

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

December 10, 2007

Monitor's Transition Year Progress Report on the
Collaborative Agreement between the Plaintiffs and
the City of Cincinnati

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TABLE OF CONTENTS

	PAGE
INTRODUCTION AND EXECUTIVE SUMMARY	1
I. TRANSITION YEAR PLANNING	4
A. Expectations for the Transition Year	4
B. Monitor Standards and Assessment	5
II. CPOP AND PROBLEM SOLVING	6
A. Problem Solving Manual	6
B. Problem Solving Procedure Revised	7
C. New Problem-Solving Tracking System Developed	9
D. Repeat Database Configured	10
E. Dissemination of Problem Solving Examples	11
F. Vertical Problem Solving Committee Established	11
G. Cincinnati Initiative to Reduce Violence (CIRV)	12
H. Job Descriptions and Performance Evaluations	12
III. EVALUATION PROTOCOL AND	
BIAS-FREE POLICING	14
A. Evaluation Protocol and the RAND Report	14
B. Collaborative Agreement Communications Plan	17
C. Training and Dissemination of Information	17

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

INTRODUCTION AND EXECUTIVE SUMMARY

The Collaborative Agreement (CA) among the City of Cincinnati, the Plaintiff Class, and the Fraternal Order of Police (FOP) was signed in April 2002 and approved by Judge Susan Dlott in August 2002, for a term of five years. It calls for the adoption of Community Problem-Oriented Policing (CPOP), mutual accountability and evaluation, bias-free policing and the establishment of the Citizen Complaint Authority (CCA). In the five years since the start of the CA, the parties have accomplished a number of the goals of the Collaborative, but there are still areas of police reform laid out in the Agreement – particularly the shift to problem-oriented policing – where additional effort by the Cincinnati Police Department (CPD) and the community would significantly improve policing and police-community relations for the City of Cincinnati.

In August 2007, the City and the Plaintiffs agreed to extend portions of the CA for one additional year to fully implement the adoption of problem solving as the CPD's principal crime-fighting strategy. From August 2007 to August of 2008, the City, the CPD and the community will engage in a Transition Year where the focus of their efforts will be to employ problem solving to address crime and safety problems in Cincinnati. The Collaborative is more than an attempt to simply change police policies and procedures; instead, the Collaborative attempts to change how policing in Cincinnati is conducted and accomplished, so that it effectively enhances public safety and improves relations between the CPD and the African American community. We are confident that if the problem solving approach is put into practice, it will advance effective, respectful and publicly accountable policing in Cincinnati, and will ensure that the progress made to date is preserved and the reforms will be continued into the future.

This Report describes the actions taken over the last four months and where we are in this transition process. The CPD has put in place new policies and procedures and has continued to train CPD sworn employees about their role in implementing community problem-oriented policing, as required by the CA. The Parties have also agreed on some objective measures to assess the progress that has been made in accomplishing the transition. However, these new practices are just now being implemented. This Report describes the practices to which the CPD has committed, and the standards that the Monitor Team will use to measure progress in the coming year. We expect that our next Report will more specifically detail the implementation of problem solving, and evaluate whether the CA's goals are being accomplished, based on the measures agreed to by the Parties.

CPOP

In our Eighteenth Report, we noted that the Parties had successfully complied with a number of CA provisions, but that additional efforts would be needed to fully implement the core CA provisions relating to CPOP and problem solving. Over the last 120 days, the CPD and the Plaintiffs have taken many of the steps necessary to implement these core CPOP provisions. During this quarter, the CPD has developed protocols, policies, and manuals that will be used by CPD employees as it engages in a collaborative problem solving way of policing. Each CPD police district is being asked to identify problem solving projects, particularly from the CPD's databases that contain repeat crime locations, repeat victims and repeat offenders. The CPD should now be using the SARA process for undertaking those problem solving projects: engaging in crime analysis, considering and then implementing appropriate responses, and assessing and measuring the outcome. The CPD has also developed a problem solving tracking system to record and track its CPOP efforts.

