaluation system can more clearly place problem solving as the principal strategy for addressing crime and disorder problems in the community. Doing so would ensure that this stated objective of the Collaborative Agreement is fully understood and carried out by all employees.

Among the ten core performance anchors used, problem-solving features are specifically mentioned under "community partnerships" and "problem solving." They can also be mentioned elsewhere, and should be stressed as an expectation for all of the four assignment-specific categories. While the

description of the “Patrol Practices (Self Initiated Activity)” anchor for patrol officers includes a reference to CPOP, all CPD members, in particular supervisors and managers (and even investigators), can and should share responsibility for the agency’s commitment to problem solving, and this should be stressed in their performance appraisals. Managers and supervisors should be guiding, leading and coaching subordinate staff in these techniques and reinforcing the agency’s commitment by modeling and reinforcing what all are expected to do to ensure that problem solving is the principal strategy for addressing crime and disorder.

We therefore recommend that language be incorporated into the assignment-specific performance anchors for the administrative, supervisory, patrol and investigative assignments that would address specific problem solving expectations attached to those roles. Such language and expectations seem to logically fit under categories such as “interaction with other units and agencies”, “project management”, “research”, “patrol practices”, “evaluating employees”, “leadership”, and “personnel development.”

In addition, while moving forward on training for the new performance evaluation system shortens the time it will take for the new system to become operational, we do note that the training began without assessing whether the new system sufficiently emphasizes problem solving, so as to put the CPD in compliance. For example, the CPD began the training before providing the Monitor and the Parties with an opportunity to comment and assess the performance evaluation standards. This also occurred in 2004, and the revisions then to the CPD’s performance evaluation standards were found to be not in compliance with the CA. The Monitor believes that the changes needed to emphasize problem solving can be, and must be, accomplished quickly and incorporated into the CPD’s training on the performance evaluation system. Moreover, these changes should be made before the CPD begins implementing the new performance evaluation standards, so that the standards are consistent with CPOP and will bring the CPD into compliance.

Job Descriptions. As we have noted in prior Reports, the CPD will need to revise its job descriptions in light of CPOP. Such revisions apply to all positions from the rank of patrol officer and police specialist through the rank of Lieutenant Colonel.

Revising job descriptions establishes that a police organization is committed to clarifying and reinforcing the knowledge and job skills employees should possess and the performance expectations associated with each role. Given that problem solving is central to how the CPD will police, then the skills required in this dimension, and evidence of their application (among other things), must be displayed. Further, revised performance evaluation systems and job descriptions help support the Strategic Plan, which is discussed in 29(n).

The CPD proposed including the following descriptors in job descriptions to achieve compliance.

- Shall have a working knowledge of Community Problem-Oriented Policing (CPOP)
- Shall have a broad understanding of the SARA problem-solving methodology for consistent application in CPOP teams
- Shall support CPOP initiatives to maintain a positive relationship between the Police Department, community members and CPOP participants
- Shall be active in CPOP teams, committees, and other groups formed for the purpose of identifying problems and/or solutions to problems within the community, City or Department
- Shall keep their supervisor informed of current CPOP issues
- Shall provide supervision and direction of subordinates in identifying and resolving problems utilizing the CPOP approach (included for supervisory positions only)

The Monitor believes that the above descriptors are helpful, but not sufficient, to achieve compliance. There is no mention of analyzing crime and safety problems, nor any mention of assessing the impact of responses selected to address crime and safety problems. While SARA is mentioned, it is only in the context that the employee has “a broad understanding” of the approach, rather than emphasizing the need to display the job skills, ability and commitment to carrying this out.

While one of the descriptors states that the employee “shall be active in CPOP teams, and other groups,” under this description, it could be assumed it is sufficient if the individual merely attends CPOP meetings. An employee would be right in arguing that under this job description his/her participation does not require anything other than engaging in routine enforcement activities on an identified problem.

Since the CPD has asked for more specific guidance than we have provided in the past, our recommendations below are more specific.

- Shall use problem solving as the primary crime fighting strategy to address repeat or chronic problems, including using SARA in addressing repeat, chronic problems

- Shall participate in CPOP teams and other community efforts to reduce crime or safety problems, and participate in all aspects of SARA through activities such as: identifying repeat crime and safety problems, analysis of problems, developing responses tailored to the problem after exploring a range of responses, implementing responses, and assessing their impact
- Shall develop awareness of and apply contemporary problem-oriented strategies to reduce common urban crime or safety problems
- Shall develop awareness of and apply situational crime prevention strategies to reduce crime and safety problems
- Shall document problem solving efforts so others can learn from them
- Shall coach and evaluate officers/investigators in the development of their ability to carry out a problem-solving approach to crime/safety problems (added for supervisory positions)
- Shall manage work units so that problem solving is the primary crime fighting approach taken to reduce crime or safety problems (added for lieutenant through lieutenant colonel rank)

Policy Revisions. Last year, the CPD leadership directed specific Unit Commanders to file a quarterly problem-solving report and use the form titled *Critical Elements That Must Be Addressed in Quarterly Problem Solving Reports* as a guide to improve upon the type of information that is contained in these reports. Even though the form was adopted nearly a year ago, Unit Commanders rarely used it. In October 2006, the CPD adopted a new Problem-Solving procedure (12.370). The procedure describes how projects are to be opened, completed, and closed. In addition, it identifies reporting requirements for District and Unit Commanders. The new procedure states: “The SARA problem-solving methodology is the primary process for addressing crime and disorder problems.” We see this as a tremendous step forward. However, the new procedure does not require the use of the Critical Elements Form; rather a different set of questions are posed that are required to be answered, providing much less guidance than the Critical Elements Form:

- Specific problems addressed identifying causes, scopes, and effects of the problem
- The quantitative measuring device used on the problem

- Steps taken to resolve the problem
- Obstacles encountered and recommendations for future improvement

There is no requirement in the steps above for assessment. We still believe that examples and training will provide the best guidance for employees so they can understand how the policy translates into practice. Many thorough examples can be pulled from the winners or finalists for the Herman Goldstein Award for Problem-Solving Excellence (www.popcenter.org) and shared with Department employees if desired.

Organizational Plans. The CPD adopted a new Strategic Plan in 2006. In the Plan, strategies support identified objectives. The CPD included its first report on Strategic Plan objectives in the Parties' March 5, 2007, CA Status Report. We list below those strategies employed in the Plan that are consistent with the CA. Some have already been identified in this Monitor Report in previous sections or previous reports, but since it is the first reporting out on the Strategic Plan, we are listing them here as well.

- Reduce violent crime (objective 1.1) – the Department is moving forward with the help of David Kennedy and John Eck to reduce violent crime through the problem-oriented approach called “pulling levers” (although this is not reported in the Strategic Plan)
- Reduce illegal drug trafficking (objective 1.3) – buyer-beware drug stings, use of civil ordinances to reduce drug crime
- Reduce Vice-Related Offenses (objective 1.4) – participate in the “Off the Streets” Program involving john education, use of civil remedies for prostitution offenses, enforce liquor licensing regulations against problem properties
- Increase the use of non-criminal strategies as problem-solving tools (objective 1.5) – code enforcement by inter-agency response teams, expanded use of Drug House Abatement Program to educate landlords and evict drug offenders, analyzing crime hot spots
- Augment police-community involvement in problem-solving projects (objective 2.1) – court watch expanded, District 2 states it will use problem solving examples in 6-minute roll call training and District 3 states it did roll call training

- Enhance public education on police operations (objective 2.2) – youth leadership program (38 attendees), strategic planning dialogue (41 attendees)
- Increase Department-community involvement and interaction (objective 2.3) – developed cross-cultural communication training, partnering with Freedom Center and Hebrew Union College to develop civil rights course for new recruits
- Expansion of CPOP philosophy to entire department, and introduction of more beat officers at community meetings (objective 2.3.3) - District 1's goal is to expand attendance of community meetings down to the beat and CPOP liaison level for all three shifts and Downtown Services Unit; all District 5 officers received training on how to attend community meetings; District 3 officers received roll call problem-solving training and resource training.

