

Miami Police Department 8th Self-Assessment Compliance Report

January 10, 2020

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II. Policy Review and Implementation

Responsible Party: Major Jose Gonzalez (PCS), Major Um Set Ramos (Training), Major Eric Gonzalez (SOS), Point of contact: Lt. J. Guillot (Training), Capt. S. MacDonald (PCS), George Wysong (Police Legal), Lt. W. Gonzalez (TRU) and Lt. M. Sodre (SWAT).

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| #27 | <p>MPD will continue to develop and implement policies on constitutional policing principles and best practices. In addition, MPD agrees to maintain (and develop if necessary) comprehensive, agency-wide policies and procedures that reflect full implementation of every requirement of this agreement. This requirement includes maintenance of policies governing the Policy Review Committee (PRC), the Professional Compliance Section (PCS), the High Liability Review Board (HLB), the Major Case Team for police shootings investigations, the Tactical Operations Section, the Community Relations Section, and any other MPD has taken or intends to take to ensure compliance with this Agreement.</p> | Substantial Compliance | <p>During the reporting period, additional new or revised policies were submitted to the Independent Reviewer to include Body Worn Camera (revised D.O. 4, Chapter 6), Records Unit (revised D.O. 5, Chapter 3), Peer Support Program (new D.O. 6, Chapter 13), Body Armor Policy (revised D.O. 6, Chapter 20), Use of Force and Administrative Procedures (D.O. 6, Chapter 21), Travel on City Business (revised D.O. 8, Chapter 10), Detention Officers (revised D.O. 11, Chapter 23), Special Events (revised D.O. 12, Chapter 1), Crash Investigations (revised D.O. 12, Chapter 4), Traffic Homicide Investigations (revised D.O. 12, Chapter 5), Police Vehicle Crash Investigations (revised D.O. 12, Chapter 13), Property and Evidence Management Section (revised D.O. 14, Chapter 3), Baton PR-24 (revised D.O. 15, Chapter 5), were completed during the reporting period and a copy was submitted to the Independent Reviewer.</p> |
| #28 | <p>Within one month of the entry of this agreement, MPD submitted an action plan to DOJ for the implementation of this entire Agreement, including designation of</p> | Substantial Compliance | <p>MPD submitted its action plan on April 10, 2016 to the Independent Reviewer and remains in compliance.</p> |

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| | staff responsible for implementing the provisions. | | |
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| #29 | By June 10, 2016, MPD agrees to submit any new and revised policies, procedures and manuals created or revised to achieve compliance with the Agreement to DOJ for review and comment prior to publication and implementation. DOJ shall complete its review within one month. If MPD and DOJ disagree on an aspect of a policy that is relevant to this Agreement, the Independent Reviewer shall resolve any issues. | Substantial Compliance | All revised policies were submitted to the Independent Reviewer and the United States Department of Justice upon their approval by the Chief of Police. |
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| #30 | All staff responsible for implementing the policies shall be trained on the new or revised policies and procedures as soon as practicable, but not later than March 10, 2017. MPD shall maintain documentation sufficient to demonstrate (a) the status and completion of staff training requirements and (b) that staff are aware of the requirements of all policies and procedures. In addition, MPD will continue to disseminate any new or revised policies related to this Agreement through roll call briefings and official bulletins, and departmental emails. | Substantial Compliance | On April 18, 2017, DOJ Agreement Training was conducted using a power-point presentation that included mandatory training to staff members regarding the DOJ agreement and its provisions, as well as a review of MPD reporting process to DOJ from March 10, 2016, through January 10, 2017. MPD staff members were provided with a copy of the presentation for review and application. A sign-in log of the DOJ agreement training documented the staff members who attended the training. The Training Section Commander conducted DOJ Agreement Training from June 19, 2018, through June 20, 2018, for newly promoted and current staff |
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| | | members. The training included revised and new DOJ policies and procedures. |
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III. Officer-Involved Shooting Investigations

Responsible Party: Deputy Chief R. Papier (Office of the Chief), Major Armando Aguilar (IA), Major Jose Gonzalez (PCS), Major Antonio Diaz (CID). Point of contact: Sgt. M. Verdin (Office of the Deputy Chief), Capt. Rolando Padron (IA), Lt. Ricky Lopez (Homicide), Capt. S. MacDonald (PCS), Attorney George Wysong (Police Legal).