The Monitor Team is working with the CPD to develop "in-house" expertise and knowledge about collaborative problem-solving. The Monitor and the Parties also look to the Community-Police Partnering Center to help bring problem solving to the community. The Parties have put together a Process Improvement Team (PIT) for problem solving, and a smaller working group within the PIT to focus on what steps need to be taken. The Monitor Team has worked directly with the PIT focus group, and we expect to meet with the focus group each month during the Transition Year. At each meeting, members of the focus group will report on problem solving efforts and the Monitor Team will provide technical assistance and problem solving training where appropriate. It is the goal that by August 2008, the PIT will be self-led and will have the needed expertise to properly critique problem solving projects. The overall expectation for the Transition Year is that fairly rapidly the CPD will ratchet up the quality and amount of problem solving that employees at all levels are engaged in, so that by the end of the Transition Year, the CPD uses a problem-solving approach as its principal crime-fighting strategy.

Evaluation Protocol and Bias Free Policing

The CA calls for a comprehensive approach to evaluation. The RAND Corporation was brought in as a national expert in research, law enforcement and evaluation. In December 2006, the 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). The RAND Corporation has drafted its 2007 Third Year Report and will be issuing this report in December 2007. It is crucial that the Parties and the larger Cincinnati community "fully and fairly" put this data to use, as called for by the CA. RAND will also continue its evaluation efforts into 2008. In

addition, the Parties are working together to develop plans for outreach and dialogue with community members about policing, accountability, public safety, racial fairness, and the goals of the Collaborative. Funding for this effort was obtained through a grant from the Andrus Family Foundation, and the Friends of the Collaborative has selected a project director to coordinate this project and facilitate police-community interaction. The project director, Vicki McMullen, started her work on November 12, 2007. The Monitor and the Parties will work with Ms. McMullen to execute the communications and dialogue project.

I. TRANSITION YEAR PLANNING

A. Expectations for the Transition Year

August 5, 2007 marked the end of the five-year term of the Collaborative Agreement. The Collaborative Agreement outlined the steps the CPD would need to take to shift to a collaborative, problem-solving policing agency that uses a variety of tools to reduce crime and other safety problems. To ensure full implementation and help transition the CPD into this new style of policing, the City and the ACLU jointly sought a one-year, court-supervised, modification and extension of the Collaborative, which began August 6, 2007. The Parties agreed that the FOP would no longer be a party to the extended Agreement, but the FOP is continuing its participation in efforts to implement the Collaborative and improve policing in Cincinnati. Judge Susan Dlott approved the extension on July 2, 2007.

The overall expectation for the Transition Year is that fairly rapidly the CPD will ratchet up the quality and amount of problem solving that employees at all levels are engaged in, so that by the end of the Transition Year, the CPD uses a problem-solving approach as its principal crime-fighting strategy. This should also be reflected in the growing percentage of employees that are engaged in this type of crime-fighting approach. There is also an expectation for the Transition Year that among CPD employees at different levels, there will be a rapid accumulation of knowledge about problem solving, problem-oriented policing, and situational crime prevention. In addition, within the Neighborhood Projects Unit and among crime analysts, there should be a working familiarity with the content of many of the problem-oriented policing guides (including the response and tool guides series) put out by the Center on Problem Oriented Policing, the model curriculum in problem solving - http://www.popcenter.org/learning/model_curriculum/default.htm, and the Crime Analysis for Problem Solvers guide - <http://www.popcenter.org/Library/RecommendedReadings/60Steps.pdf>. This is important because crime analysts and those assigned to the Neighborhood Projects Unit will be helping to analyze problems and recommending responses to the problems identified.

Since the start of the Transition Year, the Parties have also agreed on objective measures by which the CPD's problem solving can be assessed. These "measurable outcomes" are included in the CPD's Problem Solving Procedures, 12.370, and include utilizing POP guides and other resources; opening five new projects per District per month (with the Patrol Bureau Commander making adjustments in the volume of projects as needed to ensure the quality of the projects); reducing repeat crime locations, offenders and victims; and resolving problems favorably with minimal displacement.

Fairly quickly into the Transition Year, the problem-solving training the CPD has been providing in-house will need to be upgraded to reflect the quality of problem solving expected and the CPD's expectations of sworn employees (at different levels in the organization) for engaging in problem solving. This is needed to develop the expertise about how to do quality problem solving. The Problem-Solving Manual (discussed below) is the foundation, and clearer, more precise skills will need to be taught in an enhanced problem-solving curriculum so the Department can produce quality problem-solving efforts. The Monitor Team will review problem-solving training in the Transition year.

