



Miami Police Department
Independent Reviewer
Sixth Report
June 2018 - September 2018

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Introduction

This is the sixth assessment report, covering four months of activity, completed as a component of the Agreement entered into by the Department of Justice and the City of Miami in April of 2016. The Agreement is the result of a request, by the Miami Police Department and others, to have the Department of Justice review a series of police shootings that occurred between the years of 2008 and 2011. Not only were the uses of force examined, the associated investigations and relationships with the community were considered as well. The investigation resulted in the Agreement referenced above that mandates the Miami Police Department to satisfy clear and measurable requirements in a number of delineated areas within the organization and out in the community. While the obligations are clear, the Miami Police Department retained the flexibility to design, develop and implement solutions appropriate for the community they serve. The Miami Police Department took advantage of the time span between investigation and finalization of the agreement to implement a number of changes that would begin to satisfy some of the requirements. The overarching goal of this Agreement is to ensure “that police services continue to be delivered to the people of the City in a manner that fully complies with the Constitution and laws of the United States, effectively ensuring public and officer safety, and promotes public confidence in the MPD”.¹

As the Independent Reviewer, I am tasked with overseeing the successful implementation of the Agreement. As stipulated in the Agreement, compliance with a material requirement mandates that the City has: (a) incorporated the requirement into policy; (b) trained all relevant personnel as necessary to fulfill their responsibilities pursuant to the requirement; (c) verified that the requirement is being carried out in actual practice. In the final analysis, MPD bears the burden of demonstrating compliance with the Agreement.

The Agreement also required the City to assemble a Community Advisory Board (CAB), consisting of a cross section of Miami residents, to “provide oversight and feedback on policies and practices pertaining to use of deadly force to the MPD and to the Independent Reviewer”.² The CAB was created shortly after the Agreement was instituted and holds public meetings in a different area of the city each month, in addition to regular committee meetings. The CAB continues to develop and evolve in its stated role. The CAB has expanded their role beyond the use of deadly force, taking an active part in learning about the varied roles and responsibilities of the MPD. This information is in turn communicated with the public through the aforementioned regularly scheduled and publicized meetings, as well as through their daily interactions with citizens. Rodney Jacobs, an attorney for the Civilian Investigative Panel continues to perform in the role of liaison and administrative support for the board.

Through individual and group meetings with board members, I have found those who volunteer their time and effort to serve are truly dedicated to the stated mission of the CAB. There have

¹ City of Miami Legislation; Resolution R-16-0206 Agreement Between DOJ/City of Miami

² Agreement United States Department of Justice and City of Miami

been a number of changes in board members, as individuals leave for a variety of reasons, but there has not been a lack of engaged and dedicated citizens to fill open positions. Conversely, board efforts to involve and gain the interest of the community have not resulted in robust participation. In fact, there have been few citizens in attendance at the CAB meetings I have attended.

This report contains progress made between June 2018 and September 2018 in the areas of Policy Review and Implementation, Supervision, Specialized Units, Training, and Community Oversight.

Compliance Ratings

As indicated, the Agreement mandates that the Independent Monitor provide a report every four months outlining MPD's compliance with Agreement requirements. The ratings below represent the current assessment of compliance and are included to provide MPD and the citizens of Miami with a clear and accurate summary of the progress to date, as well as areas that remain in need of attention and action.

The definition of each rating is as follows:

- Substantial Compliance – indicates that most or all components of a specific category or requirement have been satisfied.³
- Compliance Rating Pending – indicates that significant progress has been made, but additional time may be needed for assessment in the specific area.⁴
- Partial Compliance – indicates that compliance has been achieved on some components of the requirements or category, but significant work remains, or extended time is needed for audits.
- Non-Compliance – indicates that most components of a requirement or category have not been met.

³ The MPD/DOJ Agreement states that the Independent Reviewer shall exclude assessments of the sections that have been determined to be in Substantial Compliance. This does not preclude re-visiting those areas if, after discussion with MPD/DOJ, the Independent Reviewer deems it necessary. Audits will continue as needed.

⁴ This compliance rating was added in the Fourth Report. The sequence of ratings has been changed to more accurately reflect progressive achievement.