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| #32 | MPD will continue to ensure that each Critical Firearms Discharge will be reviewed for accountability, legality, training, tactics and equipment issues. | Substantial Compliance | <p>The MPD continues to ensure that each Critical Firearm Discharge is reviewed for accountability, legality, training, tactics, and equipment issues through the Firearm Review Board process. During this reporting period the following two (2) cases were reviewed:</p> <ol style="list-style-type: none"> 1. DOF 19-002 on 07/29/2019; 2. DOF 19-005 on 09/04/2019. <p>There are no open cases older than September 2018.</p> |
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| #33 | MPD policy shall continue to require officers to cooperate with administrative investigations, including appearing for an interview when ordered by a MPD investigator and providing all requested documents and evidence, subject to the provisions of the 112.531 – 112.535 Florida Statutes (the “Law Enforcement Officers’ Bill of Rights”) and the protections of <i>Garrity vs New Jersey</i> and its progeny and any other applicable law. | Substantial Compliance | MPD continues to require officers to cooperate with administrative investigations, including appearing for an interview when ordered by an MPD or FDLE investigator, providing all requested documents, and evidence, subject to the provisions of the 112.531 – 112.535 Florida Statutes (the “Law Enforcement Officers’ Bill of Rights”) and the protections of <i>Garrity vs New Jersey</i> and its progeny and any other applicable law. |
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| #34 | MPD shall continue to provide shooting officers the opportunity to give voluntary statements as soon as practicable after each shooting, but in any case, within no more than 72 hours, absent exigent circumstances, and will document same. | Substantial Compliance | MPD and its investigative partner FDLE continue to provide shooting officers the opportunity to give voluntary statements as soon as practicable after each shooting and documents same. |
| #35 | Potential criminal investigation or prosecution, MPD to continue its efforts to complete administrative investigation. | Substantial Compliance | During the reporting period, MPD has made documented efforts to complete the administrative investigation by consulting with FDLE and SAO on the status of cases as well as appropriate interviews of principal officer during the administrative investigation. Language was added in revised D.O. 6 Chapter 21, subsection 5.13.1 (Use of Force & Administrative Procedures) stating "MPD will continue to make documented efforts to work with the Office of the State Attorney to facilitate prompt determination of cases. In addition, MPD Internal Affairs Section conducts an internal case file review monthly to thoroughly review all open cases and coordinate with the Homicide Unit, as well as SAO and FDLE, for those cases dealing with critical firearms discharges. |
| #36 | In no event shall MPD permit full resolution of an administrative investigation to extend beyond 180 days after conclusion of the criminal investigation, absent exigent circumstances and agreed to by DOJ and the City. | Substantial Compliance | MPD has procedures which prohibit full resolution of an administrative investigation to extend beyond 180 days after the conclusion of the criminal case. These procedures have been adopted in the Internal Affairs Section SOP's and in the |

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| | | revised Internal Investigations D.O. 2, Chapter 2. In addition, the Internal Affairs Section “conducts a monthly case management meeting” between the investigators and the section’s deputy commander to discuss and provide a status of all administrative investigations. |
| #37 | <p>MPD ensuring that MPD officer involved in a shooting not be returned to active duty until:</p> <ul style="list-style-type: none"> a. The agency’s contracted psychologist clears the officer’s return to active duty. b. A post shooting briefing is held with FDLE. c. Chief of Police written approval for the officer’s return to active duty. d. Evidence review supports officer’s return to active duty. e. The officer completes any refresher training that the Chief of Police deems appropriate. | <p>Substantial Compliance</p> <p>MPD continues to ensure that any officer involved in a critical firearms discharge is not returned to active duty status until all the requirements included in paragraph 37 of the agreement are fulfilled. In addition, a “Return to Duty” memorandum is created in each case documenting the compliance. These requirements were also added to Internal Affairs Section SOP’s and included in a revision to D.O. 6, Chapter 21, subsection 5.7.1. (Use of Force & Administrative Procedures).</p> |
| #38 | Maintain Incident Tracking System (ITS) | <p>Substantial Compliance</p> <p>During this reporting period, MPD has continued to maintain its Incident Tracking System (ITS) for officer involved shootings as well as monitoring officers who may engage in misconduct and bring about corrective action through structured supervisory review. In addition, on December 10, 2018, the Internal Affairs Section further modified the ITS process by implementing a Blue Team EI-ITS Early Intervention Dashboard which provides “Real-Time” ITS</p> |