B. Monitor Standards and Assessment

In assessing the Parties' activities during this Transition Year, the Monitor Team will rely principally on the outcome measures included in the CPD's Problem Solving Procedures. In addition, however, we will also be evaluating the following criteria:

1. The development and implementation of problem solving training for CPD members at all levels in the Department, including the incorporation of problem solving into the recruit and FTO training curricula.
2. The CPD's quality assurance efforts and auditing of problem solving projects.
3. The CPD's use of its performance evaluation system and recently revised job descriptions.
4. The extent to which the problem solving projects include interaction with the Partnering Center, community groups and other city and county agencies, where appropriate.
5. The system put in place by the CPD to ensure that problem solving remains the principal strategy for addressing crime and safety problems when the Transition Year is completed.

To evaluate the Parties' progress in meeting these criteria, the Monitor Team will review problem solving cases included in the Problem Solving Tracking System (PSTS) and evaluate the quality of problem solving efforts; review the CPD's training curricula and lesson plans for problem solving training; review the CPD's use of the new performance evaluation system; and review quarterly reports on the implementation of the CPD's Strategic Plan, which incorporates objectives and targets related to problem solving. The Monitor Team will also review the Parties' efforts in advancing bias-free policing and the CA's Evaluation Protocol.

II. CPOP AND PROBLEM SOLVING

Leading up to the Transition Year, the CPD developed and revised a number of key policies, procedures, and systems to secure systemic change and integrate problem solving so that it becomes the CPD's principal crime-fighting strategy. These efforts include:

- Developing a problem-solving manual for CPD members
- Updating the CPD's problem-solving procedures
- Redesigning a problem-solving tracking system to capture future CPD problem-solving initiatives
- Starting efforts to develop training for sworn employees so they can engage in this new style of policing
- Creating a small team of CPD employees at different levels in the Department who will work with the Monitor Team and assist the Department in quickly absorbing problem-solving knowledge
- Designing a database of repeat chronic crime that includes repeat crime locations, repeat victims of crime, and repeat known offenders that will be used to identify problem solving projects
- Working on a high-level problem-solving initiative that tackles some of the violence Cincinnati is experiencing (CIRV)
- Developing a joint CPD/Plaintiffs communications plan to report on progress and challenges throughout the year
- Revising the CPD's job descriptions and performance evaluation standards

A. Problem-Solving Manual

For the Transition Year, the CPD developed a Problem-Solving Manual for every member of the Department. The CPD sought feedback from Plaintiffs and the Monitor, which it incorporated into the manual. The CPD put great effort into creating a substantive and attractive manual. It includes the following sections:

- The CPOP process
- Defining problems for problem-solving
- Principles of problem-solving

- Analyzing problems
- Using crime analysts
- Breaking down calls for service
- Utilizing the repeat database
- Situational crime prevention
- Problem-solving resources
- Encouraging partnerships with the community
- Successful problem-solving initiatives
- The best practices library
- Problem-oriented policing guides

Also, the Manual is clear about responsibility for problem-solving:

In order for problem solving to become CPD's principal strategy for fighting crime, disorder, and other safety problems, *every* officer of *every* rank is expected to engage either directly or in a support role in problem-solving initiatives. This approach is no longer the responsibility of a single unit within the Police Department.

As Chief Streicher notes in his introduction: "Our Department is committed to increasing safety, improving the community's quality of life, as well as *preventing* crime through problem solving partnerships."

The CPD has recognized that it needs to provide additional training on problem solving within the CPD to ramp up employees' ability to engage in problem solving. We see the Manual as an extremely positive step in being clear with employees about what is expected of them.

B. Problem-Solving Procedure Revised

During this quarter, the CPD revised its Problem-Solving Procedure 12.370. In doing so, the CPD sought feedback from Plaintiffs and the Monitor, which it incorporated into the Procedure.