In sum, revisions to performance evaluation standards and job descriptions are key elements in this section, as they can help drive the type of change the CA requires. The City will be in compliance with the job descriptions portion of 29(o) if it makes revisions similar to or consistent with the descriptors provided. It also will be in compliance with the performance evaluation portion of 29(o) if it addresses the problem-solving expectations in the patrol, administrative, supervisory and investigative assignment-specific anchors.

As for revised procedures, the City developed a problem-solving procedure, which offers some guidance to Unit Commanders about written reporting expectations around problem solving, for those efforts that will not be kept in the CPOP tracking system. It is in compliance on this part of 29(o). Regarding organizational plans, staffing issues are discussed in 29(n).

Regarding the Strategic Plan, in prior Reports we complimented the CPD for some of the objectives included in the plan, although we suggested that some additional elements of the CA should be incorporated to ensure that they are accomplished. We see the Strategic Plan as a highly useful tool for focusing District Commanders, Unit Commanders, and other Department personnel on what is important to the Department. This is why, under section 29(n), we recommend that the CPD include just a few more items into the Strategic Plan so they can be tracked and measured, which would place the CPD in compliance for 29(n) and this part of 29(o). In other words, with a few more additions, the Strategic Plan can help the CPD accomplish the ends of the Collaborative Agreement.

We believe that if appropriate progress is made on job descriptions, performance evaluations, and the Strategic Plan, the City will be in compliance with this section. The development of a new performance evaluation system is progress in itself, although the CPD began to train its supervisors on the system before it was reviewed by the Parties and the Monitor. Because of the importance of these areas to the support of CPOP and the CA, the City remains out of compliance with this section of the CA; however, we believe that the City can move quickly in the right direction towards compliance.

1. Requirement 29(p)

The City shall design and implement a system to easily retrieve and routinely search (consistent with Ohio law) information on repeat victims, repeat locations, and repeat offenders. The system also shall include information necessary to comply with nondiscrimination in policing and early warning requirements.

2. Status

As noted in our prior Reports, the City expects to meet this requirement through the acquisition of a new Records Management System (RMS) and Computer Aided Dispatch (CAD) system. In 2005, the City signed a contract with Motorola to develop and install the CAD/RMS system. The CAD portion of the new system should be on-line within a year and the RMS portion of the integrated system should be on line within six months after that (with some modules up earlier).

In 2005, the CPD staff provided the Monitor Team with samples of various types of information produced for different initiatives, including the Community Response Team, quality of life problems, and code enforcement activities. The CPD states that these types of reports and data production are readily available now, and that the new crime analysts perform crime analysis functions. Data from agencies outside the CPD also is used, including adult and juvenile probation data. The Planning Unit also produces reports for the Partnering Center or other community-led efforts, such as the Neighborhood Support Center. The CPD gained access to Juvenile Court Data and is expanding its access among its personnel to several state databases that will be useful in follow-up investigations and CPOP assessment. The CPD believes it is in compliance because of the use of these different databases and the reports the CPD generates about crime.

In February 2006, the CPD's Information Technology Management Section (ITMS) developed three databases to assist in the identification of community-based problems. These quarterly databases are sent to District crime analysts. The databases provide specific information for use in problem analysis, response and assessment related to the following:

Repeat Locations. The search parameters will include the following for the previous quarter of the calendar year:

- Computer Aided Dispatch Incident Number
- Specific address information for locations with more than five incidents
- Incident time
- Complainant information, if known
- Complaint type
- Suspect information
- Disposition

Repeat Victimization. The search parameters will include the following for the previous six months:

- Victims of crime in three or more incidents
- Offense type
- Address of the offense
- Incident time
- Suspect/arrest information

Repeat Offender. The search parameters will include the following for the previous twelve month period:

- Individuals arrested more than five times
- Arrest charge information
- Specific address information for locations
- Incident time
- Complainant information

At the encouragement of the Monitor, ITMS staff read the Analyzing Repeat Victimization POP Guide. They suggest that even though their databases are quarterly, crime analysts can combine the data of previous quarters to create 12 months of information. In addition, ITMS staff report that they cannot direct the District crime analysts to use the data, or direct the Districts to undertake projects, because the Districts are not under their command. ITMS staff also reports that they are trying to improve the accuracy and integrity of data submitted in the reports.

3. Assessment

We noted in prior Reports that the new system the CPD has selected is expected to be capable of retrieving and linking information in the CPD's current computer information systems to enable the CPD to track repeat

offenders, repeat victims, and repeat locations. This information can then be used in problem solving, CPOP cases, and District/Unit Commander reports. The system will increase the CPD's ability to identify trends and patterns and use them to undertake problem-solving efforts. While the CPD's current information systems provide some information, they are systems that are based on traditional models of policing, where incidents were documented typically as isolated or non-recurrent events, where pattern analysis might focus on an offender "m.o.," rather than also on repeat location, repeat location types, repeat victim, and repeat victimization locations. In February 2006, the Department developed three databases using quarterly information to identify repeat victims, repeat locations, and repeat offenders. In the year since those databases were available, we still have not seen projects associated with the people or places identified by the repeat data.

We said in prior Reports that we expect to see the information from the databases, particularly drawn over a longer period of time, to be the basis of problem-solving efforts initiated by the police around repeat victims, repeat locations, and repeat offenders. Again, we suggest that the CPD partner with the Partnering Center on some of these. Using the data in problem solving is just as important as creating the databases.

We had said in several prior Reports that the CPD could use the information in the Analyzing Repeat Victimization publication to move into full compliance relatively quickly. ITMS states that it does not have the ability to direct District crime analysts and we have not seen evidence that each of the repeat victim, offender, and location databases is being used within the Districts as the basis of opening problem-solving projects. The CPD leadership is in a position to direct Districts to use the databases (combining 12 months of data into one database for each of the three databases) for the basis of opening problem-solving efforts. The CA is outcome based. Databases developed (for the purpose of opening the Department to problem-solving avenues to reduce crime and safety problems), but not used, do not place the CPD in compliance. The CPD remains in partial compliance.

1. Requirement 29(q)

The City shall secure appropriate information technology so that police and City personnel can access timely, useful information to problem-solve (detect, analyze, respond, and assess) effectively. The CA established February 5, 2003, as the deadline for development of a procurement plan, April 5, 2003, to secure funding, August 5, 2003, to procure systems, and August 2004 to implement any new purchases.

2. Status

The Parties believe that the new Motorola RMS/CAD system will also meet the requirements of this section of the CA. The CPD adds that it routinely provides information to CPOP teams for different stages of the SARA model. The CPD provides information to communities to substantiate funding for Safe and Clean grant applications. Also, the CPD collates information to be part of quality-of-life indicators so that various City departments can target interventions and enhance Code enforcement. The CPD also notes that its seven new crime analysts will disseminate the information in a more timely way and so “the spirit of this requirement is being met with current capabilities.”