<u>Settlement Agreement Area</u>	<u>Status of Compliance</u>
II. POLICY REVIEW/IMPLEMENTATION	Substantial Compliance
a. Revision and Development	Substantial Compliance
b. Action Plan	Substantial Compliance
c. Training	Substantial Compliance
III. OFFICER INVOLVED SHOOTINGS	Partial Compliance
a. Firearm Discharge Review	Substantial Compliance
b. Administrative Investigations	Partial Compliance
c. Incident Tracking System	Compliance Rating Pending
d. High Liability Board	Substantial Compliance
IV. SUPERVISION	Compliance Rating Pending
a. Accountability	Compliance Rating Pending
b. Tactical Operations Section	Substantial Compliance
c. Span of Control	Substantial Compliance
V. SPECIALIZED UNITS	Substantial Compliance
a. Assignment Criteria	Substantial Compliance
b. Documentation	Substantial Compliance
c. Oversight	Substantial Compliance
VI. TRAINING	Substantial Compliance
a. DOJ Training	Substantial Compliance
b. Firearms Training	Substantial Compliance
c. In Service Training	Substantial Compliance

VII. COMMUNITY OVERSIGHT	Substantial Compliance
a. Create Community Advisory Board	Substantial Compliance
b. Facilitate Activities and Communication	Substantial Compliance

Work Completed During Sixth Reporting Period

June 2018 - September 2018

Work completed by the Independent Reviewer includes the following:

- a. Participated in conference calls with DOJ, allowing for updates on progress and issues concerning Agreement.
- b. Continued close working relationship with Agreement Compliance Coordinator Major Mike Gonzalez, who is very responsive to requests and inquiries; providing information, reports, contact with appropriate personnel, meeting access and a myriad of other tasks to move this endeavor forward.
- c. Completed two site visits.
- d. Continued to review updated policies and procedures.
- e. Met with command staff and others as necessary.
- f. Received Body Worn Camera updates from Special Projects Coordinator Orlando Aguilera.
- g. Updates on Internal Affairs dashboard development and implementation, in addition to the assessment and officer involved shootings.
- h. Met with North End Major Cherise Gause and toured her area.
- i. Met with Commander Simmons who oversees Model City and received briefing on issues faced in that area.
- j. Received update on MAT/MAST from Training personnel.
- k. Attended the September CAB meeting.

The following site visits were completed during this review period;

July 8-11, 2018 and September 5-7, 2018

MPD remains to be open and transparent, striving to satisfy all aspects of the Agreement. Major Gonzalez of the Professional Compliance Section continues to maintain oversight of the

Agreement and is the main point of contact. Chief Colina is open and accessible, meeting with me on each site visit. When presented with the idea of an outside assessment of the Internal Affairs Section, he did not hesitate in securing the vendor and needed funding to complete the project.

The DOJ continues to provide Agreement oversight through emails and phone conversations. Patrick Kent and Cynthia Coe remain consistent members of the DOJ team.

Work completed this evaluation period included document review, including updated, revised and newly created polices. Time was spent interviewing supervisors and officers concerning training, including MAT/MAST and roll call training. All interviewed agreed that the MAT/MAST continues to be relevant and engaging, with the scenario-based elements receiving the highest marks. Activity completed during the listed visits included a series of updates on previously assessed areas of the agreement, in addition to completing ride alongs.

Updates were received from Major Ibalmea on the Internal Affairs Section. An overview of the section assessment by Hillard/Heintze was provided and a timeline for the final report was set. The Early Warning dashboard was implemented department wide. Training was received on the IA Pro software and MPD is exploring EI Pro software, from the same company, to enhance their early intervention program. An update was also received from the squad that proactively investigates issues and completes quality control probes. In addition, a criminal/administrative investigative checklist has been crafted to guide Internal Affairs Section investigators on their cases, ensuring nothing is overlooked.

Body Worn Camera Project Manager Orlando Aguilera provided an overview on progress to date.

An update from the Training Section was received, including reports from their quarterly training meeting and BWC video reviews. The MAT/MAST continues to be highly valued by all personnel who attended and the next segment of training has been developed.

Supervisor and officer interviews continued in an effort to determine that training is being provided in the districts and applied in the community, in addition to ensuring there is adequate supervision and oversight out in the community.

Remaining issues include continued assessment of supervisory compliance as it pertains to the Agreement and additional officer interviews to measure effectiveness of training and supervision. Audits of training, specialty teams and departmental compliance will also continue. Progress in the BWC program will be monitored, as will policy updates and changes.

