

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

### II. Policy Review and Implementation

**Responsible Party: Major Richard Perez (PCS); Major Lazaro Ferro (Training) Major Alberto (SOS)  
 Point of contact: S. Washington (Training), Lt. Chris Griffin (PCS), Sgt. Orlando Villaverde (PCS), George Wysong, (police legal), Lt. G. Gomez (TRU) and Lt. M. Abreu (SWAT).**

#27	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, the Professional Compliance Section (PCS), the High Liability Review Board, the Major Case Team for shootings investigations, the Tactical Operations Section, the Community Relations Section, and any other initiatives MPD has taken or intends to take to ensure compliance with this Agreement.	<b>Substantial Compliance</b>	MPD has continued to develop and implement the following policies: Revised SOP's to include Training, STRU, Homicide and TOS (renamed Tactical Robbery Unit/Felony Apprehension Team), to comply with the DOJ agreement. In addition, the development of new or revised D.O. policies to include, Professional Compliance Section (revised D.O. 1, Chapter 16), Training (revised D.O. 15, Chapter 1), Tactical Robbery Unit/Felony Apprehension Teams (new D.O. 12, Chapter 22) Special Threat Response Unit STRU, (revised D.O. 12, Chapter 6), Homicide (revised D.O. 9, Chapter 1), DOJ Agreement and Standards (new D.O. 15, Chapter 10), Internal Affairs Section (revised D.O. 2, Chapter 1) and Incident Tracking System (revised D.O. 2, Chapter 5).
-----	--	-------------------------------	---

#28	Within one month of the entry of this agreement, MPD will submit an action plan to DOJ for the implementation of this entire Agreement, including designation of staff responsible for implementing the provisions.	<b>Substantial Compliance</b>	MPD submitted its action plan on April 10, 2016 to the Independent Reviewer.
-----	---	-------------------------------	--

#29	By June 10, 2016, MPD	<b>Substantial Compliance</b>	On June 10, 2016, MPD submitted
-----	-----------------------	-------------------------------	---------------------------------

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

<p>agrees to submit any new and revised policies, procedures and manuals, if any, 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 the dispute.</p>		<p>to the Independent Reviewer procedure revisions of the following SOP's to include Homicide, Internal Affairs Section, Training and the Tactical Operations Sections (renamed Tactical Robbery Unit/Felony Apprehension Team).</p> <p>In addition, the development of new or revised D.O. policies to include, Professional Compliance Section (revised D.O. 1, Chapter 16), Training (revised D.O. 15, Chapter 1), Tactical Robbery Unit/Felony Apprehension Teams (new D.O. 12, Chapter 22) Special Threat Response Unit STRU, (revised D.O. 12, Chapter 6), Homicide (revised D.O. 9, Chapter 1), DOJ Agreement and Standards (new D.O. 15, Chapter 10), Internal Affairs Section (revised D.O. 2, Chapter 1) and Incident Tracking System (revised D.O. 2, Chapter 5).</p>
---	--	--

<p>#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.</p>	<p><b>Substantial Compliance</b></p>	<p>From May 11, 2016, through June 8, 2016, Major Roman Martinez conducted mandatory training to the staff on the DOJ Agreement. MPD staff members were provided with a copy of the agreement for review and implementation. A sign in log of the DOJ agreement training documented the staff that attended the training. In addition, MPD is also continuing further training related to the Agreement to the command staff. As for roll call training, any new or revised MPD policies, supervisors shall continuously read the Official Bulletin during all roll calls to train all officers pertaining to</p>
---	--------------------------------------	---

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

		this agreement.
--	--	-----------------

### III. Officer-Involved Shooting Investigations

**Responsible Party: Assistant Chief R. Papier (Admin) Major Jose Rodriguez (IA), Major Richard Perez (PCS), Major Louis Melancon (CID)**

**Point of contact: Sgt. N. Martinez (Admin) Lt. Oriel Tameron (IA), Lt. Carlos Castellanos (Homicide), Sgt. M. Rojas (PCS), Attorney George Wysong (Police Legal).**