3. Assessment

The CPD has reported that it expects the CAD portion of the new system to be on line the second quarter of 2007. The CPD reports that “[i]ssues related to proper geo-coding, CAD configuration and COPSMART delays the development.” The CPD did not report an expected on-line date for the RMS portion of the system.

The CPD cites its use of its current systems, including the CPOP tracking systems, as a basis for a determination of compliance. The Monitor has noted in several CA sections that the CPD needs to improve its problem-solving analysis, and use that analysis in its CPOP and problem-solving efforts. Nonetheless, we believe that the work done under 29(p) also puts the CPD in partial compliance for 29(q). The repeat location, victim, and offender databases are a beginning, although improvements are still needed along the path described in 29(q). Once the new systems are up, they will need to ease access to this type of information and improve the CPD’s capacity to scan, analyze, respond and assess. The City is in partial compliance with this section of the CA.

B. Vortex and Over-The-Rhine

As part of the City’s March 5, 2007, CA Status Report, the CPD provided material on the Vortex Unit and efforts in Over-The-Rhine (OTR), asserting that the “Vortex Unit is part of a long-term comprehensive problem-solving approach originally applied in the Over the Rhine neighborhood and subsequently formalized for application wherever needed.” The Monitor has reviewed the material provided. Our conclusion remains unchanged that Vortex does not meet the definition of problem solving as defined in the CA, and as further defined by agreement of the Parties. As described by the CPD, Operation Vortex is a “highly visible proactive unit that has a zero tolerance approach to street crimes, drug trafficking, and quality of life issues.” It uses a saturation patrol approach.

The Parties have already agreed that problem solving is defined in paragraph 16 of the CA.

Initiatives to address crime and disorder will be preceded by careful problem definition, analysis and an examination of a broad range of solutions. The City of Cincinnati will routinely evaluate implemented solutions to crime and disorder problems, regardless of the agency leading the problem-solving effort.

As discussed two years ago in the April 2004 facilitated meeting with Judge Michael Merz, “problem solving” for the purposes of the CA, has to include problem definition, analysis, broad range of options explored, and assessment of implementation; in other words, the SARA process.

For the following reasons, Vortex does not fit the CA definition of problem solving.

- The CPD cites the following problems as being most prevalent and harmful in OTR: felonious assault, primarily shootings, related to drug trafficking; prostitution; and drug trafficking. However, the CPD has not provided an analysis of specific problems within OTR. During the five year CA period, the Monitor has asked the CPD for data collection points such as the number of drug markets in OTR; that information has not been collected or provided. Also, in our review of prostitution projects conducted by the CPD in OTR, none contained any level of detail.
- The Commander in charge of the Vortex Unit did not view the Unit as a problem-solving unit, but instead viewed the operation as a saturation patrol, and as a resource tool for District Commanders.
- One aspect of problem solving involves looking at a range of responses and deciding which ones are suitable, based on the analysis of the problems; some of these strategies are rejected, others are adopted. It is not at all clear that the CPD examined a range of solutions in proceeding with Vortex.
- Problem solving favors more precise strategies over more generic strategies, such as zero tolerance, high-intensity enforcement. This type of approach to policing tends to be overbroad, as opposed to highly-tailored and precise, and also has the unintended effect of producing tense relations with the community and more overload to the criminal justice system.

- Assessment and review of the data does not demonstrate problem solving. First, the CPD cites the number of arrests and seizures as the results of the OTR Task Force and the Vortex Unit. Then, for “assessment measures,” it cites a reduction in Part 1 crime, a reduction in the “Blight Index,” a reduction in calls for service, and a reduced number of areas identified as hot spots. While the reported crime in OTR decreased, so did the population in OTR, so it is not clear how much the crime rate in OTR decreased. Second, there is little to connect the data cited by the CPD to Vortex. For example, it is not clear what impact Vortex had in reducing blight along Vine Street, nor is the Blight Index specifically tied to the OTR problems identified. Third, the crime data cited is only from 2005 and 2006; but reported crime also decreased from 2004 to 2005, before the Vortex Unit was organized. Other police strategies could have been used to reduce crime in this neighborhood. Fourth, the data listed is for all of OTR; it is not specific to crime hot spots within OTR, or to specific drug markets, or to specific repeat locations for offenses such as robbery, assaults and prostitution. Fifth, the information that the CPD cites does not indicate any analysis of the impact of Vortex on drug markets; for example, were there any particular ones that were closed? Nor does the material provided by the CPD cite any data on prostitution, one of the three problems identified. Finally, the material does not include any discussion or evaluation of crime displacement, which would be an important aspect of assessment for this type of policing approach.

It is also clear that the Vortex Unit cannot be considered a CPOP project under the definition of CPOP agreed to by the Parties. The September 14, 2004, “Joint Statement on Commitment to CPOP” stated:

Under CPOP, citizens have the opportunity to identify those areas within their own communities where crime and safety problems occur. Once a problem is identified, the citizens, in cooperation with the police and the Community Police Partnering Center, take the following steps to solve the problem:

1. A careful analysis identifying contributing key elements;
2. Develop and implement responses to resolve the problem; and
3. Assess the effectiveness of the actions that have been taken.

The Statement then says that responses may be preventive in nature, may involve public agencies and the private sector, may include engagement of the people seen as the source of the problem, residents living near the problem location, appropriate social service and faith-based groups, and also may

include law enforcement actions. For an effort to be characterized as a CPOP project, it must include the participation of the community. It was also agreed that the Partnering Center would be notified and provided an opportunity to participate in the CPOP project.⁷ That is not the case in the Vortex Unit. Vortex does not involve a CPOP team, does not include participation of the Partnering Center, and does not involve community members. The Vortex strategy devised to counter crime problems in OTR was police-developed; a range of strategies was not offered to the community.

The OTR Task Force and then Vortex may have been, in part, a response to calls for increased police enforcement in OTR from OTR businesses and from some residents. Sweeps, crackdowns and zero tolerance are short-term responses; they are not longer-term solutions to crime problems, and they have unintended consequences for the community (as illustrated by the RAND findings, and perceptions of the police among African Americans in Cincinnati). The Parties and the Monitor will discuss the Vortex Operation and any differences of views at the May 7 facilitated meeting with Magistrate Judge Michael Merz.

II. Evaluation Protocol [CA ¶¶ 30-46]

1. Requirements

The Collaborative Agreement was developed “to resolve social conflict, to improve community-police relationships, to reduce crime and disorder...and to foster an atmosphere throughout the community of mutual respect among community members including the police” (CA ¶10). One important aspect of the Agreement is its requirement that the parties implement a system of evaluation to track whether the goals of the Collaborative Agreement are being achieved.

The CA calls for an Evaluation Protocol to track attainment of CA goals. This tracking serves as a “mutual accountability plan.” According to the CA, “[t]he term ‘mutual accountability plan’ is defined as a plan that ensures that the conduct of the City, the police administration, members of the Cincinnati Police Department and members of the general public [is] closely monitored so that the favorable and unfavorable conduct of all is fully documented and thereby available as a tool for improving police-community relations under the Agreement.”

The Evaluation Protocol must include the following components:

⁷ In Appendix 1 of the CPD’s binder on OTR - “CPOP Process Overview” – the CPD notes that once it is determined a problem should be addressed as a CPOP case, “a CPOP team is formed and applies the SARA process to the problem.” A problem coordinator is assigned as a member of the CPOP team, and the Partnering Center coordinates community resources.