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| | | information monitoring by supervisory and command level personnel. The Real-Time ITS information allows for an even greater degree of early intervention for officers. |
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| #39 | MPD will maintain the Professional Compliance Section (PCS), which reports directly to the Chief of Police (COP). Maintain the High Liability Incident Review Board (HLB), and continue reviewing serious uses of force and pursuits | Substantial Compliance | During this reporting period, MPD has maintained the Professional Compliance Section (PCS) which reports directly to the Chief of Police (COP). Since July 10, 2019, there have been five (5) HLB cases presented. These cases were extensively reviewed for high liability incidents and corrective actions involving policy and/or training deficiencies. Future HLB hearings will be scheduled for the next reporting period. |
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| #40 | MPD shall continue its practice of having a commander from the training section participate in the Firearms Review Board and post-incident review meeting. MPD shall develop and effective mechanism to ensure that lessons learned from officer-involved shooting reviews are incorporated into policy and officer training, and that such incorporation is verified. | Substantial Compliance | MPD continues its practice of incorporating a commander from the Training Section to participate in the Firearms Review Board and post-incident review meetings. The FRBs conducted between July 10, 2019 and January 10, 2020 pursuant to the 8th Self-Assessment report include the following two (2) cases: <ol style="list-style-type: none"> 1. DOF 19-002 on 07/29/2019; 2. DOF 19-005 on 09/04/2019. <p>There are no open cases older than September 2018.</p> <p>The Training Section Deputy Commander was in attendance for these hearings.</p> |
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IV. Supervision

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Responsible Party: Assistant Chief Manuel Morales (FOD), Major Eric Gonzalez (SOS), Major Esther Farmer (PRMS), Major Jose Rodriguez (ISS), Point of contact: Lt. W. Gonzalez (TRU), Sgt. Juan Nodal (FOD), Sgt. Adnnan Anjum (Staffing Detail).

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| #41 | <p>MPD first line supervisors shall be held accountable for providing the close and effective supervision necessary to direct and guide officers, as described in Departmental Orders 11 (Patrol), Departmental Order 6 (Use of Force & Administrative Procedures) and other relevant Departmental Orders, standard operating procedures and established guidelines.</p> | Substantial Compliance | <p>During this reporting period, MPD has continued to hold first line supervisors accountable for providing the close and effective supervision of their subordinates as described in Departmental Order 11 (Patrol) and Departmental Order 6, Chapter 21 (Use of Force & Administrative Procedures).</p> |
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| #42 | <p>MPD will continue the practice of assigning all patrol officers and officers in the Tactical Operations Section units to a single, consistent, clearly identified first-line supervisor. First line supervisors will continue to be assigned to and work the same days and hours as the officers they are assigned to supervise, absent extenuating circumstances.</p> | Substantial Compliance | <p>MPD has continued ensuring all officers assigned to patrol, and the units of the Specialized Operations Section have a clearly identified first-line supervisor with the same work days and duty hours as the officers they are assigned to supervise. The number of supervisors assigned to patrol remains at 72. These first line supervisory slots are assigned to supervise a maximum of <u>eight (8)</u> officers with the same work days and duty hours. In the Investigative Support Section (ISS), the Tactical Robbery Detail has <u>one (1)</u> sergeant to supervise six <u>(6)</u> officers and the Felony Apprehension Team (FAT) Detail has <u>one (1)</u> sergeant to supervise six <u>(6)</u> officers. Both sergeants have the same work days and duty hours as the officers they supervise. SWAT has <u>two (2)</u> sergeants to supervise <u>eight (8)</u> officers with</p> |
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| | | the same work days and duty hours. |
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| #43 | <p>First-line supervisors of patrol officers and officers assigned to Tactical Operations Section units shall be assigned to supervise no more than five to eight officers (“span of control”). The span of control will be based on the nature of the duties that any officer or group of officers performs. On-duty first-line supervisors will be available throughout their shift to respond to the field to provide supervision to officers under their direct command and, as needed, to provide supervisory assistance to other units.</p> | <p>Substantial Compliance</p> | <p>During this reporting period, MPD has ensured compliance with no more than eight officers to one sergeant (span of control) in patrol and the Specialized Operations Section (“SOS”) as reflected in the DOJ agreement. In addition, a new D.O. 6, Chapter 15 (Departmental Staffing Detail) was created and formulated to monitor the span of control of officers assigned to patrol and the SOS. The Staffing Detail and SOS have been cooperating effectively to monitor span of control.</p> |
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| #44 | <p>The City and MPD shall continue to assess the current span of control within three months of the effective date and re-assess every four months after implementation and shall retain the number of supervisors necessary to achieve the required span of control subject to the limitations set forth in the collective bargaining Agreements and civil service rules.</p> | <p>Substantial Compliance</p> | <p>MPD has assessed the current span of control on August 14, September 18, October 16, and November 20, 2019 (every four months in accordance with the DOJ agreement) and determined that the span of control is sufficient. MPD has ensured the number of supervisors required for span of control is maintained. In addition, D.O. 6, Chapter 15 (Departmental Staffing Detail) was created and formulated to monitor the span of control of officers assigned to patrol and the SOS. This departmental order directs the Staffing Detail to assess the span of control every four months for officers assigned to patrol and the SOS, as well provide a quarterly report to the PCS (Professional Compliance Section), and DOJ (Department</p> |
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| #45 | MPD shall continue to ensure consistent supervision by first-line supervisors who are on extended leave and shall reassign officers to a first-line supervisor when the currently assigned first-line supervisor has been or is expected to be absent for longer than six weeks. | Substantial Compliance | MPD has ensured consistent supervision by first-line supervisors for subordinates of supervisors who are expected to be absent for longer than six (6) weeks. D.O. 6, Chapter 15 (Departmental Staffing Detail) was created and formulated for the Staffing Detail’s personnel to monitor the span of control and reassign an active first-line supervisor to monitor the subordinates of a first-line supervisor who is expected to be absent for longer than six weeks. Currently, there is no supervisor on extended leave over six (6) weeks. |
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| #46 | Captains and Lieutenants will continue to closely and effectively supervise the first line supervisors and officers under their command. MPD Captains and Lieutenants will continue to ensure that all first line supervisors and officers under their command comply with MPD policy, state and federal law, and the requirements of this Agreement. | Substantial Compliance | During this reporting period, MPD has ensured that Captains and Lieutenants maintained supervision over their first-line supervisors and officers under their command. This assured compliance with MPD policies, state, and federal laws, and the DOJ Agreement. In addition, MPD continues to provide training on curriculums known as the Miami Agreement Training (MAT) and the Miami Agreement Supervisory Training (MAST). The curriculum covers supervisory training and compliance with MPD policies, as well as state and federal laws, and the DOJ agreement. Furthermore, in monthly COMPSTAT (Computer Statistics) meetings, Commanders are required to conduct monthly meetings with |
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| | | their field duty Lieutenants and first-line supervisors to provide vital information to line officers, as well as obtain feedback to be transmitted up the chain of command for evaluation. |
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| #47 | <p>MPD will continue to ensure that captains and lieutenants at any level are held accountable for the quality and effectiveness of their supervision, including whether captains and lieutenants identify and effectively respond to uses of force or misconduct, as part of their performance evaluations and through non-disciplinary corrective action, or through the initiation of formal investigation and the disciplinary process. Supervisors shall be subject to discipline for failure to report and remedy misconduct they knew or reasonably should have known occurred. MPD shall continue to develop and implement metrics to assess supervisors' performance.</p> | Substantial Compliance | <p>During this reporting period, MPD ensured that Captains and Lieutenants were held accountable for the quality and effectiveness of their supervision. This included the identification and effective response to uses of force, misconduct, as part of their performance evaluations and through non-disciplinary corrective action, or through the initiation of formal investigation and the disciplinary process. In addition, annual evaluations, complaints, and COMPSTAT (Computer Statistics) meetings provided accountability for effective levels of supervision from the Commanders to the rest of the levels of supervision to include the Lieutenants, first-line supervisors, and line officers. This is further fortified in the revised D.O. 2, Chapter 2 (Internal Investigation) and D.O. 6, Chapter 21 (Use of Force and Administrative Procedures).</p> |
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V. Specialized Units