The Procedure details the process for opening and closing a problem-solving project, including the steps in-between. The Procedure provides definitional clarity to the different parts of problem solving and situational crime prevention, and lists the steps an officer, sergeant, and lieutenant must take in a District or in a Unit when using a problem-solving approach. An employee who opens a project can obtain assistance and guidance from the Project Coordination Team, which is part of the Police Relations Section, as well as from a crime analyst. Working with the Partnering Center and other stakeholders is encouraged and problem solving and the SARA process is openly acknowledged in the Procedure as the CPD's principal crime-fighting approach. In addition, the Procedure notes that participation and success in

problem solving will be weighed in every sworn employee's annual performance assessment, for all ranks and assignments.

The Procedure, which became effective in August 2007, places responsibility with crime analysts for using the Repeat Databases and recommending suitable "repeat" projects to the District Commander. Projects may come from the Repeat Databases, from the community, from the Partnering Center or from CPD members. The District Relief Lieutenant is responsible for ensuring coordination and completion of all projects assigned to that relief. Project Coordination Officers in the Neighborhood Projects Unit (part of the Police Relations Section) provide analysis and response assistance, and monitor the project through its different stages. Unit members will consult problem-oriented policing guides, other relevant material, and situational crime prevention techniques as part of their assistance on a project. The Unit will also conduct quality control reviews at different intervals. Special Units, such as Narcotics, Vortex, Homicide, Traffic, Fraud, Property and Persons Crimes, Parks, and the Downtown Unit are expected to work on at least two separate problem-solving projects a year, while each District is expected to take on five problem-solving projects per month, so long as the District can reasonably handle the projects.

The stated purpose for using problem solving and following the Procedure is:

To define a Departmental process of identifying and addressing problems and community service requests in an effort to improve the quality of life, safety and security of citizens.

In addition, there are measurable outcomes included in the CPD's Problem-Solving Procedures. These measurable outcomes in achieving the goals of problem solving include:

1. Monthly reductions in repeat locations, offenders and victims as measured by a weighted process.
2. Five new projects initiated per District, per month. Specialized units will initiate at least two problem-solving projects per year. The Patrol Bureau Commander will periodically review the volume of projects and make necessary adjustments as needed to ensure the quality of projects and service.
3. POP Guides and other resources are utilized.
4. Problems are favorably resolved with minimal displacement.

The "weighted process" referred to in item 1 (above) is included to help the CPD identify the repeat projects that have some of the most serious harms associated with them. For example, while an apartment complex may have 55

calls in a 12-month period, all complaining of noise because of loud parties, the CPD might seek first to address a repeat problem involving eight incidents, if those eight are associated with a repeat victim of domestic violence being abused in eight separate incidents by the same suspect during that 12-month period. Given that the CPD cannot work on all crime and safety problems at the same time, it is necessary to prioritize which projects to take on, and doing so based on objective criteria provides additional transparency for the public.

C. New Problem-Solving Tracking System Developed

The CPD found that the CPOP Tracking System developed by CAGIS and the Regional Computer Center (RCC) was unwieldy. Users had difficulty entering projects and updates, case information was often incomplete, and some of the prompting questions were redundant or phrased in ways that did not elicit useful or precise information. As a result, the quality of the write-ups suffered, making it unlikely these write-ups would be sought out by others in the CPD searching for approaches to solve crime and other safety problems. In response, the CPD has developed a more user friendly system.

The CPD's Information Technology Management Unit and the Police Relations Section co-developed the new system. An advantage to the in-house development is that any flaws in the system will likely be more easily fixed. Fixes to the old tracking system had to come from the RCC, a countywide information technology authority.

The CPD has provided the Monitor with the screen images of the various computer screens that users will see as they utilize the tracking system. The main menu screen contains links to enter a new SARA/CPOP project, revise a project, review all SARA/CPOP cases or conduct a records search. In addition, the bottom half of the first screen houses a "useful links" section that can take users to a variety of sites that will help with data and research. The "useful links" section contains links to:

- CPD CPOP Liaisons
- City CPOP Liaisons
- Hamilton County Auditor
- CPD Quarterly Problem-Solving Reports
- Problem-Oriented Police Best Practices
- Calls for Service by Neighborhood, year-to-date
- Center for Problem-Oriented Policing
- Repeat CFS/Victim/Offender Databases

At the very bottom of this first, main screen, is a tab that contains the User Guide. The screens that follow are simpler than those in the old CPOP Tracking System and appear easier to navigate.