Agreement Progress to Date

In this section the progression, setbacks and observations will be discussed for six of the areas covered in the agreement:

II. POLICY REVIEW AND IMPLEMENTATION:

MPD continues to develop, update and implement policies based on constitutional policing principles and best practices. During this evaluation period the following policies were revised; Professional Compliance Section Department Order, Police Standards and Certification and Decertification, Court Procedures, Firearms Procedures, Florida Mental Health, and Juvenile Procedures. A Rapid Response to Active Shooter policy was created. The Professional Compliance Section has a robust cadre of officers that guide the process of policy and procedure reviews, updates and creation. The PCS also oversees the High Liability Review presentations, making the change from monthly reviews of a single random incident to quarterly reviews of several random incidents during one session for efficiency. These reviews are discussed in detail further into this report. The PCS is also overseeing the accreditation process for both the Communication Section and the Training Section.

A number of meetings with officers and supervisors, as well as ride alongs were completed during this evaluation period in an effort to ensure that the appropriate level of training on new and revised polices is being provided and that there is a practical level of understanding and implementation in the community. A meeting was held with the major and several supervisors in Patrol North District which serves Little Haiti, Model City and Upper Eastside. All indicated that they conduct High Liability Roll Call Training each month. A review of July and August 2018 records indicated that they covered topics including; Foot Pursuits, Vehicle Pursuits, Perimeters, Patrol Response in SWAT Call Outs, and Bias Based Profiling. In addition, meetings with supervisors and ride alongs were also conducted in Patrol Central South which covers Allapattah, Downtown, Overtown and Wynwood/Edgewater. In ride alongs with officers, in a variety of districts, all indicated there is regular roll call training on a myriad of topics, including high liability issues, and that the presentations are practical and applicable to their daily patrol duties.

An update was received from Orlando Aguilera on progress made in the BWC program. The senior recruit class members are provided with “dummy” cameras to use in scenario based training prior to graduation. They are taken through Evidence.com and shown how the camera footage cycles through stages. They are familiarized with the audit trail, how to view videos, the categorization process, and what to do if an incident deemed private is videoed. In addition, they become familiar with the policy and camera nomenclature, operation, and storage. According to recruits who have had this exposure, once they are on duty patrolling their community, the cameras use becomes second nature.

MPD has requested a year extension on the BWC GAN, as they were having issues with infrastructure upgrades. The permitting to lay cable to increase bandwidth for the docking stations was delayed in some instances. MPD opted to purchase two cameras for each officer, one for on duty and the other for travel and extra duty assignments, in lieu of having officers charge the cameras in their homes. Central District was first to go online, with all officers being assigned a camera and trained on its use. The North District is close to being finalized and will be on line in the near future, with all officers assigned and trained on the body worn camera. Based on the high volume of calls for service, training had to be offered more often for smaller groups of officers. To date, 450 of the planned 650 body worn cameras have been assigned to officers on patrol.

The issue of public records requests continues to be problematic, as all videos have to be reviewed prior to release and the requests grow each day. MPD has been allotted four video reviewer positions, with only one filled to date. MPD has one person who enters all public records requests into Web Q&A and those requests are sent to and handled by members of the Virtual Policing Unit, including the one Video Retrieval Specialist who has been employed to date. The volume of work handled by this group is overwhelming and resulting in delays.

All video reviews are tracked and any violations found are sent to the Field Operations Division and distributed to the appropriate supervisors for investigation. All Response To Resistance videos are reviewed for violations or training implications. All supervisors are required to review one BWC video a month per officer under their supervision. The Virtual Policing Unit reviews videos that are associated with a public records request. If during the review, the observer detects any policy violation the matter is brought to the VPU Supervisor's attention and referred to the Field Operations Division or the Internal Affairs Section depending on the seriousness of the violation.

Internal Affairs Section reviews all video associated with a complaint and the Training Section conducts monthly random reviews of BWC footage. The Training Section BWC reviews for August and September were examined. They covered a variety of incidents from a traffic stop, suspicious vehicle, disturbance, prisoner transport, dealing with a mentally ill person, and a field interview. All documentation included a summary of the incident, including the officer's response. An analysis of each incident including training deficiencies, if any, were identified and recommendations for corrective action provided. These Training Section reviews are shared with the officer's supervisors.