Responsible Party: Major Eric Gonzalez (SOS), Major Jose Rodriguez (ISS).

Point of contact: Lt. W. Gonzalez (TRU), Lt. M. Sodre (SWAT).

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| #48 | <p>Within two months of the entry of this Agreement, MPD shall provide to DOJ for review and approval its criteria for recruitment and admission to the MPD's specialized units,</p> | Substantial Compliance | <p>The "Tactical Operations Section" was disbanded, and its elements were distributed to other sections of the MPD. While SWAT remains part of the Specialized Operations Section</p> |
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| <p>including Tactical Operations Section (“TOS”) units. MPD shall maintain eligibility criteria and selection devices for assignment to TOS units that emphasize demonstrated capacity to carry out the mission of a TOS unit in a constitutional manner. Officers assigned to TOS units who are unable to maintain eligibility shall be removed from the TOS units. The MPD shall monitor the list of names of all officers and supervisors assigned to TOS units on a quarterly basis to assess and adjust its ongoing personnel and staffing needs.</p> | | <p>“SOS,” the Investigative Support Section “ISS” is now responsible for many of the former TOS elements. During this reporting period, MPD has ensured that the eligibility criteria for recruitment and admission to SWAT and the Tactical Robbery Unit (includes the FAT (Felony Apprehension Team) Detail has been sufficiently maintained. MPD produced inter-office memorandums from the TRU Deputy Commander to the Section Commander for the review period as well as an inter-office memorandum from the SWAT Deputy Commander to the Section Commander for the rating period. The list of names of all officers and supervisors assigned to SOS in the eligibility list are monitored on a quarterly basis to assess and adjust its ongoing personnel and staffing needs. Furthermore, the Investigative Support Section (ISS), Tactical Investigations Unit, included an open register for the period of February 18, 2019, for a potential opening of a Sergeant and Officer(s) in the Tactical Robbery Unit (TRU)-Felony Apprehension Team (FAT) Detail. The open registers included criteria for assignment to TRU and FAT which must be demonstrated and met in order to be considered for interview and selection.</p> |
| #49 | <p>MPD shall continue to ensure that operating protocols for TOS units are consistent with the agency-wide use of force</p> | <p>Substantial Compliance</p> <p>During this reporting period, MPD ensured that the operating protocols for SOS were consistent with the revised Use</p> |