- Surveys
 - of citizens, for satisfaction and attitudes
 - of citizens with police encounters (neighborhood meetings, stops, arrests, problem-solving interactions), for responsiveness, effectiveness, demeanor
 - of officers and families, for perceptions and attitudes
 - of officers and citizens in complaint process, on fairness and satisfaction with complaint process
- Periodic observations of meetings, problem-solving projects, complaint process, with description of activity and effectiveness
- Periodic reporting of data to public, without individual ID, but by age, race, gender, rank, assignment and other characteristics. The data, to be compiled by the City's 52 neighborhoods, are to include arrests, crimes, citations, stops, use of force, positive interactions, reports of unfavorable interactions, injuries to citizens, and complaints
- Sampling of in-car camera and audio recordings, database of sampled recordings, study of how people are treated by police
- Examination of hiring, promotion and transfer process
- Periodic reports that answer a number of questions, including:
 - Is use of force declining, and is it distributed equally?
 - Is the complaint process fair?
 - Do officers feel supported?
 - Is problem solving successful?
 - Are police-community relations improving?
 - Is progress being made on issues of respect, equity and safety?
 - Is safety improving?
- The Parties will regularly meet with the Monitor to study the results of the evaluation instruments and determine what changes, if any, in the Agreement or in their actions should be pursued in light of the evaluation results.

The Collaborative Agreement requires that the Parties meet with the Monitor “to study the results of the evaluation instruments and determine what changes, if any, in the Agreement or in their actions should be pursued in light of the evaluation results” (CA ¶30). Paragraph 46 of the Agreement also states that “measurement of the success of the mutual accountability process” will be based on whether the evaluation data was “fully and fairly used to

assess progress toward attaining the goals” of the Collaborative Agreement, and whether the data was used “to adjust City, police and community strategies to address problems, reduce police and citizen use of force and improve police/community interaction.”

Now that we are in our final year of both the Collaborative Agreement and the Memorandum of Agreement with the Department of Justice, it is even more crucial that the Parties and the larger Cincinnati community “fully and fairly” put this data to use.

2. Status

The Collaborative Agreement provisions call for a broad and comprehensive approach to evaluation. The RAND Corporation was brought in as a national expert in research, law enforcement and evaluation. The efforts undertaken by RAND in the Evaluation Protocol provide valuable information and lessons learned, that now need to be used to improve police-community relations and advance the goals of the Collaborative Agreement.

On December 12, 2006, RAND issued its Second Annual Evaluation Report: Police-Community Relations in Cincinnati. The Parties and the Monitor also provided comments or responses to the RAND report, which were included in the Appendix to the report. The Parties hosted a community forum on the RAND 2006 Report and on policing strategies in Cincinnati on February 1, 2007.

The CPD continues to collect data and provide them to RAND to use for RAND’s 2007 report, which will be issued in December 2007. This report will include an analysis of traffic-stop data, a review of MVR tapes of traffic stops to assess police-citizen interaction, a review of statistical data on crime, calls for service, arrests, uses of force and complaints. In addition, the Parties are in the process of determining whether some of the MVR tapes of police stops that RAND used to evaluate police-citizen interactions can be used as a training tool for both police officers and the community.

3. Assessment

RAND’s 2005 First Year Report and 2006 Second Year Report reinforce and validate the Collaborative Agreement’s approach that problem solving must be the principal strategy for addressing crime and disorder in Cincinnati. RAND “underscored a point from last year’s report: The City needs to avoid the assumption that effective law enforcement and good community relations are mutually exclusive goals and to work to find policies that can maximize both outcomes” [p. 92].

RAND's 2006 Second Year Report repeated many of the findings of its 2005 First Year Report. Blacks and whites in Cincinnati experience "substantively different types of policing" (xxiii). Black residents are more likely than whites to live in neighborhoods characterized by crime and disorder, and residents in high-crime neighborhoods in Cincinnati are more likely to see "proactive policing" such as aggressive traffic enforcement, pedestrian stops, and officers patting down individuals on the street corner. Calls for service, reported crime, arrests and police use of force are geographically clustered in particular neighborhoods – including Over-The-Rhine, the Central Business District/Riverfront, Avondale, and Pendleton. Because of where black and white residents live in the city, and because of police decisions on deployment and crime control strategies, blacks and whites have very different experiences with policing in Cincinnati.

The RAND Reports provide a powerful explanation for the wide gap in perceptions about policing between whites and blacks in Cincinnati. This chasm must be bridged. Central to this issue is the impact on the black community of decisions about police strategy. The right police strategy is one that effectively reduces crime, makes people feel safer, and reduces perceptions of police unfairness and bias.

In our Monitor's Reports, we have set out several recommendations for actions that the Parties and the Cincinnati community should take. These steps need to be taken without delay. The CPD will need to increase the level of community dialogue to build trust with the African American community, and to restore trust with residents who have been disillusioned. This should include discussions regarding incorporating problem solving and CPOP into hot spot/crime sweep efforts, and an examination of how and where arrests are being made and how they correlate to reported crime. Aggressive traffic enforcement may engender greater distrust, and may not be effective in reducing crime or improving traffic safety.

The Parties are in compliance with the CA provisions requiring the development of a system of evaluation, and implementation of the Evaluation Protocol (CA ¶¶31-43). The Parties have also committed to continued dialogue on policing strategies in Cincinnati. As these discussions move forward, this will demonstrate the Parties' compliance with CA ¶¶ 30 and 46. For this reason, the Monitor is deferring our compliance determination on these two provisions.

III. Pointing Firearms Complaints [CA ¶48]

The investigations of complaints of improper pointing of firearms from March 2000 to November 2002 were forwarded to the Conciliator, Judge Michael Merz, in July 2003. In November 2003, Judge Merz determined that there was not a pattern of improper pointing of firearms by CPD officers. Therefore, CPD

officers are not required to complete a report when they point their weapon at a person. The Parties are in compliance with the provisions of Paragraph 48.

IV. Fair, Equitable and Courteous Treatment

The CA requires the Parties to collaborate in ensuring fair, equitable and courteous treatment for all, and the implementation of bias-free policing. Data collection and analysis are pivotal to tracking compliance, and training is essential to inculcate bias-free policing throughout the ranks of the CPD. The collection and analysis of data to allow reporting on bias-free policing is to be part of an Evaluation Protocol developed with the advice of expert consultants.

A. Data Collection and Analysis [CA ¶¶ 38-41, 51, 53]

1. Requirements

As part of the Evaluation Protocol, the CPD is required to compile the following data to be analyzed, by percentage attributable to each of the City's fifty-two neighborhoods:

- Arrests
- Reported crimes and drug complaints
- Citations of vehicles and pedestrians
- Stops of vehicles and pedestrians without arrest or issuance of citation
- Use of force
- Citizen reports of positive interaction with members of the CPD by assignments, location, and nature of circumstance
- Reports by members of the CPD of unfavorable conduct by citizens in encounters with the police
- Injuries to officers during police interventions
- Injuries to citizens during arrests and while in police custody
- Citizen complaints against members of the CPD

Paragraph 40 requires that the City provide to the Monitor incident-based data so that the nature, circumstances and results of the events can be examined.

Paragraph 51 references Ordinance 88-2001, which identifies required data to be reported and analyzed to measure whether there is any racial disparity present in motor vehicle stops by the CPD.