The CPD is trying to ensure that the quality of the projects in this Problem-Solving Tracking System improves from those contained in the prior system. The CPD has added an element to the Strategic Plan, Strategy 3.2.8, that identifies the tracking system as an area for monitoring. The Strategy states: "Maintain the integrity of information contained in the problem-tracking system to ensure the accuracy of problem-solving efforts and level of analysis required to effectively address repeat and chronic problems." The responsibility for the internal monitoring of the system rests with the CPD's Community Relations Section's Projects Coordination Team. This Team is also tasked with assisting problem-solvers in the scanning and analysis phases of their projects, and will recommend responses after reviewing the research about the particular crime/safety problem. The CPD also added a measurement associated with this Strategy - quarterly audits of cases entered into the tracking system.

In the next quarter, the Monitor anticipates having access to the Problem Solving Tracking System, and will begin evaluating the cases entered into the system. The Monitor expects that the Projects Coordination Team will also report on its own internal monitoring of the tracking system.

D. Repeat Database Configured

Much of police work involves responding to repeat, chronic problems in the community as opposed to random, isolated incidents. Focusing efforts on problems that repeatedly occur can reduce crime. An important component of problem-oriented policing is developing ways to identify repeat or recurring crime/safety problems so that police and others can devise new and more effective means of reducing the problems and the harm from them. When problems are recurrent, the current response to them is insufficient and the solution is typically not just to do more of the same. The Collaborative Agreement required the development of a means of identifying within police records those who the CPD repeatedly arrest, those in the community who are repeatedly victimized, and the specific places that are the sites for recurring crime/safety problems.

During this quarter, the CPD has developed databases that do this. These databases hold a rolling 12-months of data. In other words, it holds a constantly updated set of 12 months of data. The data is District-specific and is provided to the District Crime Analysts. The District Crime Analyst is expected (under the CPD's Problem-Solving Procedure) to use the database to recommend monthly projects to the District Commander. The project ideas will then be documented on a Form 560, and the District Commander will present the project ideas to the appropriate Community Council to obtain input from community members.

E. Dissemination of Problem Solving Examples

In October 2007, the CPD conducted a two-day Leadership Retreat for all of its lieutenants, captains, and command staff. At the retreat, Chief Streicher emphasized the importance of collecting and analyzing information to define crime problems, broadly gathering resources and considering alternatives for addressing the problem, and partnering with other stakeholders in developing problem solving solutions. The retreat included presentations on crime analysis, new technology, the new Problem Solving Tracking System and the CPD's revised problem solving procedure, intelligence-led policing, and the Cincinnati Initiative to Reduce Violence (CIRV). In addition, Monitor Team member Rana Sampson presented on the fundamentals of problem solving and Captain Dan Gerard presented on problems solving projects implemented by the CPD's Traffic Unit. Also in October, the Partnering Center hosted the third annual CPOP Awards banquet, highlighting police and community members who contributed to successful CPOP projects.

F. Vertical Problem-Solving Committee Established

Over the summer, the Monitor requested that the Department establish a committee representing a vertical slice in the organization to expedite implementation of CPOP. In response, the CPD established a Process Improvement Team (PIT) for problem-solving. The PIT team met on August 23, 2007. City Manager Milton R. Dohoney, Jr. described his vision for the Transition Year; Chief Streicher followed with a description of the CPD's evolution towards problem solving; the Monitor spoke about the benefits of a PIT Team for problem solving; Assistant Chief Whalen discussed the revised problem-solving procedure and the new problem-solving manual; and Assistant Chief Demasi provided an overview of the revised performance evaluation system. Plaintiff counsel Al Gerhardstein also spoke of the link between data-driven policing and racial fairness and noted that these terms were incorporated into the Collaborative Agreement to assure the African American community that police deployment decisions have a well-reasoned basis; and Lt. Bauer and Officer Werner shared information about the redesigned problem-solving tracking system.