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| <p>policies implemented to comply with this Agreement.</p> | | <p>of Force Policy under D.O. 6, Chapter 21 (Use of Force & Administrative Procedures). The operating protocols for SOS have been fortified and included in their SOP's. In addition, members of the SOS and ISS (TRU, FAT, and SWAT) have included after action reports, operational plans, worksheets, and monthly statistical information of incident reporting for the reporting period.</p> |
| <p>#50 MPD shall continue to prohibit SWAT units from conducting general patrol and policing functions while they are on a specialized assignment absent exigent circumstances.</p> | <p>Substantial Compliance</p> | <p>In accordance with revised SWAT SOPs and D.O. 12, Chapter 6 Special Threat Response Unit (STRU), MPD continues to prohibit SWAT units from conducting general patrols and policing functions while they are on a specialized assignment absent exigent circumstances. Both officer member actions and supervisory decisions strictly adhere to the SWAT detail's operational protocols during deployment. In addition, the approval of the SWAT chain of command must be obtained for any incident where there is a request for SWAT to respond. Unless there is a minimum of twelve (12) to fourteen (14) personnel to include a team leader and a SWAT commander, then a SWAT Team does not respond.</p> |
| <p>#51 MPD will continue to require officers assigned to TOS units, while on a specialized assignment, to document in writing all law enforcement activities, including operational</p> | <p>Substantial Compliance</p> | <p>During this reporting period SOS has continued to document in writing all law enforcement activities while on specialized assignment, including Operational Plans, After Action</p> |

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| <p>plans and after-action reports in consistent formats for all call-outs and deployments. Supervisors shall conduct documented regular reviews of the TOS' law enforcement activities to ensure their compliance with applicable laws and MPD policies and procedures.</p> | | <p>Reports, call outs, and deployments. During this reporting period SOS, ISS, Tactical Robbery Unit (TRU), and its FAT (Felony Apprehension Team Detail) included operational worksheets which included a brief synopsis of the case, as well as an apprehension log with detailed information for record purposes about the subject(s) arrest, case #, charges and incident location.</p> |
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| #52 | <p>MPD shall continue to track, analyze and take appropriate action if necessary to address tactical deficiencies or policy violations by TOS unit members, including recommendations for changes to training or policy; transferring individuals; and/or initiating disciplinary action as necessary. MPD will document this process and report on its successes and challenges.</p> | <p>Substantial Compliance</p> | <p>MPD continues to track, analyze and take appropriate action, as necessary, to address tactical deficiencies or policy violations by SOS members. During this reporting period, SOS members eligibility requirements were reviewed by examining annual evaluations, worksheets, commendations and reprimands. In addition, the officer's eligibility to remain in the unit depended on the Incident Tracking System (ITS) which was individually reviewed by the unit's deputy commander and a memorandum was drafted and submitted through the chain of command with the recommendation to remain in the specialized unit.</p> |
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VI. Training

Responsible Party: Major Um Set Ramos (Training), Attorney George Wysong (Police Legal).

Point of contact: Lt. Jean Paul Guillot (Training), Attorney George Wysong (Police Legal).

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| #53 | <p>Any new training expressly required by the terms of the DOJ agreement shall be delivered within one year of the effective date (03/10/2016), and annually thereafter.</p> | <p>Substantial Compliance</p> | <p>MPD has updated its Miami Agreement Training (MAT) program for 2019-2020. The MAT training began on September 10, 2019 and will continue through May 2020. The</p> |
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| <p>A. New training delivered by deadline of 03/10/2017.</p> <p>B. Submit comprehensive training delivery schedule within four months (07/10/2016) of the effective date.</p> <p>Tracking, delivery and completion of all required training by deadline of 03/10/2017</p> | | <p>training sessions were conducted bi-weekly and were comprised of twenty-seven (27) hours of total training. In addition, the Miami Agreement Supervisory Training (MAST) has been updated for 2019-2020 and was provided to supervisors from the rank of Sergeant of Police up to the rank of Captain of Police. The MAST training began December 3, 2019 and will continue through April 3, 2020. The course is comprised of a forty (40) hours classroom practicum exercise. The organizational goal is for all supervisors from the rank of Police Sergeant up to Police Captain to successfully complete the MAT training before commencing the MAST training. In addition, all records and files from previous training are ready for inspection and review.</p> |
| <p>#54 Firearm Training Program provides for the following:</p> <p>A. Requires officers to pass training and qualify on each firearm the officer is required or authorized to carry out on an annual basis.</p> <p>B. Immediately comply with and reinforce judicial developments in use of force.</p> <p>C. Firearm Annual in-Service training</p> <p>(1) Training on when to display/or point firearms.</p> <p>(2) Night training.</p> | Substantial Compliance | <p>The Training & Personnel Development Section (TPDS) has developed the annual training referred to as MAT (Miami Agreement Training) and MAST (Miami Agreement Supervisory Training) for officers and supervisors from the rank of Police Sergeant up to Police Captain. The firearms portion of the training is included in the MAT section to ensure annual qualifications are met on all sworn personnel active, reserve, and auxiliary officers. The qualifications include the officers' issued sidearm, rifle, and or shotgun, as well as their secondary weapon. In addition, TPDS (Training & Personnel</p> |