MPD is exploring the availability of video monitoring systems that, much as Evidence.com handles the storage of BWC video, will manage the various video review requirements the department has put in place.

III. OFFICER INVOLVED SHOOTINGS:

As a reminder, the High Liability Board (HLB) is a function of the Policy Compliance Unit (PCU) and is an example of MPD's continued commitment to review established policies and training curriculum for compliance, non-compliance and/or the need for revisions to improve police service to the community. Participants include staff members, commanders from the Professional Compliance Section, Training and Personnel Development Section, the Legal Advisor, and a rotational supervisor. Personnel associated with the incident are also in attendance, most often with the exception of the actual officers involved. In an effort to be more efficient and mindful of staff schedules, Major Gonzalez has added additional reviews and changed the meetings to quarterly. The same number of cases will be reviewed, just in a compressed format.

The following incidents were reviewed during this evaluation period:

On August 22, 2018 the HLB reviewed an incident that occurred on December 21, 2017 when officers responded to an apartment building in reference to an aggressive neighbor dispute. Upon arrival officers attempted to make contact with the suspect and he began firing through the door of his apartment, pinning one officer against a stairwell, while another officer fell down the stairs dislocating his shoulder as he attempted to take cover. An officer in close proximity to the suspect was able to identify the weapon used as a rifle and could hear the suspect reloading.

The on-scene supervisor took control and cordoned off the area, established a perimeter, set up command post and staging area. A captain responded and took control of the incident, ordering contact teams to extract the officers pinned down by gunfire and any neighbors in danger. Following negotiations by the MPD Hostage Negotiation Team the suspect was taken into custody without further incident by SWAT members.

The HLB found that officers and supervisors responded appropriately, with the exception of the on-duty lieutenant. The board's recommendation was to have the Training Unit utilize the audio and video recordings as well as any reports from this incident for in-service and recruit training to address responses to critical incidents. The board also addressed the need for additional training for sergeants and lieutenants in the response to critical incidents.

The next three HLB reviews were conducted on September 27, 2018. The first incident occurred on January 04, 2018 when three suspects took an individual's vehicle at gunpoint. Officers responded to the scene and began canvassing the area for the vehicle, which was located up on the interstate. When a traffic stop was initiated the vehicle fled, a pursuit ensued which resulted in a crash. The suspects fled on foot and the officers set up a perimeter, ultimately taking all three suspects into custody.

The HLB found that the Field Duty Lieutenant was in command on the radio, a supervisor was actively directing the officers and the perimeter was appropriately set. They also found a number of areas for improvement, such as; officers failed to assume perimeter positions

and continued to circle the area searching for the suspects, there was unnecessary radio traffic that cut off supervisors and officers transmitting critical information, and finally the pursuit package's progression through the approval phase was delayed. The board recommended that this incident be used for in-service training and that supervisors follow reports through approval process.

The second incident occurred on March 30, 2018 and involved officers responding to an armed carjacking in which three suspects took the victim's car. An officer observed the car a short time later and engaged in a pursuit. The driver lost control, crashed the car and fled on foot. A perimeter was set, but the suspect was not contained within.

The HLB found that the pursuit was within department policy, however issues with radio transmissions and the establishment of a clear perimeter were highlighted. In addition, there were several issues with and errors within the pursuit package. Again, training was recommended for officers and dispatchers concerning transmissions during pursuits, proper setting of a perimeter and supervisory responsibilities.

The third incident involved an officer locating a stolen vehicle on April 24, 2018 and following it while calling for other officers to assist in conducting a felony stop. When a traffic stop was initiated the vehicle stopped briefly, but then fled resulting in a brief pursuit. A supervisor terminated the pursuit as it did not meet department policy. The officer located the stolen vehicle abandoned a short distance away and set up a perimeter. The suspects were taken into custody a short time later.

The HLB found a number of issues with this incident, including radio transmissions, delay in setting the perimeter and report errors. It was recommended that roll call training be held to review the pursuit policy and associated actions. It was also suggested to use this incident for in-service training.

Lastly, on May 27, 2018 an officer was responding to a loud noise complaint and, upon arrival, found major damage to the warehouse door in question. The officer saw a car fleeing the scene at a high rate of speed and attempted a traffic stop, which turned into a pursuit. A supervisor called off the pursuit as it did not meet department policy. Officers discontinued pursuit and found the car abandoned a short distance away. No suspects were apprehended.