#32	MPD will continue to ensure that each Critical Firearms Discharge will be review for accountability, legality, training, tactics and equipment issues.	<b>Substantial Compliance</b>	Use of Force D.O. 6, Chapter 21 is being revised to include the provisions from the DOJ agreement that pertains to the Firearm Review Board, as well as Training. The Training Section Major is now part of the Firearm Review Board and they will be included as a participant of all FRB in order to identify training issues.
-----	--	-------------------------------	--

#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.	<b>Substantial Compliance</b>	DOJ language pertaining to this provision was added in D.O. 2, Chapter 2 (Internal Investigations), which is being revised and going through the approval process of the Policy Review Board. MPD continues to require officers to cooperate with all administrative investigation and this has been fortified by requesting the principal officer to provide any and all documents and evidence relating to the investigation, as well as including this information in a “Notification of Principal Officer form.”
-----	---	-------------------------------	--

#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.	<b>Substantial Compliance</b>	MPD is currently revising D.O. 6, Chapter 21 (Use of Force & Administrative Procedures), under subsection 21.4.15.4 that includes language of this provision in continuing to provide shooting officers the opportunity to give voluntary statements as soon as practicable after each shooting. This was previously included in the revised Internal
-----	--	-------------------------------	---

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments	
		Affairs Section SOP 21, VII, subsection F, provided to officers involved in a discharge of firearm. A Post Traumatic Incident Memorandum is also in effect to administratively reassign officers involved in a category 3, 4 or 5 Firearm Discharge.	
#35	Potential criminal investigation or prosecution, MPD to continue its efforts to complete administrative investigation.	<b>Substantial Compliance</b>	MPD has continue its effort to complete the administrative investigation and by consulting with FDLE and SAO on appropriate interviews of principal officer during the administrative investigation. In addition, added language of this provision was included in the Use of Force & Administrative Procedures in D.O. 6, Chapter 21 (subsection 21.4.15.1) and the SOP's revision of Homicide and Internal Affairs.
#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.	<b>Substantial Compliance</b>	MPD has created a mechanism within their own internal system in order not to permit full resolution of an administrative investigation to extend beyond 180 days after the conclusion of the criminal case, absent exigent circumstances and agreed to by DOJ. MPD has both fortified this requirement in the Internal Affairs Section SOP's and in the revised Internal Investigations D.O. 2, Chapter 2.
#37	MPD ensuring that MPD officer involved in a shooting not be returned to active duty until. <ol style="list-style-type: none"> <li>a. Return to duty: the agency's contracted psychologist clears the officer's return to active duty.</li> <li>b. Return to duty: a post</li> </ol>	<b>Substantial Compliance</b>	MPD will continue to ensure that any officer involved in a shooting will not be returned to active duty status until all requirements included in the provision are compiled with. In addition, a "Return to Duty" memorandum has been issued. Revision to

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments	
<p>shooting briefing is held with FDLE.</p> <p>c. Return to duty: Chief of Police written approval for the officer's return to active duty.</p> <p>d. Return to duty: evidence review supports officer's return to active duty.</p> <p>e. Return to duty: the officer completes any refresher training that the Chief of Police deems appropriate.</p>		<p>Internal Affairs Section SOPs and Departmental Orders Use of Force &amp; Administrative Procedures, D.O. 6, Chapter 21, subsection 21.4.8.1 have been completed.</p>	
#38	Maintain Incident Tracking System (ITS)	<b>Substantial Compliance</b>	<p>MPD has continue to maintain its Incident Tracking System (ITS) for officer involved shootings and monitor opportunities for officers to engage in misconduct and bring about corrective action through structured supervisory review, with the officer involved, of his/her course of conduct. The ITS Departmental Orders D.O. 2, Chapter 5, was also reviewed, revised and found to be in compliance in maintaining the ITS system. An ITS memorandum had been created and put into effect in order for each section commander to adhere in complying with the ITS process.</p>
#39	<p>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</p>	<b>Substantial Compliance</b>	<p>MPD has maintained the PCS section &amp; the High Liability Incident Review Board (HLB). Since July 10, 2016, three (3) HLB cases were presented on July 26, 2016, October 27, 2016, and December 6, 2016. The three cases were reviewed extensively for high liability incidents and corrective actions were identified and recommendation made as a result of the hearing. In addition, a future HLB schedule has been</p>