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| <ul style="list-style-type: none"> (3) Stress training (undergoing physical exertion). (4) Use of Force decision-making (shoot-don't shoot) training. (5) Continuous threat assessment techniques. (6) Observe students and provide corrective instruction when deficiencies are observed. D. Observe students and provide corrective instruction when deficiencies are observed. E. Comprehensive testing on rules, regulations and skills regarding firearm use. F. Employ reality-based incident scenarios <ul style="list-style-type: none"> 1. Live action 2. Computer simulated components to improve defensive tactic training, limit incident of deadly force G. Incorporate de-escalation training and techniques H. Evaluation and Survey | | <p>Development Section) will also provide training on the revised D.O. 15, Chapter 2 (Firearm Procedures), as well as existing revised SOP's and DO's under the new policy D.O. 15, Chapter 10, referred to as the DOJ Agreement and Standards.</p> |
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| <p>#55 MPD will continue to provide mandatory supervisory training for all new first-line supervisors, which shall be completed prior to assuming supervisory responsibilities. In addition, to this initial supervisory training, MPD shall require each first-line supervisor to complete supervisor-specific training annually thereafter.</p> | <p>Substantial Compliance</p> | <p>MPD continues to provide mandatory supervisory training to officers prior to assuming first-line supervisory responsibilities. MPD members attended First Line Supervisory Training during the 7th self-reporting period from March 4th, 2019 through March 15th, 2019, for the rank of Police Sergeant. The course consisted of eighty (80) hours of instruction of which 40 hours are mandated by FDLE. MPD exceeds</p> |
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| | | the mandated training with an additional forty (40) hours of supplemental classroom instruction. |
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| #56 | MPD shall continue to review, develop and maintain mandatory supervisory training for all new second-line supervisors (lieutenants and captains), which shall be completed prior to assuming secondary supervisory responsibilities. Annual training for lieutenants and captains shall provide necessary updates, as well as training in the new skills and training their subordinate officers have received in the past year. | Substantial Compliance | MPD continues to provide mandatory supervisory training for all new second-line supervisors, (lieutenants and captains), prior to assuming second-line supervisory responsibilities. The mid-management course consisted of forty (40) hours of classroom instructions. |
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| #57 | Provide first line supervisors with 40 hours of annual in-service training based on developments in applicable law and MPD policy. This training curriculum shall include the following topics related to Critical Firearm Discharges. <ul style="list-style-type: none"> a. MPD’s use of deadly force policy and use of force reporting requirements; b. conducting use of force investigations, including the supervisory investigatory responsibilities; c. processing and preservation of crime scenes and forensic evidence; d. care and custody of video recordings; e. evaluation of written reports for thoroughness, accuracy, and completeness; | Substantial Compliance | All first line supervisors from the rank of Police Sergeant are mandated to complete the forty (40) hours DOJ agreement training known as MAT (Miami Agreement Training) before attending the forty (40) hours supervisory course known as MAST (Miami Agreement Supervisory Training). In addition, D.O. 15, Chapter 10 (DOJ Agreement and Standards) includes the training information about MAT and MAST in fulfilling the policy requirement. |
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| <p>f. burden of proof; interview techniques; and the factors to consider when evaluating officer, complainant, or witness credibility, to ensure that investigative findings, conclusions, and recommendations are unbiased, uniform, and legally sound;</p> <p>g. strategies for effectively directing officers to minimize uses of force and to intervene effectively to prevent or stop unreasonable force;</p> <p>h. responding to and investigating allegations of officer misconduct;</p> <p>i. supporting officers who report unreasonable or unreported force, or who are retaliated against for using only reasonable force or attempting to prevent unreasonable force;</p> <p>j. techniques for effectively guiding and directing officers, and promoting effective and ethical police practices;</p> <p>k. techniques for de-escalating conflict, including peer intervention when necessary;</p> <p>l. evaluating officer performance as part of MPD's annual performance evaluation system; and</p> <p>m. fostering positive career development and imposing appropriate disciplinary sanctions and non-disciplinary corrective action.</p> | | |
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| #58 | <p>Provide all Lieutenants and Captains with in-service training on an annual basis based on developments in applicable law and MPD policy. The training curriculum shall include the following topics related to Critical Firearms Discharges:</p> <ul style="list-style-type: none"> a. Incident Management <ul style="list-style-type: none"> i. evaluation of written reports; ii. strategies for effectively directing officers to avoid unnecessary Critical Firearms Discharges; iii. responding to Critical Firearms Discharges; and iv. De-escalating conflict. b. Community Engagement <ul style="list-style-type: none"> i. how to engage the community and develop positive relationships with diverse community groups; and ii. How to ensure that community relationships are positive. | Substantial Compliance | <p>MPD continues to provide all Lieutenants and Captains with in-service training on an annual basis based on developments in applicable law and MPD policy via the MAT and MAST training program referred to above. Evaluation and recommendation of the course is captured by TPDS in the student course evaluation form to establish quality and effectiveness of the training.</p> |
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VII. Community Oversight