Paragraph 53 of the Collaborative Agreement requires the Monitor, in consultation with the Parties, to include in all public reports, detailed information of the following:

- Racial composition of those persons stopped (whether in a motor vehicle or not), detained, searched, arrested, or involved in a use of force with a member of the CPD
- Racial composition of the officers stopping these persons

These are data that are reviewed by RAND in the Evaluation Protocol.

2. Status

a. Traffic Stop Data

CPD officers continue to collect traffic stop data on Contact Cards. The 2006 data was forwarded to RAND for its analysis for the 2007 RAND report.

b. Pedestrian Stop Data

The Parties have agreed that this provision is not needed to accomplish the aims of the CA, and will no longer be applicable.

c. Use-of-Force Racial Data

Racial data on CPD use of force will be provided to RAND for its next annual report.

d. Data on Positive Police-Citizen Interaction

The Parties have agreed to a Report of Favorable Police Conduct form, which has been printed and disseminated. During the second and third quarters of 2006, the CPD received 140 reports of favorable officer conduct reported on positive contact forms, and 316 letters of commendation recognizing outstanding performance by CPD officers. The favorable officer conduct reports are widely available to citizens at all CPD and public facilities, on the CPD website, and each CPD vehicle contains a supply.

e. Data on Unfavorable Citizen Interactions

The Parties to the CA have agreed that:

1. Rude and discourteous conduct by citizens toward police is a problem that can be addressed by community-oriented policing
2. The conduct at issue is typically not criminal and is normally protected by the federal and state constitutions

3. A protocol for tracking rude and discourteous conduct toward the police can be developed while still respecting the constitutional rights of all citizens

The Parties have developed a protocol for reporting and tracking such conduct, and permitting the evaluation team (RAND) to perform statistical compilations and prepare required reports of such conduct to the Parties and the Monitor, pursuant to Paragraphs 38, 39, 40, 44, 45 and 46 of the CA. The protocol has been approved and entered by Judge Susan Dlott as a “Protective Order Re: Mutual Accountability Reports of Unfavorable Conduct by Citizens During Implementation of Collaborative Agreement,” which includes Form MA1 for the reporting of unfavorable conduct of citizens by the police.

The FOP has purchased and installed locked collection boxes in all police districts, and has also printed and distributed the MA1 reporting forms to ensure that all members of the CPD have the capability of reporting unfavorable conduct by citizens for use in compiling information that will document the date, time, and location of the unfavorable conduct, as well as the age, race, sex, and national origin of the person committing the unfavorable conduct, and a description of the unfavorable conduct witnessed by the reporting police officer. The forms are to be collected from the locked collection boxes and transmitted to the Partnering Center where they will be stored until delivery to RAND to be analyzed.

3. Assessment

a. Traffic Stop Data Collection

The CPD collects traffic stop data on Contact Cards, which are used by RAND for analysis. The Parties are in compliance with this requirement.

b. Data Collection on Pedestrian Stops

The Parties have agreed that this provision should be deleted.

c. Use of Force Racial Data

The Parties are in compliance with this requirement.

d. Favorable Interactions

The Parties are in compliance with this CA requirement.

e. Unfavorable Interactions

The Parties have developed a protocol for reporting unfavorable interaction by CPD officers with citizens. The protocol has been approved and entered by the Court. Mutual Accountability Forms have been developed. Now that these are available for completion and collection, the Parties are in compliance with this provision.

B. Training and Dissemination of Information [CA ¶ 52]

1. Requirement

The Collaborative Agreement requires that all Parties cooperate in the ongoing training and dissemination of information regarding the Professional Traffic Stops/Bias-Free Policing Training Program.

2. Status

In 2006, Mr. Barry Webb, Lieutenant Anthony Carter and Sergeant Tom Tanner of the Police Academy, and Mr. S. Gregory Baker, developed a “Cross Cultural Communications” course. The course was presented to all police supervisors in October and November 2006, and is now being presenting to all police specialists and officers. The class is being conducted in a two and a half hour course between January and April 2007, spread out over 29 sessions. According to the CPD, spirited dialogues have transpired promoting further thought and reflection among officers. The course addresses the Racial Profiling Traffic Stop Study and the perceptions of African Americans and police officers in conducting traffic stops.

3. Assessment

With the delivery of bias-free training to officers as part of in-service training in 2007, the Parties are in compliance with this provision.

C. Professional Conduct [CA ¶ 54]

1. Requirement

Paragraph 54 of the CA requires that when providing police services, officers conduct themselves in a professional, courteous manner, consistent with professional standards. Except in exigent circumstances, when a citizen is stopped or detained and then released as a part of an investigation, the officer must explain to the citizen in a professional, courteous manner why he or she was stopped or detained. An officer must always display his/her badge on request and must never retaliate or express disapproval if a citizen seeks to

record an officer's badge number. These provisions are to be incorporated into written CPD policies.

2. Status

This provision has been incorporated into procedures 12.205 and 12.554, and put into effect. The CPD's Manual of Rules and Regulations also generally mandates courteous, fair treatment of all.

3. Assessment

The CPD has put policies and procedures in place in compliance with this CA provision. The City is in compliance with this provision of the CA.

V. Citizen Complaint Authority

A. Establishment of CCA and CCA Board [CA ¶¶ 55-64]

1. Requirements

- The City will establish the Citizen Complaint Authority
- The CCA will replace the CPRP and investigative functions of the OMI. The CCA will investigate serious interventions by police including shots fired, deaths in custody, major uses of force; and will review and resolve citizen complaints
- The CCA Board will consist of seven citizens; the CCA will be run by an Executive Director and have a minimum of five professional investigators; the Board must be diverse
- The Board and Executive Director will develop standards for board members, and a training program, including Academy sessions and ride-alongs
- The Board and Executive Director will develop procedures for the CCA
- The CCA will examine complaint patterns
- The CCA will develop a complaint brochure, as well as information plan to explain CCA workings to officers and the public
- The CCA will issue annual reports

- The City Council will allocate sufficient funds for the CCA

2. Status

The CCA has been operating and investigating complaints since January 6, 2003. A CCA Board of seven members was appointed and completed a training program before beginning work and reviewing complaints. The CCA has also established procedures for its Board meetings, appeal hearings, and its investigations. In December 2006, Mayor Mark Mallory appointed three Board members, John Fronduti, Kristen Myers, and Ozie Davis, to replace CCA Board members Rick Seigel, Dr. Walter Bowers II, and Camille Haamid, whose terms expired at the end of 2006.

3. Assessment

The City is in compliance with the provisions relating to establishing the CCA and the CCA Board.

B. Executive Director and Staff [CA ¶¶ 65-67]

1. Status

Mr. Kenneth Glenn, previously the CCA's Chief Investigator, was appointed as the Executive Director of the CCA, on November 6, 2006. The CCA currently has five investigators on staff, consistent with the minimum number of investigators required by the Agreements.

2. Assessment

The Parties are in compliance with these provisions of the CA.