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

		established for calendar year 2017.
--	--	-------------------------------------

#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.	<b>Substantial Compliance</b>	MPD continues to conduct the Firearm Review Board with the Training Section Commander as part of all firearm use incidents. The FRB will also identify training deficiencies if any. In addition, lesson learned from officer involved shootings will be incorporated into policy and officer training. For calendar year since July 2016, a total of one (1) FRB (DOF 15-002) was presented on November 2, 2016.
-----	--	-------------------------------	---

**IV. Supervision**

**Responsible Party: Assistant Chief Dennis Jackson (FOD), Major Alberto Alberto (SOS)**

**Point of contact: Lt. G. Gomez (TRU), Captain Alberto Borges (FOD), Sgt. A. Chin (FOD)**

#41	MPD first line supervisors shall provide, and 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.	<b>Substantial Compliance</b>	MPD identifies accountability in D.O. 11, by ensuring supervisors provide the close and effective supervision necessary to direct and guide officers. In addition, MPD also illustrates accountability in the use of force matrix governing uses of force and officer's response level under D.O. 6, Chapter 21.4.1.8. (Use of Force & Administrative Procedures), which is currently going through a revision process in order to meet the expectation of the DOJ agreement.
-----	---	-------------------------------	---

#42	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 actually work the same days and hours as the officers they are assigned to supervise, absent	<b>Substantial Compliance</b>	MPD will continue assigning all patrol officers and officers in the units of the Special Operation Section formally known as the Tactical Operations Section to a single, consistent, clearly identified first-line supervisor with the same work days and duty hours as the officers they are assigned to supervise. The amount of supervisors assigned to
-----	--	-------------------------------	---

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

	<p>extenuating circumstances.</p>	<p>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 SOS, the Tactical Robbery Unit has <u>one (1)</u> sergeant to supervise <u>eight (8)</u> officers. The Felony Apprehension Team has <u>one (1)</u> sergeant to supervise <u>five (5)</u> officers. Both sergeants have the same work days and duty hours as the officers they supervise. SWAT has <u>one (1)</u> sergeant to supervise <u>eight (8)</u> officers with the same work days and duty hours.</p>
--	-----------------------------------	--

<p>#43</p>	<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><b>Substantial Compliance</b></p>	<p>MPD has ensured compliance with no more than eight officers to one sergeant (span of control) in patrol and the Special Operations Section as reflected in the DOJ Agreement.</p>
------------	---	--------------------------------------	--

<p>#44</p>	<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</p>	<p><b>Substantial Compliance</b></p>	<p>MPD had assessed the current span of control on June 10, 2016, and has re-assessed on October 10, 2016, (every four months in accordance with the DOJ Agreement). MPD has ensure to retain the number of supervisors necessary to achieve the required span of control subject to the limitations set forth in the</p>
------------	---	--------------------------------------	---

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
collective bargaining Agreements and civil service rules.		Collective Bargaining Agreements and Civil Service Rules. In addition, staffing charts are reviewed and compared against current vacancies to ensure that no vacancies remain unfilled for first line supervisors for longer than six weeks.
#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.	<b>Substantial Compliance</b>	MPD has ensured consistent supervision by first-line supervisors for supervisors who are on extended leave, and shall a temporarily first-line supervisor when the current first-line supervisor has been or is expected to be absent for longer than six weeks. Staffing assignment charts are monitored and compared against current vacancies to ensure that no supervisory vacancies remain unfilled for longer than six weeks. In addition, the staffing detail D.O. 1, Chapter 18 is being revised to reflect the monitoring requirements regarding the current span of control.
#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.	<b>Substantial Compliance</b>	MPD ensures that Captains and Lieutenants will supervise the first-line supervisors and officers under their command and ensure that all first-line supervisors and officers under their command comply with MPD policy, state and federal laws and the DOJ Agreement. In addition, the Training Section developed and implemented a training curriculum referred to as Miami Agreement Training (MAT) and Miami Agreement Supervisory Training (MAST) courses that



## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

		would fortify this requirement.
--	--	---------------------------------

#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>	<b>Substantial Compliance</b>	<p>MPD ensures that Captains and Lieutenants at any level are held accountable for the quality and effectiveness of their supervision, including the identification to 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. MPD also ensures supervisors shall be subject to discipline for failure to report and remedy misconduct they knew or reasonably should have known occurred. In addition, the Training Section has developed a new D.O. 15, Chapter 10, "DOJ agreement Standards" with the training curriculum referred to as "MAT" and "MAST" courses that would fortify this requirement.</p>
-----	--	-------------------------------	--

**V. Specialized Units**

**Responsible Party: Major Alberto Alberto (SOS).**  
**Point of contact: Lt. Gilberto Gomez (TRU) Lt. M. Abreu (SWAT).**

#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, 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</p>	<b>Substantial Compliance</b>	<p>On May 10, 2016, MPD provided DOJ with the criteria for recruitment and admission to MPD's specialized SOS units. The report included an interoffice memorandum from unit commanders of SOS, to the Assistant Chief of the Administration Division, detailing the criteria for recruitment and admission to the SWAT school and the Tactical Robbery Unit. In addition, MPD continues to maintain eligibility criteria for recruitment and admission to MPD's specialized SOS units</p>
-----	---	-------------------------------	--

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
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.		outlined in an interoffice memorandum from the unit commander to the Chief of Police for the third quarter (July-October 2016).
#49 MPD shall continue to ensure that operating protocols for TOS units are consistent with the agency-wide use of force policies implemented to comply with this Agreement.	<b>Substantial Compliance</b>	MPD has ensured operating protocols are consistent with the Use of Force Policy that has been fortified in the SOS revised SOP's. In addition, D.O. 6, Chapter 21 (Use of Force & Administrative Procedures), is being revised in order to provide uniformity as it pertains to SOS. Certain DOJ provision has been included in the Use of Force Policy.
#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. Both officer member actions and supervisory decisions must adhere strictly to the SWAT unit's operational protocols during deployment.	<b>Substantial Compliance</b>	MPD prohibits SWAT units from conducting general patrol and policing functions while they are on a specialized assignment. Both officer and members actions & supervisory decisions adhere strictly to SWAT operational protocols during deployment. In addition, the criteria relating to prohibiting SWAT from conducting general patrol has been included in the revised SWAT SOP's and D.O. 12, Chapter 6, that has been renamed under Special Threat Response Unit (STRU).
#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 plans and after-action reports in	<b>Substantial Compliance</b>	MPD requires officers assigned to SOS (formerly known as TOS) that while on specialized assignment to document in writing all law enforcement activities, including Operational Plans and After Action Reports in a consistent

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

<p>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>format for all call-outs and deployments. Supervisors are also conducting documented regular reviews of SOS law enforcement activities to ensure compliance with applicable laws and MPD policies and procedures. The policy relating to SOS documentation of all LEO activities were included in SOS'S revised SOPs.</p>
---	--	--

#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>	<b>Substantial Compliance</b>	<p>MPD has continue to track, analyze and take appropriate action, if necessary, to address tactical deficiencies or policy violations by SOS (formerly known as TOS) members, including recommendations for changes to training or policy; transferring individuals; and/or initiating disciplinary action as necessary. The policy relating to the agency tracking, analyzing and addressing tactical deficiencies and policy by SOS members were included in the SOS revised SOPs.</p>
-----	---	-------------------------------	---