Responsible Party: Commander Joseph Pontillo (IT), Attorney Wysong (Police Legal).

Point of contact: Sgt. Alex Rodriguez (IT), Attorney Wysong (Police Legal).

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| #59 | <p>City and MPD will have a Community Advisory Board of civilian City residents provide oversight and feedback to MPD and the Independent Reviewer. The board will address concerns to:</p> <ul style="list-style-type: none"> A. Advise the Chief, majors and commanders on strategies and training to improve community relations and MPD responsiveness. | Substantial Compliance | <p>During the reporting period, the CAB (Community Advisory Board) met two (2) times on September 5, 2019, and November 7, 2019. MPD staff regularly attended the CAB and CAB subcommittee meetings.</p> |
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| <p>B. Work with the Chief, majors and commanders to establish and carry out community public safety priorities;</p> <p>C. Provide the community with information on the agreement and its implementation.</p> <p>Receive and convey to MPD and DOJ public comments and concerns, in addition to MPD's civilian complaint system.</p> | | |
| #60 | <p>Substantial Compliance</p> | <p>During this reporting period the CAB was in full operational status and met on a regular basis. The CAB has provided feedback to MPD and the Independent Reviewer. There is a webpage link in the MPD intranet system for the CAB to post their reports facilitating public comment and community feedback.</p> |

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| <p>E. Ethnic F. Community organizations G. Students Youth organizations</p> | | |
| #61 | <p>MPD facilitate regular public meetings of the community advisory board to discuss DOJ's reports, if any and to receive community feedback about MPD's progress or compliance with the agreement.</p> | <p>Substantial Compliance</p> <p>During this reporting period, the CAB met two (2) times. Members of the community were present and provided feedback about MPD's compliance report as well as concerns raised by the CAB. Future dates for calendar year 2020 have been allocated for CAB meetings to occur at various locations around the City of Miami to properly address community concerns.</p> |
| #62 | <p>The community board's reports and recommendations will be posted on MPD website. MPD will consider and respond to the community board's recommendations in a timely manner.</p> | <p>Substantial Compliance</p> <p>MPD previously established a CAB web page link that is posted on the MPD website for the CAB to post reports and recommendations. The CAB is endeavoring to create its own website to fulfill the same purpose. In addition, three (3) separate web page links were created to include a section for the DOJ report that store the DOJ Action Plan, the 1st, 2nd, 3rd, 4th, 5th, 6th and 7th Self-Assessment reports, a web page for all MPD Departmental Orders, Standard Operating Procedures (SOPs) and a web page which includes the MPD Departmental Orders with an addendum for the public to make comments about the policies.</p> |