The HLB found that the officer involved should have had better knowledge of the pursuit policy, there were improper radio transmissions and the pursuit package was not completed by a lieutenant. Again, training was recommended.

The MPD hired an independent firm to conduct an assessment of the Internal Affairs Section. Representatives from Hillard Heintze conducted a high-level review of MPD's Internal Affairs policies and practices to assess efficiencies and identify potential areas for improvement. Their final assessment report findings will be included in the next evaluation report.

As a reminder, the Early Warning System was designed by the Internal Affairs Section to provide supervisors with real time knowledge of their officers EI-ITS indicators. Through this dashboard, supervisors remain aware of issues that may possibly affect the performance of officers under their command. This real time awareness should allow supervisors to assist officers when needed, as opposed to awaiting a formal Early Intervention inquiry. The Early Warning System pilot was successful and, as such, this dashboard is now available throughout the department.

Major Ibalmea shared reports generated by the Internal Affairs Section Anti-Corruption Squad following quality control investigations conducted in 2018. One area investigated was the response to the receipt of a complaint over the phone. Calls were made to all Patrol Districts, Special Events Unit, Special Operations Section, and Internal Affairs Section. Each person answering the phone was presented with a complaint scenario and all handled the complaint professionally and appropriately, referring to another unit when required. Another initiative investigated officers driving habits when traveling to and from work on a specific highway. Out of the twenty-one cars whose speed was measured, seven were found to be exceeding the speed limit. Four officers and one sergeant received a Reprimand and two officers received a Record of Formal Counseling. A check of officers assigned to Special Detail was conducted to ensure the officers presence and that their appearance was in accordance with department policy. Twenty-eight schools were checked and officers were appropriately posted at each and in proper uniform. Home checks were completed on nine officers who were on a Relieved of Duty Status and each was found to be at their residence. An integrity check was conducted in the Little Haiti NET Area to ensure that officers were appropriately responding to calls for service. No violations were found. The Miami Dade Court House, State Attorney's Office and Public Defender's Building were all checked for improperly parked MPD vehicles with one violation found. The offending officer was disciplined. Violations were found on a check of Extra-Duty details. Four officers were disciplined for uniform violations and two had inappropriate facial hair. One of these officers was still on probation and not allowed to work Extra Duty details unsupervised, in addition to uniform violations. Four other officers working Extra Duty details during the check were in compliance with department policies. A check of the Assigned Vehicle Program showed all twenty-one probationary officers were following policy by not taking their assigned vehicles home. And lastly, the Anti-Corruption Squad monitored the destruction of seized firearms, with no finding of impropriety.

The Officer Involved Shootings section remains in partial compliance based upon open administrative investigations from years past and work in progress on the department's complaint tracking system.

IV. SUPERVISION:

A number of interviews were conducted with supervisors and officers to discuss issues including supervisory oversight, training, and body worn cameras. Everyone spoken with agreed that supervisors are engaged and responsive in the districts and out in the community. Supervisors, to include sergeants and lieutenants respond to all calls involving a documented use of force. They

actively participate in interviews and in ensuring proper documentation, including Response To Resistance reports are completed (See previous evaluation report for specific procedural processes). There have been no span of control violations found in the patrol districts and, in fact, in person observations indicate that there are often layers of supervision in the districts visited.

Patrol sergeants are required to review one BWC video each month of those officers under their command. As MPD nears the complete assignment of all BWC's, this process is becoming more cumbersome to oversee. As such, MPD is exploring software solutions for the video review processes.

All commanders are required to have monthly meetings with their staff, the results of which are shared with MPD staff at their weekly meetings. Issues discussed include any emerging topics in the community, officer and department needs, and any other concerns. These meetings are required by policy and are being held in the districts that have been visited.

Span of control audits continue to indicate an appropriate ratio of officers to supervisor. There have been no issues of excessive supervisory absence. Span of control requirements are being met in patrol as well as the Tactical Operations Section. Supervisors work the same hours and days as their subordinates. This requirement will continue to be audited for compliance.

Observations to date indicate that the level and quality of supervision provided in the Patrol Districts and the Tactical Operations Section are in keeping with the requirements of the Agreement. Additional interviews and audits will be completed in the near future, which should lead to a rating of Substantial Compliance in the area of Supervision.