**VI. Training**

**Responsible Party: Major Lazaro Ferro (Training), Attorney George Wysong (Police Legal).**

**Point of contact: Ms Segura Washington (Training), Attorney George Wysong (Police Legal).**

#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>A. New training delivered by deadline of 03/10/2017.                  B. Submit comprehensive training delivery schedule within four months (07/10/2016) of the effective date.</p> <p>Tracking, delivery and</p>	<b>Substantial Compliance</b>	<p>On May 11, 2016, MPD newly developed training program referred to as Miami Agreement Training (MAT) that includes use of force scenario based training, computer simulated "Meggit System" drills and firearms range drills for all officers, by the deadline of March 10, 2017. Additionally, from the rank of Sergeant of Police up to the rank of Captain of Police, the creation of Miami Agreement Supervisory Training (MAST) with a similar curriculum for supervisors began on September 8, 2016. In</p>
-----	---	-------------------------------	---

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

	completion of all required training by deadline of 03/10/2017		addition, this policy relating to the delivery of new training was included in the Training Section revised SOP's and the newly created D.O. 15, Chapter 10 renamed "DOJ Agreement and Standards." As of December 2016, there were <u>572</u> officers and <u>131</u> supervisors from the rank of Sergeant up to the rank of Captain that had completed the training under MAT and MAST.
--	---	--	---

#54	<p>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> <ol style="list-style-type: none"> <li>(1) Training on when to display/or point firearms.</li> <li>(2) Night training.</li> <li>(3) Stress training (undergoing physical exertion).</li> <li>(4) Use of Force decision-making (shoot-don't shoot) training.</li> <li>(5) Continuous threat assessment techniques.</li> <li>(6) Observe students and provide corrective instruction when deficiencies are observed.</li> </ol> <p>D. Observe students and provide corrective instruction when deficiencies are</p>	<b>Substantial Compliance</b>	<p>The Training Section has developed and initiated annual training referred to as MAT and MAST for officers and supervisors from the rank of sergeants up to captains. They implemented a program using the computer simulated "Meggit System" as well as firearm proficiency training as it pertains to the DOJ Agreement outlined in this provision, to include all full time officers and part time auxiliary officers.</p> <p>MPD has also contracted with Florida International University to conduct cultural diversity and de-escalation training. In addition, the policy relating to the delivery of the new firearms annual in-service training has been included in the Training Section's revised SOPs and DO's under the new policy D.O. 15, Chapter 10, referred to as "DOJ Agreement and Standards."</p>
-----	---	-------------------------------	--

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
<p>observed.</p> <p>E. Comprehensive testing on rules, regulations and skills regarding firearm use.</p> <p>F. Employ reality based incident scenarios</p> <ol style="list-style-type: none"> <li>1. Live action</li> <li>2. Computer simulated components to improve defensive tactic training, limit incident of deadly force</li> </ol> <p>G. Incorporate de-escalation training and techniques</p> <p>H. Evaluation and Survey</p>		
#55	<b>Substantial Compliance</b>	MPD provides mandatory supervisory training to officers prior to assuming first-line supervisory responsibilities. MPD will use other training facilities approved by FDLE, in providing first-line supervisory training in the event a class is not offered at MPD. From July 2016, to December 2016, there were twenty-six (26) officers that attended the first-line supervisory course. In addition, this policy relating to providing first-line supervisory responsibilities was included in the revised Training Section D.O. 15, Chapter 1.
#56	<b>Substantial Compliance</b>	MPD provides mandatory second-line supervisory training prior to assuming Lieutenant and Captain responsibilities. MPD will use other training facilities approved by FDLE, in providing second-line supervisory training in the event a class is not offered at MPD. From July 2016, to December 2016, there were nineteen (19) first line supervisors that attended the second-line supervisory course

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

	skills and training their subordinate officers have received in the past year.	referred to as the middle manager course. In addition, this criteria relating to providing second-line supervisory responsibilities was included in the revised training section D.O. 15, Chapter 1.
--	--	--