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| #63 | The City will provide the community board with reasonable administrative support, including meeting space. | Substantial Compliance | The City has provided the Community Advisory Board with reasonable administrative support, including meeting space. Additional support will be allocated when additional resources are required. |
| #64 | The civilian community board will not review or report on specific cases of alleged misconduct, review or comment on discipline, and will not seek to influence the course or outcome of a specific complaint investigation or the discipline of specific officers. The community board will not have access to any non-public information regarding an individual officer or allegation of misconduct or disciplinary action. | Substantial Compliance | During this reporting period, CAB understood their role and were reminded of the following directives: The civilian community board will not review or report on specific cases of alleged misconduct, review or comment on discipline and will not seek to influence the course or outcome of a specific complaint investigation or the discipline of specific officers. The community board will not have access to any non-public information regarding an individual officer or allegation of misconduct or disciplinary action. |
| #65 | The City may use the Community Relations Board to fulfill the requirements of this Section of the Agreement if they are able to meet the requirements herein. | Substantial Compliance | Not applicable now because the CAB is adequately fulfilling its purpose, powers and duties. |
| VIII. Compliance Assessment | | | |
| Responsible Party: Major Jose Gonzalez (PCS). | | | |
| Point of contact: Capt. S. MacDonald (PCS). | | | |
| #66 | Within 45 days of the effective date, MPD will identify a Compliance Coordinator who is a member of MPD to serve as the single point of contact with DOJ and the Independent | Substantial Compliance | Major Jose Gonzalez from the Professional Compliance Section continues to be the single point of contact with the Independent Reviewer. Major Gonzalez replaced Major Perez in February |

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| <p>Reviewer. The Compliance Coordinator will: coordinate compliance and implementation activities; facilitate access to MPD personnel and provide data, documents, and materials to DOJ as needed; ensure that all data, documents and records are maintained as provided in this Agreement; and assist in assigning implementation and compliance-related tasks to MPD personnel, as directed by the Chief of Police or his designee.</p> | | <p>2018 and has been making regular contact via email with the Independent Reviewer and has met with the Independent Reviewer during his visits to the Miami Police Department on September 3-6, 2019.</p> |
| <p>#67 Within four months from the effective date, and every six months thereafter until this Agreement is terminated, the City will provide to DOJ and the monitor a Self-Assessment Compliance Report indicating whether the City has reached one of three levels of compliance with this Agreement: Substantial Compliance, Partial Compliance, or Non-Compliance.</p> | <p>Substantial Compliance</p> | <p>On July 10, 2016, MPD provided the Independent Reviewer with the 1st Self-Assessment report. The 2nd Self-Assessment report was submitted on January 10, 2017. The 3rd Self-Assessment report was submitted on or prior to July 10, 2017. The 4th Self-Assessment report was submitted on or prior to January 10, 2018. The 5th Self-Assessment report was submitted on or prior to July 10, 2018. The 6th Self-Assessment report was submitted on January 10, 2019. The 7th Self-Assessment report was submitted on July 10, 2019. This 8th Self-Assessment report will be submitted on January 10, 2020.</p> |
| <p>#68 The self-assessment compliance report will include sections:</p> <p>A. The steps MPD and the City have taken during the</p> | <p>Substantial Compliance</p> | <p>MPD Self-Assessment compliance report for the 1st, 2nd, 3rd, 4th, 5th, 6th, 7th and the 8th Self-Assessments have included the steps the City and MPD took during the reporting periods, plans to correct any concerns or</p> |

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| <p>reporting period to implement this Agreement;</p> <p>B. Plans to correct any problems or lack of compliance;</p> <p>C. A response to any concerns raised by United States DOJ regarding the City's previous Compliance Report;</p> <p>D. A projection of the work to be completed during the upcoming reporting period;</p> <p>E. Any anticipated challenges or concerns related to implementation of the Agreement; and</p> <p>F. A summary of documents relied on for statistical purposes or general data as the basis for self-assessment, if applicable.</p> | | <p>lack of compliance, a response to any concerns raised by the United States DOJ regarding the city's previous compliance report, projection of work to be completed during the reporting period, and any anticipated concerns and a summary for statistical purposes or general data for Self-Assessment. MPD continues to address all recommendations included in the Independent Reviewer's (IR) report. Furthermore, PCS (Professional Compliance Section) through its DOJ Compliance Coordinator continues to maintain a working relationship with its points of contacts from MPD's respective divisions to acquire the necessary information to meet and fulfill the DOJ agreement's provisions.</p> |
| <p>#69 The Compliance Report shall exclude assessments of the sections of the Agreement for which the Independent Reviewer has already determined MPD and the City to be in Substantial Compliance.</p> | Not Applicable | Not Applicable |
| <p>#70 The DOJ will collaborate with MPD in revising any policies, procedures, or practices relating to the use of force that DOJ deems to be deficient.</p> | Substantial Compliance | <p>MPD has collaborated with DOJ in revising policies, procedures or practices relating to the use of force that the DOJ deems to be deficient. During the previous reporting period, MPD had revised and officially approved through a PRC (Policy Review Committee) hearing the Use of Force policy D.O. 6, Chapter 21, to meet DOJ requirements</p> |

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| | | <p>relating to this agreement. During this reporting period, MPD implemented D.O. 6, Chapter 15 (Staffing Detail) to reinforce the DOJ Agreement. The policy has been forwarded to the DOJ for their collaborative review.</p> |
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