V. SPECIALIZED UNITS:

Time was spent in the Specialized Operations Section (SOS) during this evaluation period. Major Richard Perez is in charge of the unit and is settling into his new role, having transferred from the Professional Compliance Section. MPD is adhering to the assignment of all SOS units to a single, consistent, clearly defined first-line supervisor. Currently, all first line supervisor slots are full and each oversees a minimum of four and a maximum of seven officers. Officers assigned to A meeting was held with SWAT Commander Lieutenant Abreu, K9 Commanders Lieutenant Sodre and Lieutenant Freire. SWAT continues to follow strict protocol in the decision to execute search warrants. The K9 Unit currently has 19 handlers and 20 dogs. MPD uses mainly Belgian Malinois and most are dual purpose, with nine explosive and ten narcotics, in addition to search and apprehension. All patrol dogs are certified through United States Police K9 Association (USPCA) and gun/narcotics dogs are certified by Florida International University (FIU). The Florida Department of Law Enforcement (FDLE) requires 480 hours of training to certify a police K9. MPD adds an additional week to all of their certification training. All K9's are recertified yearly. The K9 Unit has two officers assigned as trainers, they do not patrol and all K9's complete 16 hours of training per month. At the time of this evaluation, the K9 Unit had conducted eighty-two searches, with thirteen apprehensions and four bites.

An additional meeting was held with the Tactical Robbery Detail's (TRD) Lieutenant Delgado. He advised that he oversees the TRD and the Felony Apprehension Team. The TRD is supervised by Sergeant Mallon and consists of four officers and an analyst. They develop reports that analyze all robbery reports for suspects and patterns, tracking offenses by gang, weapon, location and mode. The unit has existed since 2010 and has seen a reduction in robberies since its inception.

When there is an opening in the TRD Unit and announcement is sent throughout the department requesting applications. TRD officers must have two years of experience with MPD, cannot have had more than two preventable accidents, not missed court more than twice and must pass a physical agility test. Applicants personnel jackets are checked for any disqualifying disciplinary history. The TRD Unit's work schedule fluctuates depending on robbery activity in the city. TRD members continue to wear BDU's while on duty. MPD continues to see the move of TRD to the Investigative Support Section as positive.

It continues to be the opinion of the Independent Monitor that MPD has met the threshold for Substantial Compliance in the area of Specialized Units. This area will continue to be audited to ensure sustained compliance moving forward.

VI. TRAINING:

Major Um Set Ramos continues to command the Training and Personnel Department and by all accounts is doing an excellent job.

A Training Committee Meeting was held on September 12, 2018. Those in attendance represented the Training Center Director, Training Unit members, Police Legal Advisor, Internal Affairs Section, Professional Compliance Section, Special Operations Section, Field Operations Section, Criminal Investigations Division and a union representative from the FOP. The mission of this committee "is to improve the development and evaluation of the department's training needs and serve as a focal point for input from those representing other sections within the department. The committee is tasked with providing training and direction to meet the training needs of the department and to guide through the implementation of programs valuable to the development of our officers".⁵

Training Unit Lieutenant led a discussion concerning the commencement of MAT and MAST 2018/19. He explained that the training had been divided into Reality Based Training and Firearm Training. The following training will be provided; Crisis Intervention, Communication Lessons, Critical Causality Care, IFAK (Improved First Aid Kit) Inventory, Tourniquet Application, Defensive Tactics Instruction, Meggitt Training FATS 360 LE System (360 degree Reality

⁵ Department Order 15 Chapter 1

Scenario), Reality Based Training (Bias Based Traffic Stops and Officer Misconduct/Discourtesy), Firearms Qualification including Secondary Shoot/Don't Shoot Training (in addition to Meggitt Training) and Cover/Concealment, TASER, and Deadly Force Policy. Officers will be required to use their BWC's during all Reality Based MAT.

Other topics discussed during the Training Committee Meeting included the random monthly review of BWC videos. The Training Unit will review one video per NET area, with an accompanying form recommendation for identification of tactical violations and/or training implications. The reviews will focus on communication skill, any discourtesy, de-escalation techniques and training needs. In addition, the Training Unit has asked the Internal Affairs Unit to consult with them prior to closing any investigations that may include or identify training opportunities or policy violations.