#57	<p>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.</p> <ul style="list-style-type: none"> <li>a. MPD’s use of deadly force policy and use of force reporting requirements;</li> <li>b. conducting use of force investigations, including the supervisory investigatory responsibilities;</li> <li>c. processing and preservation of crime scenes and forensic evidence;</li> <li>d. care and custody of video recordings;</li> <li>e. evaluation of written reports for thoroughness, accuracy, and completeness;</li> <li>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;</li> <li>g. strategies for effectively directing officers to minimize uses of force and to intervene effectively to prevent or stop unreasonable force;</li> </ul>	<b>Substantial Compliance</b>	<p>The Training Section provided an annual mandatory training program for all first-line supervisors referred to as Miami Agreement Supervisory Training (MAST). All sergeants are mandated to complete the 40 hours of the DOJ Agreement required annual training which consist of online training, computer simulated “Meggit System” and classroom setting training. In addition, the policy relating to the delivery of new first-line supervisory training was included in the Training Section’s revised SOPs and D.O. 15, Chapter 10 (DOJ Agreement and Standards). MAST training began on September 8, 2016, and as of December 2016, a total of 131 supervisors that includes Sergeant of Police up to the rank of Captain of Police have completed the training.</p>
-----	--	-------------------------------	--

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
<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>		
<p>#58 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> <p>a. Incident Management</p> <p>i. evaluation of written reports;</p> <p>ii. strategies for effectively directing officers to avoid unnecessary Critical Firearms Discharges;</p> <p>iii. responding to Critical Firearms Discharges; and</p> <p>iv. de-escalating conflict.</p>	<b>Substantial Compliance</b>	<p>The Training Section provided an annual mandatory training program for all second-line supervisors referred to as Miami Agreement Supervisory Training (MAST). All lieutenants up to the rank of captains are mandated to complete the 40 hours of the DOJ Agreement that will be required annually. This training consist of online, computer simulated "Meggit System" training, and classroom setting training. In addition, the policy relating to the delivery of new second-line supervisory training was included in the Training Section's revised SOPs and D.O. 15, Chapter 10 (DOJ Agreement and Standards).</p>

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

<p>b. Community Engagement</p> <p>i. how to engage the community and develop positive relationships with diverse community groups; and</p> <p>ii. how to ensure that community relationships are positive.</p>		<p>MAST training began on September 8, 2016, and as of December 2016, a total of 131 supervisors that includes Sergeant of Police up to the rank of Captain of Police have completed the training.</p>
--	--	--

**VII. Community Oversight**

**Responsible Party: Captain Sean MacDonald (IT); Attorney Wysong (police legal).**

**Point of contact: Sgt. Alex Rodriguez (IT), Attorney Wysong (police legal).**

#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> <p>A. Advise the Chief, majors and commanders on strategies and training to improve community relations and MPD responsiveness.</p> <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>	<b>Substantial Compliance</b>	<p>The City and MPD adopted a resolution for a Community Advisory Board (CAB), which was finalized by the City Commission on April 28, 2016. The Community Advisory Board was established and has been regularly meeting since August 2016.</p>
------	--	-------------------------------	---

#60	<p>The community advisory board will be in effect within three months of the effective date. The City will establish the number of members and a mechanism to ensure that membership is representative of a cross section of communities</p>	<b>Substantial Compliance</b>	<p>The City and MPD created a Community Advisory Board consisting of residents to provide oversight and feedback to MPD and the independent reviewer. The CAB was formed by the City Commission under resolution (R-16-0206) on April 28, 2016. The</p>
-----	--	-------------------------------	---



## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments	
<p>in the City of Miami to including; districts, faith communities, minority, ethnic, and other community organizations, and student or youth organization. The City shall set a date by which board members will be selected.</p> <p>The community advisory board will be in effect within three months of the effective date (March 10, 2016). The City will establish the number of members and a mechanism to ensure that membership is representative of a cross section of communities in the City of Miami to include:</p> <ul style="list-style-type: none"> <li>A. District</li> <li>B. Faith</li> <li>C. Communities</li> <li>D. Minority</li> <li>E. Ethnic</li> <li>F. Community organizations</li> <li>G. Students</li> </ul> <p>Youth organizations</p>		Community Advisory Board is in full operational status.	
#61	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.	<b>Substantial Compliance</b>	MPD and the City of Miami are ensuring and facilitating public meetings to discuss DOJ reports in order to receive community feedbacks.
#62	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.	<b>Substantial Compliance</b>	MPD created and established a CAB web page link that is posted on the MPD website and will be continuously updated as information becomes available. The CAB website will include available information for viewing such as CAB reports and other bulletins deem pertinent to the community.

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
----------------------------------	-------------------	----------

#63	The City will provide the community board with reasonable administrative support, including meeting space.	<b>Substantial Compliance</b>	The City is providing the Community Advisory Board with reasonable administrative support, including meeting space.
-----	--	-------------------------------	---

#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.	<b>Substantial Compliance</b>	The civilian community board does 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.	<b>Substantial Compliance</b>	MPD will use the existing Community Relation Board to comply with updated information from the CAB.
-----	---	-------------------------------	---

**VIII. Compliance Assessment**

**Responsible Party: Major Richard Perez (PCS).**

**Point of contact: Lt. C. Griffin / Sgt. O. Villaverde (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 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	<b>Substantial Compliance</b>	Major Richard Perez from the Professional Compliance Section has replaced Retired Major Roman Martinez as the single point of contact with the Independent Reviewer. Major Perez has been making regular contact via email with the Independent Reviewer and has met with the Independent Reviewer during her visit to the Miami Police Department during the month of December 5-9, 2016. During her visit the
-----	--	-------------------------------	---

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
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.		Independent Reviewer attended several functions of the Miami Police Department to include High Liability Board hearing, Policy Review Committee hearing, and other high liability units such as Training and SOS (K9, SWAT) in order to comply with the requirement of this section.
#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.	<b>Substantial Compliance</b>	On July 10, 2016, MPD provided the Independent Reviewer with the 1 <sup>st</sup> self-assessment report and is preparing the 2 <sup>nd</sup> self-assessment report which is due on January 10, 2017. Therefore, unless otherwise dictated by the terms of the contract a 3 <sup>rd</sup> self-assessment report is due on July 10, 2017.
#68 The self-assessment compliance report will include sections:  A. The steps MPD and the City have taken during the reporting period to implement this Agreement ; B. Plans to correct any problems or lack of compliance; C. A response to any concerns raised by United States DOJ regarding the City's previous Compliance Report; D. A projection of the work to be completed during the upcoming reporting period; E. Any anticipated challenges or concerns related to implementation of the Agreement; and F. A summary of documents relied on for statistical	<b>Partial Compliance</b>	MPD's self-assessment compliance report has included steps the City and MPD has taken during the reporting period, plans to correct any problems or 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, any anticipated challenges or concerns and a summary for statistical purposes or general data for self-assessment.  As of the 1 <sup>st</sup> self-assessment report submitted in July 10, 2016, MPD has not received any information from the Independent Reviewer or DOJ regarding addressing or correcting

## Miami Police Department 2<sup>nd</sup> Self-Assessment Compliance Report

Settlement Agreement Requirement	Compliance Rating	Comments
		any problems from any previous compliance reports.
#69	<b>Not Applicable</b>	MPD Compliance Report has not excluded assessments of the sections of the Agreement for which the Independent Reviewer has already determined MPD and the City to be in Substantial Compliance. As of this writing, the Independent Reviewer has not provided a report to MPD to exclude assessments of the agreement to be in Substantial Compliance.
#70	<b>Substantial Compliance</b>	MPD will collaborate with DOJ in revising any policies, procedures or practices relating to the use of force that DOJ deems to be deficient. In addition, MPD is currently revising the Use of Force policy (D.O. 6, Chapter 21) in order to meet DOJ requirements relating to this agreement.