C. CCA Investigations and Findings [CA ¶¶ 68-89]

1. Requirements

- Each citizen complaint, excluding criminal matters, is to be directed to the CCA, regardless of where it is initially filed.
- Where a complaint is to be investigated by the CCA, an investigator will be assigned within 48 hours.
- The CPD shall notify the CCA Executive Director immediately upon the occurrence of a serious police intervention (including, but not limited to, major use of force, shots fired, or deaths in custody), and a CCA investigator shall immediately be dispatched to the

scene. The CPD shall not interfere with the ability of the CCA investigator to monitor the work of the CPD at the scene and to monitor all interviews conducted by the CPD. (CA ¶71)

- CPD officers and city employees will submit to CCA administrative questions. The executive Director of the CCA shall have reasonable access to city records, documents and employees, including employee personnel records and departmental investigative files and reports. (CA ¶73)
- The Chief of Police and the CCA Executive Director shall develop written procedures that will assure the timely exchange of information and the efficient coordination of CCA and CPD investigations. (CA ¶74)
- The decisions of the CCA shall be forwarded to the City Manager, and the City Manager and the Police Chief “will refrain from making a final decision on discipline until after the receipt of the CCA report.” The City Manager shall agree, disagree or agree in part with the CCA’s findings and recommendations. (CA ¶78)
- Paragraph 80 requires the CCA and the CPD to develop a shared database to track all citizen complaints, the manner in which they are handled, and their disposition. The data will be integrated into an electronic information management system developed by the CPD.
- Paragraph 83 of the CA calls on the CCA to examine complaint patterns that might provide opportunities for the CPD and the community to reduce complaints. Following the identification of such patterns, the CCA and the CPD are to jointly undertake a problem-solving project to address the issues raised.

2. Status

Paragraph 86 requires the CCA to issue annual reports summarizing its activities for the previous year, including a review of significant cases and recommendations. Such reports shall be issued to the City Council and the City Manager, and made available to the public. The CCA issued its 2006 Annual Report in March 2007. This report is available on its website at http://www.cincinnati-oh.gov/cca/downloads/cca_pdf15672.pdf. The report describes the CCA’s activities and procedures, and also provides several examples of case reviews, describing the incident, the complainant’s allegations, the relevant police procedures and practices, and the outcome of the complaint investigation. These summaries provide the public with

important information about issues such as Taser use, the CPD's use of force procedures, and search and seizure requirements. Another example of the CCA's public outreach is the CCA's newsletter, *CCA Speaks*, the latest issue is the January – March 2007 Edition.

3. Assessment

The City is in compliance with CA §§68 through 79, relating to the CCA investigation process, intake and assignment, and CPD and City cooperation with CCA investigations.

With regard to the CA requirement (§80) that the CCA and CPD create a “shared electronic database that will track all citizen complaints,” the two agencies do not have a shared electronic database that tracks all citizen complaints, although the CCA does have access to the CPD's ETS system. Instead, the CCA and CPD have developed a manual spreadsheet that includes information on IIS and CCA complaints. In their December 2006 CA Status Report, the Parties state that the current system is sufficient. The Monitor did note in our last Report, however, that if the tracking and coordination of the status of citizen complaint investigations at each agency is to be done manually, that effort must be kept up to date. The spreadsheet provided to the Monitor in February 2007 (as an Appendix to the City's MOA Status Report) does not include information about a significant number of citizen complaints filed with the CCA in 2006, and does not have up-to-date information about CCA dispositions so that they can be compared with CPD dispositions. The City will be in compliance with this provision if it can provide the Monitor with a current matrix of both agencies' dispositions.

The City and the CCA are in compliance with CA §§82-86, relating to prevention of police misconduct and reducing citizen complaints, and to public dissemination of information about the CCA and how it operates. The CCA has provided the Parties with a report on complaint patterns and trends, and included the patterns report in its 2006 Annual Report, which the CCA published in March 2007. The CCA has also begun publishing a newsletter. The City is also in compliance with CA §87, requiring that the City Council allocate sufficient resources for the CCA to accomplish its mission. However, we encourage the City to evaluate the CCA's work and consider whether there are additional goals that could be accomplished with even slight supplemental budgetary funding.

APPENDIX 1

Things to Consider if a Department Wants to Increase the Amount of Time Officers and Detectives Have to Problem Solve

On the Agency Level

- I. Has the Department done a workload analysis by shift and day of week to see how much time is available for proactive activity?
- II. Are officers self-dispatching to more interesting or hot calls leaving them with less time than they should for problem solving?
- III. Are officers primarily running plates for stolen vehicles or wanted people or doing car stops as their main proactive activity? Is that more effective than focusing on a chronic problem? Can they balance their proactive time so problem-solving is an important piece of it?
- IV. Has the Department examined all avenues of alternative reporting and report-taking for certain types of calls and crimes, such as telephone reporting, on-line reporting for certain types of crimes or lost items, non-sworn report-takers for cold crime calls, etc.?
- V. Can some calls be handled differently by the Department to make additional time for problem solving? Has the Department conducted a review to see if certain types of calls should be handled differently to create time for officers to engage in problem-solving?
- VI. Are certain locations taking up a lot of call for service resources in the City with high numbers of repeat calls, and is the Department managing these places with longer term solutions to reduce their drain on CPD resources and problem solving time?
- VII. Is Department leadership asking employees to engage in problem-solving initiatives? Are expectations clear?

On the Sergeant Level

- VIII. Are expectations from lieutenants to sergeants about engagement in problem solving clear?
- IX. Are sergeants able to identify the *most durable repeat locations* in their officers' beats?
- X. What are the *repeat drug locations* in their officers' beats?

- XI.** What *problems does the community complain about most* in each of the beats the sergeant has officers in?
- XII.** What things can sergeants do to ensure that an officer working on a problem can attend a community meeting where that problem is being discussed?
- XIII.** Are sergeants familiar with the reasons some places in their Districts/Areas become a “Risky Facility”?
- XIV.** Are sergeants able to identify the *Risky Facilities* in their officers’ beats?
- XV.** What does crime analysis and calls for service show about these durable repeat locations? If they are durable locations, are sergeants looking at long term data sets and a wide range of information about these places?
- XVI.** Do any of the nearly 60 problem-oriented policing guides (www.popcenter.org) offer insights into the problems in a sergeant’s District/Area or on officers’ beats? Do any of the problem-solving efforts in the CPOP website offer insights?
- XVII.** Are sergeants able to identify the three biggest obstacles that keep most of their people from engaging in problem-solving?
- XVIII.** What are different ways sergeants can make time for their officers or detectives to do problem-solving?
- XIX.** What things can sergeants do to overcome the three most common reasons for officers or detectives not doing problem-solving?
- XX.** Are sergeants identifying and dealing with officers who are self-dispatching to hot calls and engaging in “swarm policing”?
- XXI.** What calls can be held by sergeants?
- XXII.** What things do the sergeant’s officers or detectives need coaching in that would improve their ability to do problem solving?
- XXIII.** Are sergeants able to come up with different ways to make sure that their officers/detectives use data such as crime analysis, calls for service, surveys, etc?
- XXIV.** For sergeants who oversee a special unit, such as narcotics, gangs, vice, intelligence, computer crime, violent crime, property crimes, etc.,

are there three different problem-solving initiatives you could have your officers/detectives take on? Are the sergeants able to develop a plan to make this happen?

APPENDIX 2

April 21 CPOP Summit Offers Information and Strategies To Reduce Crime And Blight

Everyone is invited to this free event; reservations can be made through April 13.

The second annual Community Problem Oriented Policing (CPOP) Summit will be held from 9:00 a.m. to 3:00

p.m. Saturday April 21 at the Crossroads Community Church, 3500 Madison Road. Everyone is invited to attend this event that brings together citizens, City staff, police officers and members of the Community Police Partnering Center to address community safety and crime reduction.

Workshops will cover local and national strategies emphasizing a practical, problem-solving approach to issues such as gun violence, drug sales and street prostitution. The event is free, but reservations are required and can be made through April 13 by contacting Tracey Wilson at the Partnering Center by phone at 513-559-5450 or by e-mail at twilson@gcul.org.