A smaller working group developed out of the Performance Improvement Team and meets with the Monitor Team monthly to build advanced problem-solving skills and to review ongoing problem-solving projects. This smaller focus group includes crime analysts from several of the Districts, some neighborhood liaison sergeants, and is chaired by Lt. Chris Briede. Lt. Col. Whalen and the head of Police Relations, Mr. S. Gregory Baker, attend as well. The group will work with the Monitor Team throughout the Transition Year as the Department moves to make problem solving its principal strategy for crime fighting. The Monitor Team and the group met on October 25 and November 15, 2007. University of Cincinnati professors John Eck and Robin Engel

attended the first meeting as well. The topics discussed during that eight-hour training, including:

- Why some places are crime prone – risky facilities
- The top five repeat locations by District, top 10, and top 20
- Limitations of calls for service as a data source
- Repeat victims and parallels across repeat victims
- Problematic apartment complexes and how they might be turned around
- Review of POP guide on drug dealing in privately-owned apartment complexes
- The work of John Campbell and landlord and tenant training in turning around high crime apartment complexes
- Review of crime at Cincinnati's Greyhound bus station
- Resources to reduce crime
- Particular District projects

The second meeting of the PIT focus group was equally substantive, with review of materials and data, and discussions during the four-hour training around the following:

- Situational crime prevention's application to problem-solving
- Reducing crime/safety problems at and around homeless shelters
- Examining Cincinnati's top call for service location – a gas station in Over-the-Rhine
- Probing crime/safety problems at Apple Lane Apartments
- Reviewing alcohol-related issues at a Victory Parkway gas station

The next PIT focus group meeting is scheduled for December 10, 2007. We are hopeful that all Districts will be represented in the focus group, along with District relief lieutenants, since the District projects are their responsibility.

G. Cincinnati Initiative to Reduce Violence (CIRV)

The CPD continues its work with Professors David Kennedy, Robin Engel and John Eck in developing a highly focused violence reduction project around actively violent individuals and groups of individuals. The identified people have been: (1) called in and offered an alternative to a life of violence on the street; and (2) told about the legitimate levers that the police and other agencies will use to ensure that their violence stops if they refuse the offer of help. The initiative has also sought the support of the families of these individuals, as well as community leaders, to persuade them to make a more productive and responsible choice. The first two call-in sessions of the CIRV project were held on July 31, 2007. A third call-in session was held on October

3, 2007. The Monitor attended the July 31, 2007, call-in sessions and was impressed with how well the sessions were organized, which reflected the hard work and commitment of all of the stakeholders. CIRV is a complex, multi-agency, and community project of the sort that the Collaborative Agreement supports

H. Job Descriptions and Performance Evaluations

The Collaborative Agreement identified certain systems that may need revision to support a shift to a problem-solving policing agency. A police department that expects its employees to engage in problem solving is best supported with job descriptions that accurately describe the type of work expected of officers, supervisors, managers and command staff. In 2007, the CPD revised its job descriptions to reflect the type of work expected from its sworn employees. All sworn employees are expected to:

- Have a working knowledge of Community Problem-Oriented Policing (CPOP) and to apply problem solving as the principal strategy for reducing crime and disorder problems
- Understand the SARA problem-solving methodology and utilize that knowledge to address repeat or chronic problems
- Apply contemporary problem-oriented strategies and situational crime prevention strategies to reduce crime and safety problems
- Support CPOP initiatives to maintain a positive relationship between the Police Department, community members and CPOP participants
- Be active in CPOP teams, committees, and other groups formed to reduce crime or safety problems, and participate in all aspects of SARA through activities, such as identifying repeat crime and safety problems, analyzing problems, developing responses tailored to the problem after exploring a range of responses, implementing responses, and assessing their impact
- Keep supervisors informed of current CPOP issues
- Document problem solving efforts so others can learn from them
- 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)

- 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)

The revisions became effective May 22, 2007. On the CPD web page, those seeking recruit employment are able to download an information guide for police recruits from the CPD website at http://www.cincinnati-oh.gov/cityhr/downloads/cityhr_pdf7052.pdf that includes information for potential candidates about the recruit selection process and a general statement of duties. The general statement of duties has not yet been changed, however, to include language from the new job descriptions reflecting the importance of problem solving and CPOP. The CPD should use these job descriptions as part of the infrastructure to support a problem-solving department, and they can be used to build accountability in the organization around problem-solving.