Upcoming training scheduled for 2019 was also discussed and will include; Citizen Encounters (Applications of Use of Force), Leading Without Rank for FTO's (Command Presence), Winning Back Your Community (De-escalation), Identification of Armed Gunman (NIJ/DOJ), Active Shooter Training, and Civilian Leadership Course. The Active Shooter Training will focus on the investigation and on-scene management of mass casualty events. Ballistic Shield and Rifle Qualification Course training was scheduled. The implementation of "crew based training", which includes small group segmented training for patrol teams, was introduced.

The group also reviewed the Fifth DOJ Independent Monitor Report and, as a result will continue to craft and distribute city-wide training bulletins as well as modifying the uniform policy to specify the number and positioning of additional ammunition magazines. A request was made by the Field Operations Division for additional instruction in De-escalation, Emotional Intelligence, Report Writing and Instructor Training for FTO's.

As discussed previously, MPD has implemented the new Meggitt Training System FATS 300 LE. This system uses a virtual world of multiple screens, high definition video, surround sound, realistic weapon simulators and simulated hostile encounters to assist officers in honing de-escalation tactics, decision making skills and officer safety techniques. I went through a Meggitt Training scenario and found it to be very realistic and valuable training. Some members of the Civilian Advisory Board (CAB) have also gone through the training.

All personnel encountered during this evaluation period continued to rate the MAT and MAST very high, commenting on the relevance and value of the scenario based training, as well as other aspects.

The Training section has been rated as being in Substantial Compliance. Audits will continue moving forward to confirm sustainment in this area. The content and administration of the MAT and MAST will be followed, as will employee participation and real world application.

VII. COMMUNITY OVERSIGHT:

In compliance with the Agreement and as one of the first deliverables, MPD formed a Community Advisory Board (CAB), whose mission is to provide oversight and feedback to MPD and the Independent Reviewer, in addition to providing a conduit between the community and MPD.

Justin Pinn remains the chair of the CAB and continues to perform very well in this position. He is very engaged and, as such has a working knowledge of how the police department operates and is able to effectively balance that with the needs, expectations and perceptions of the citizens they serve. He is a strong leader with a sincere interest in improving the MPD, the community and the relationship between the two. I have a solid relationship with Mr. Pinn that includes open communication on issues related to MPD and the community. Rodney Jacobs J.D. continues to perform administrative and organizational duties for the CAB as the City Liaison. Mr. Jacobs does an excellent job of scheduling relevant training on a variety of topics to better inform the CAB, including Police Legitimacy, Body Worn Cameras, Training and Prosecution to name just a few.

I attended the CAB meeting held at Grapeland Park on September 6, 2018. As indicated in the past, CAB meetings are held in a different section of the city each month, are well publicized in advance, and have some sort of educational or informational presentation by members of the MPD or connected agencies or associations. Community participation in the CAB meetings is very limited, as a matter of fact there has been little or no participation in the last few meetings that I have attended, with the exception of one or two regular attendees. There have been discussions about ways to increase citizen participation, including the possibility of video conferencing or other approaches that may not necessitate actual physical attendance.

The Community Oversight section has been deemed to be in Substantial Compliance. This section will continue to be monitored through meeting attendance, review of CAB reports and meeting notes, conversations with Mr. Pinn and Mr. Jacobs, as well as awareness of MPD's responsiveness to CAB requests.

Conclusion

MPD continues to be open, transparent and accommodating, fully understanding the significance and obligations of the Agreement. All staff members that I have encountered are committed to improvements that will allow them to better serve their community. In addition, the MPD appears fully engaged and pledged to the successful implementation of the Agreement.

Moving forward the focus will continue on the Internal Affairs Section, following the recently completed assessment, complaint tracking, investigative processes and wrap up of past officer involved shooting investigations. Time will be spent meeting with supervisors and officers, reviewing documents and reports to ensure the appropriate level and engagement of supervisors in patrol. In addition, the translation of the MAT/MAST and High Liability policies have translated into officer's performance on the street. The Body Worn Camera Program implementation will also be monitored. I will attend a Community Advisory Board and speak with board members, as well as citizens, to gauge relationship and communication progress between the community and the MPD. Various audits, report reviews, policy assessments and interviews will continue to be completed.