Workshop topics include:

- **Crime Prevention & Safety 101:** Reducing the likelihood of becoming a victim of crime may be as simple as applying a few basic crime prevention strategies.
- **CPOP – Neighborhood Strategies for Success:** Examples of “best practices” used by citizens, police and city departments working together to combat crime, blight and safety concerns.
- **Reducing Crime Associated with Corner Stores:** Dr. Calvin Trent of the Detroit Health Department will share strategies that were employed to partner with convenience store owners to address problems of crime and disorder.
- **The Role of Youth in Reducing Gun Violence:** A panel with members of the Mayor’s Youth Council, the Avondale Youth Council and other youth advocates will discuss gun violence in Cincinnati and national models to reduce it.
- **Community Safe Zones – “Trafficking a New Plan”** Baltimore’s model project established “safe zones” with five components to reduce gun violence and open-air drug sales.
- **Targeted Deterrence and the Role of the Community:** Dr. David Kennedy of the John Jay College of Criminal Justice will present the proven “targeted deterrence” strategy to reduce gun violence.
- **CeaseFire Cincinnati:** The Campaign to Stop the Shooting! CeaseFire Cincinnati leaders and CeaseFire Chicago Director Norman Livingston Kerr will discuss street-level outreach, community mobilization, public education and collaboration with criminal justice partners and faith-based leadership

CHART OF CA COMPLIANCE

CA ¶	CA PROVISION	COMPLIANCE STATUS
	Interagency Collaboration	
29(a)	The City, in consultation with the other Parties, shall develop and implement a plan to coordinate City departments with the CPOP focus of the CPD.	Partial Compliance
	Best Practices	
29(b)	The Parties shall develop and implement a system for regularly researching and making available to the public a comprehensive library of best practices in community problem-oriented policing.	Compliance
	Continuous Learning Process Through the CPD Around Problem Solving	
29(c)	The City, in consultation with the Parties, shall develop a “continuous learning” process through the CPD. Experiences with problem-solving efforts in the field will be documented. Experiences with problem-solving efforts in the field will be disseminated throughout the police department. Experiences with problem-solving efforts in the field will be made available to the public. Problem solving will continue to be emphasized in (including but not limited to) academy training, in-service training, and field officer training.	Partial Compliance
	Research Successful and Unsuccessful Ways to Tackle Problems	
29(d)	The Parties will seek out information on how problem solving is conducted in other police agencies. Research and best practices on successful and unsuccessful methods for tackling problems, and analogous processes used by other professions (e.g., conflict resolution, organization development, epidemiology, military, civil engineering, and business) will be disseminated.	Partial Compliance
	Joint Promotion of CPOP and CPOP Training	
29(e)	The Parties, consistent with the Partnering Center, shall conduct CPOP training for community groups, jointly promote CPOP, and implement CPOP training.	Compliance
	Community Dialogue and Structured Engagement with Specific Groups	
29(f)	The Parties shall coordinate efforts undertaken through the Partnering Center and establish an ongoing community dialogue and interaction including, but not limited, to structured involvement between the CPD and youth as well	Partial Compliance

	as with property owners, businesses, tenants, community and faith-based organizations, motorists, low income residents and other city residents on purposes and practices of CPOP.	
	CPOP Annual Award	
29(g)	The Parties shall establish an annual CPOP award to recognize the efforts of citizens, police officials, and other public officials who have made substantial contributions to CPOP by addressing community problems in Cincinnati.	Compliance
	Informing the Public about Police Policies and Procedures – Communications Audit	
29(h)	The City, in consultation with the Parties and consistent with Ohio law, shall develop and implement a system for consistently informing the public about police policies and procedures. In accomplishing this item, the City, in consultation with the Parties, shall conduct a communications audit, and develop and implement a plan for the improvement of internal and external communications. This will be funded by NCCJ.	Compliance
	Staff a Community Relations Office	
29(i)	The Parties shall create and staff a Community Relations office that will coordinate with the CPD implementation of this Agreement.	Compliance
	Problem-Solving Annual Report	
29(j)	The Parties shall describe the current status of problem solving throughout the CPD and what is being done to improve it through an annual report. Each party shall provide information detailing what it has done relating to its role in CPOP.	Compliance
	CPD District Commander and Special Unit Commanders/Officials Submit Problem-Solving Reports	
29(k)	CPD District Commanders and Special Unit Commanders or officials at comparable levels shall prepare quarterly reports that detail problem-solving activities within their districts. To the extent practicable, these reports shall identify specific problems addressed and steps taken by the City and the community toward their resolution. The reports also shall identify obstacles faced and recommendations for future improvement. Consistent with individual privacy and relevant law, these reports shall be available to the public through the CPD’s Community Relations Office.	Compliance

	Police Academy Training	
29(l)	The Parties shall review existing courses and recommend any new ones that may be appropriate for the Police Training Academy in order to effectively and accurately inform police recruits, officers and supervisors about the urban environment in which they are working.	Compliance
	Implement Problem Tracking System	
29(m)	The Parties, in conjunction with the Monitor, shall develop and implement a problem-tracking system that will have the goal of documenting problem-solving activities, including problem definition, analysis and response activities and information, evaluation results, and partnerships with police, government, and community organizations and individuals.	Partial Compliance
	Update Staffing Plan in Light of CPOP	
29(n)	The City shall periodically review its staffing plan in light of its commitments under CPOP and make revisions as necessary subject to funding provisions of this Agreement.	Partial Compliance
	Revise CPD Policies, Procedures, Organizational Plans, Job Descriptions, and Performance Evaluations consistent with CPOP	
29(o)	The City shall review and, where necessary and appropriate, revise police department policies and procedures, organizational plans, job descriptions, and performance evaluation standards, consistent with its commitment to CPOP.	Not in Compliance
	Information Retrieval Systems Consistent with Analysis Needs	
29(p)	Consistent with applicable federal and state law regarding protection of personal privacy and the Ohio Public Records Act, the City shall design a system that will permit the retrieval and linkage of certain information, including that which is already collected by the CPD but may not be routinely searchable under the present system. Further, the system shall enable the tracking of repeat offenders, repeat victims, and/or repeat locations that are necessary to community problem-oriented policing. Finally, the system established under this paragraph shall include, but not be limited to, that information necessary to comply with the terms in this Agreement regarding nondiscrimination in policing and early warning.	Partial Compliance