The CPD performance evaluation system is one of the areas identified by the Collaborative Agreement for review and revision as part of the CPD's move to a CPOP orientation. In 2006, the CPD agreed that its performance evaluations required updating to reflect a more current approach to assessing employee performance. The Department formed a process improvement team to develop an updated rating system. The revised performance evaluation standards contain core performance anchors for all CPD members, as well as assignment and rank-specific performance anchors. The CPD has placed additional emphasis on problem solving within the anchors, to make them more compatible with a commitment to problem solving as the CPD's principal crime-fighting strategy. The revised performance evaluation standards now connect employee performance measures to problem-solving performance.

These changes, combined with earlier changes around problem solving that the CPD recently made to the anchors, should be part of the infrastructure the CPD can use to help guide behavior that supports problem solving and community-police collaboration. In the next quarter, we will review a sample of performance evaluation forms, and include our assessment in our next Report.

III. EVALUATION PROTOCOL AND BIAS FREE POLICING

A. Evaluation Protocol and the RAND Report

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 the 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:

- Surveys
 - of citizens, for satisfaction and attitudes
 - of officers, for perceptions and attitudes
 - of officers and citizens in the complaint process, on fairness and satisfaction with the complaint process
- Periodic reporting of data to the public, without individual ID. The data, to be compiled by the City’s 52 neighborhoods, are to include arrests, crimes, citations, stops, and uses of force
- Sampling of in-car camera and audio recordings, which will be used to evaluate police-citizen interaction

The CA also 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 bias policing, 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 has been incorporated into the Evaluation Protocol.

To meet the CA’s Evaluation Protocol provisions, 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 need to be used to improve police-community relations and advance the goals of the Collaborative Agreement.

RAND’s 2005 First Year Report and its 2006 Second Year Report (http://www.rand.org/pubs/technical_reports/2005/RAND_TR333.pdf) (http://www.rand.org/pubs/technical_reports/2006/RAND_TR445.pdf) reinforce and validate the Collaborative Agreement’s approach that problem

solving must be the principal strategy for addressing crime and disorder in Cincinnati. RAND was clear that: “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” [2006 Report, p. 92].

RAND’s 2006 Second Year Report repeated many of the findings of its 2005 First Year Report. 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. 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. The RAND Reports provide a powerful explanation for the wide gap in perceptions about policing between whites and blacks in Cincinnati.

The agreement to enter into a Transition Year is important evidence that the Parties recognize that this chasm needs to be bridged. As part of this effort, the Parties have worked to develop a community dialogue and communications project that will be funded by the Andrus Family Foundation. RAND’s evaluation work has continued through the Transition Year and will provide a benchmark to measure whether the goals of the Collaborative are being achieved. The RAND 2007 Third Year Report 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 interactions, and a review of statistical data on crime, calls for service, arrests, uses of force and complaints.

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). The Collaborative 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.” It will be particularly important for the Parties to review the findings of the 2007 RAND report to see what kind of actions should be taken by the CPD and members of the Cincinnati community.

B. Collaborative Agreement Communications Plan

The Collaborative Agreement calls for an ongoing community dialogue and interaction between the CPD and numerous stakeholders, such as youth, property owners, businesses, tenants, faith-based organizations, motorists, low-income residents and other city residents. The Evaluation Protocol section of the CA also calls on the Parties to use the data from the evaluation to improve police-community relations and assess whether any actions should be pursued in light of the evaluation results. The Parties have agreed that part of the efforts of the Transition Year will be a project to communicate the progress of the Collaborative Agreement to stakeholder groups in the community, and to seek and respond to input from the community regarding their views on public safety, racial fairness, and police policies, practices and strategies. The Parties have obtained funding and expertise from the Andrus Family Foundation to assist in this effort. The Friends of the Collaborative has selected a project director to coordinate this project and facilitate police-community interaction. The project director, Vicki McMullen, started her work on November 12, 2007. The Parties and the Monitor will work with Ms. McMullen to execute the communications and dialogue project.

C. Training and Dissemination of Information

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. 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 was presented to all police specialists and officers in 2007. The class was 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. Continuing these types of efforts in light of the upcoming 2007 RAND Report will be important in this Transition Year.

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 have 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.