	Availability of Timely Information to Detect, Analyze, and Respond to Problems, and Evaluate their Effectiveness	
29(q)	The City, in consultation with the Parties, shall study the options and then determine if and how to best secure appropriate information technology so that police officers, supervisors, managers, and executives, as well as other City agencies and community members, can get access to timely and useful information needed to detect, analyze, and respond to problems and evaluate their effectiveness subject to the provisions of this Agreement with respect to funding.	Partial Compliance
	Evaluation Protocol	
30	The Parties, in consultation with appropriate experts and under the supervision of the Monitor, shall develop a system of evaluation to track the attainment of goals agreed to between the Parties in the Settlement Agreement. The Parties will regularly meet with the Monitor to study the results of the evaluation instruments and determine what changes, if any, in the Agreement or in their actions should be pursued in light of the evaluation results.	Compliance
31	The Parties shall, with advice of expert consultants and under the supervision of the Monitor, develop a Protocol to accomplish the system of evaluation.	Compliance
32	The Evaluation Protocol shall set forth a schedule of implementation of its terms; the cost of implementation; the individual or entity that will perform its requirements; data collection methods; guidelines for analysis of collected data and reporting; level of statistical confidence; and levels of statistical power.	Compliance
33	The cost to implement the Evaluation Protocol shall not exceed the limits of the CA.	NA
34	The Evaluation Protocol shall include (1) periodic surveys; (2) periodic observations of programs in which the police are involved; and (3) annual statistical compilations of police interactions with the community and the community's interaction with the police.	Compliance
35	Periodic Surveys	Compliance
36	Periodic Observations	Compliance
37	Privacy and Anonymity of Survey and Observation Respondents	Compliance
38	Statistical Compilations	Compliance
39	Statistical Compilations	Compliance
40	The City shall provide to the Monitor incident-based data so that the nature, circumstances, and results of the events can	NA

	be examined.	
41	Evaluation of Problem Solving Processes	NA
42	Evaluation of Video and Audio Records	Compliance
43	Evaluation of Staffing	NA
44	The Evaluation Protocol will include the provision of periodic reports.	Compliance
45	Annual Reports on Evaluation Protocol	Compliance
46	Measurement of the success of the mutual accountability process	Defer Determination
	Use of Force and DOJ Agreement	
47	The City shall abide by the terms of the DOJ Agreement (the MOA).	Compliance
48	Expedited citizen complaint process for addressing concerns based on pointed firearms. The Conciliator shall review six months of complaint and investigation determinations, and decide whether a pattern of improper pointing of firearms at citizens exists.	NA
49	FOP agrees the DOJ Agreement can be appended to the CA, so long as it reserves the right to raise issues related to the DOJ Agreement through the dispute resolution process.	NA
	Fair, Equitable and Courteous Treatment	
50	The City shall provide police services in a fair and impartial manner without any discrimination on the basis of race, color or ethnicity. The City, in consultation with the Parties, shall take appropriate action to track compliance.	Compliance
51	Analysis of the data collected to measure whether any racial disparity is present in motor vehicle stops will be reported pursuant to the Evaluation Protocol (§39).	Compliance
52	The Parties shall cooperate in the ongoing training and dissemination of information regarding the Professional Traffic Stops Bias-Free Policing Training Program.	Compliance
53	The Monitor shall include in public reports detailed information including the racial composition of those persons stopped (whether in a motor vehicle or not), detained, searched, arrested, or involved in a use of force with a member of the CPD.	Compliance
54	In providing police services, the members of the CPD shall conduct themselves in a professional, courteous manner, consistent with professional standards. Except in exigent circumstances, when a citizen is stopped or detained and then released as part of an investigation, the officer shall explain to the citizen why he or she was stopped or detained.	Compliance

	Civilian Complaint Authority	
55	The new Citizen Complaint Authority (CCA) will replace the Citizen Police Review Panel and the police investigations function of the OMI.	Compliance
56	The CCA will have three components: (1) a Board of seven citizens; (2) a full time Executive Director; (3) a team of professional investigators.	Compliance
57	The Board will include a diverse array of seven citizens.	Compliance
58	Applicants shall execute a signed release authorizing a background check.	Compliance
59	The Board shall select a chairperson from among its members.	Compliance
60	The Board and Executive Director, in consultation with the City Manager, shall develop standards of professional conduct and a comprehensive training program for Board members.	Compliance
61	The Board will not commence operations until each member of the Board has completed the training.	Compliance
62	The Board and Executive Director shall develop specific procedures for the CCA to carry out its functions.	Compliance
63	Board members shall be compensated per meeting.	NA
64	The City Solicitor shall provide legal counsel on a routine basis for the CCA.	Compliance
65	The City Manager shall appoint the CCA's Executive Director.	Compliance
66	The Executive Director shall have professional experience in the investigation of allegations of police misconduct.	Compliance
67	The Executive Director shall be responsible for day-to-day operations of the CCA.	Compliance
68	All police officers and city employees are required to provide truthful and accurate information to the CCA.	Compliance
69	The CCA shall have a minimum of five professional investigators.	Compliance
70	Each citizen complaint, excluding matters involving criminal investigations, will be directed to the CCA regardless of where initially it is filed, and the Executive Director, in consultation with the Board, shall establish criteria to determine whether specific complaints are suitable for CCA investigation, or referral to the CPD's CCRP. At a minimum, the CCA shall open its own investigation upon (i) receipt of a complaint of serious misconduct, or (ii) knowledge by the Executive Director of allegations of serious police intervention.	Compliance
71	Where a complaint is to be investigated by the CCA, it will be assigned to an investigator within 48 hours of receipt.	Compliance

	The CPD shall notify the CCA Executive Director upon the occurrence of a serious police intervention. The CPD shall not interfere with the ability of the CCA investigator to monitor the work of the CPD at the scene.	
72	The Chief of Police shall retain discretion to initiate a parallel CPD investigation of any complaint under investigation by the CCA. In addition, the CPD will investigate all complaints initiated within the Department.	Compliance
73	Police officers and other City employees will be required to submit to administrative questions. The CCA shall have access to city records, documents, and employees. CCA investigations shall be consistent with professional standards.	Compliance
74	The Chief of Police and the Executive Director will develop written procedures that will assure the timely exchange of information and the efficient coordination of CCA and CPD investigations.	Compliance
75	The CCA will complete its investigations within 90 days of receipt from a complaining citizen, provided, however, that the Executive Director may extend an investigation upon consultation with the Board.	Compliance
76	CCA investigations will be forwarded to the Board; each CCA report shall include proposed findings and recommendations.	Compliance
77	Review hearing procedures. If the Board conducts a review hearing, its purpose shall be to confirm the completeness of the CCA investigation and approve or disapprove the Executive Director's report.	NA this Quarter
78	Following a hearing, the Board may either approve or disapprove the Executive Director's findings and recommendations. The Board may issue its own findings and recommendations and submit them along with the Executive Director's report to the Police Chief and the City Manager. In all cases, the City Manager and Police Chief will refrain from making a final decision on discipline until after receipt of the CCA report. The City Manager shall agree, disagree, or agree in part.	Compliance
79	Reports prepared by the CCA, the CPD, or the City Manager pursuant to this process shall be publicly available.	Compliance
80	The CPD and the CCA shall create a shared electronic database that will track all citizen complaints, including the manner in which they were addressed and their dispositions. The database shall capture data sufficient for the CCA and the CPD to identify officers involved in repeat allegations, citizens making repeat allegations, and circumstances giving rise to citizen complaints.	Partial Compliance

81	The CCA shall maintain files for each investigation for a period of five years.	Compliance
82	There are two methods for reducing citizen complaints: (1) through investigation of officers charged with misconduct, and (2) examination of complaint patterns to identify at-risk officers, citizens, and circumstances.	NA
83	The CCA will examine complaint patterns that might provide opportunities for the CPD and community to reduce complaints. At a minimum, the CCA will look for three types of patterns: (1) repeat officers (2) repeat citizen complainants, and (3) repeat complaint circumstances. Following the identification of such patterns, the CCA and the CPD jointly will undertake a problem-solving project to determine the reason for the pattern and whether there are opportunities to eliminate or reduce root causes.	Compliance
84	The CCA will develop a clear and direct information brochure.	Compliance
85	The Executive Director will work with the community to develop an information plan.	Compliance
86	The CCA shall issue annual reports summarizing the activities for the previous year, including a review of significant cases and recommendations.	Compliance
87	The City Council will allocate resources sufficient for the CCA and the CPD to accomplish the foregoing.	Compliance