

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA

Plaintiff,

vs.

CITY OF SEATTLE

Defendant.

CASE No. C12-1282JLR

**SECOND-YEAR MONITORING  
PLAN**

This memorandum introduces and summarizes the Seattle Monitoring Team’s “Second-Year Monitoring Plan” (also referred to as the “Plan”). The Plan builds on noteworthy progress achieved by the Seattle Police Department (“SPD” or the “Department”)—collaborating with the Parties, Monitoring Team, and the Community Police Commission (“CPC”) and other community stakeholders—during the first year of monitoring—in developing new policies on use of force, stops and detentions, bias-free policing, response to individuals in behavioral crisis, and performance mentoring. It reflects important organizational changes that the Department has made to implement the policy changes and to create structures for “critical self-analysis and continual self-improvement,” including the Use of Force Review Board (“UOFRB”) and Crisis

1 Intervention Committee (“CIC”). (*See* Dkt. No. 114 at 1) These achievements during the first  
2 year and future opportunities for the upcoming year are part of the same overriding goal:  
3 enabling the SPD to rigorously and systematically manage for itself the risk of unconstitutionally  
4 excessive force and impermissibly bias-based policing in the future after the Consent Decree  
5 ends.

6 Formally, the Second-Year Monitoring Plan constitutes the Monitor’s plan, approved by  
7 the Parties, for anticipated compliance by the City of Seattle (the “City”) and the Seattle Police  
8 Department with the Settlement Agreement and related agreements (“Settlement Agreement” or  
9 “Consent Decree”) entered into by the City and the United States Department of Justice (“DOJ”) on July 27, 2012; as ordered on August 27, 2012; and as modified on September 21, 2012 by the  
10 United States District Court for the Western District of Washington by the Hon. James L. Robart.  
11 The Plan covers the period of March 17, 2014 to March 16, 2015. (*See* Dkt. No. 3-1.)

12 The Plan itself differs in form from that filed in the first year. Specifically, it delineates  
13 major objectives, key results, and milestones associated with each of those objectives. It also  
14 provides details on how the Monitoring Team and DOJ, under its own independent enforcement  
15 obligation, will assess progress. Because the major concerns for the next year relate largely to  
16 the training of new policies and the implementation of new systems and approaches, the  
17 Monitor—with the DOJ and City (the “Parties”)—believes that a more detailed plan will allow  
18 for increased collaboration among a rejuvenated and active set of stakeholders, a clearer means  
19 of measuring progress, and a clearer understanding within the Seattle community about the  
20 progress and status of reform.  
21

22 This memorandum is not a comprehensive discussion of SPD’s progress toward  
23 compliance. It does not supplant the Monitoring Team’s Third Semiannual Report, which will  
24 detail developments over the past six months, the Department’s progress, and SPD’s current  
25 compliance status and which will be filed by June 15, 2014. Instead, this memorandum looks

1 ahead to the challenges and opportunities that lay ahead during the second year.

2 The Monitoring Plan Matrix itself is attached as Appendix A. A shorter summary of  
3 deadlines contained in the Plan is attached as Appendix B. Finally, an agreement between the  
4 Monitor, Parties, and SPD regarding FIT is attached as Appendix C.

## 5 **I. PRIMARY OBJECTIVES FOR THE SECOND YEAR OF MONITORING**

6 With the significant progress achieved in the area of policy drafting during the first year,  
7 the second year will be a year of implementation—of translating policies into action, through  
8 training, and of translating major objectives into action, by innovating systems and processes.  
9 Officers must be trained in the new requirements and expectations embodied in the newly  
10 approved policies. Plans for ensuring that SPD provides the appropriate number of well-trained  
11 supervisors to hold officers accountable under the new policies must become a focused project  
12 that is rigorously executed. An interim, off-the-shelf database solution for tracking use of force,  
13 IAPro, and using data generated thereby to manage officer performance must be implemented at  
14 the same time that a comprehensive, customized database solution for ensuring that SPD can  
15 self-manage the risk of unconstitutional policing is designed. The structure and process for the  
16 internal review of officer use of force must continue to be updated, with a single Board  
17 reviewing all uses of force rather than one group reviewing firearms discharges and another  
18 reviewing other types of force.

### 19 **A. Policy Development**

20 The Second-Year Monitoring Plan plainly reflects the significant achievements during  
21 the previous year. Indeed, in the upcoming year, policy development will focus on just two  
22 major areas. The first involves a revision and update of OPA's Training and Operations Manual.  
23 That revision, which the Monitor will submit to the Court by June 30, 2014, will necessarily  
24 involve revision of policies that: (1) address when and how officers must report misconduct, and  
25 (2) detail the prohibition against retaliation toward individuals reporting, conducting, or

1 cooperating with a misconduct investigation. Having collaborated with the CPC on a process for  
2 receiving and considering draft recommendations, the Parties—in consultation with the CPC and  
3 various other stakeholders—will complete work on the OPA manual by June 30, 2014. It should  
4 be noted that this process is distinct from the CPC’s larger charge to consider the overall  
5 structure of the Office of Police Accountability, discussed in greater detail below.

6 The second area of policy development involves the data that SPD policy will require that  
7 the Department collect on stops and detentions. When the Court approved the consensus policies  
8 on stops and detentions on December 30, 2013, it did so subject to ongoing discussions and  
9 ultimate agreement on what type of information should be collected by officers when they stop  
10 or detain a subject. (Dkt. No. 116 at 2.) A workgroup that includes representatives of SPD,  
11 DOJ, CPC, the City Attorney’s Office, the Mayor’s office, and the Monitoring Team are in  
12 active, productive discussions about precisely what information is collected. The group will  
13 complete its work by May 16, 2014.

14 The Monitoring Team is mindful that progress requires ongoing critical self-analysis, and  
15 constant appraisal of what is and is not contributing to SPD meeting the requirements and goals  
16 of the Settlement Agreement. Indeed, the Consent Decree requires that the policies on which the  
17 Parties, SPD, and Monitoring Team collaborated during the first year of monitoring be  
18 periodically assessed “to ensure that the[y] . . . continue[] to provide effective direction to SPD  
19 personnel and remains consistent with the purpose and requirements of the Settlement  
20 Agreement and current law.” (Settlement Agreement ¶ 180.) Accordingly, the Monitoring  
21 Team, working with SPD and the Parties, may ask that the Court approve edits, additions, or  
22 changes to previously approved policies based on lessons learned after the policies have become  
23 effective and been implemented. The Monitoring Plan sets forth a schedule for review of  
24 previously approved policies in which an initial, formal review occurs 180 days after  
25 implementation began.

**B. Use of Force Training**

Again, a major area of focus during the second year of monitoring will be training. Sound policies on paper necessarily cannot have practical effect without officers understanding them, knowing what is expected of them under the policies, and, in many instances, receiving experiential, scenario-based training that allows officers to learn and develop new skills in a realistic environment. Training officers on the new use of force policies is of paramount importance. The new use of force policies reflect significant changes in SPD's prior practices:

- Officers must “accomplish the police mission with the cooperation of the public as effectively as possible, and with minimal reliance upon the use of physical force.” (Dkt. No. 107-1 at 1 );
- Officers must use “de-escalation tactics and techniques . . . which seek to minimize the likelihood of the need to use force during an incident” when safe to do so and the totality of circumstances permit (Dkt. No. 107-1 at 8; *id.* at 1);
- Officers must “use only the force necessary to perform their duties” and “use only the degree of force that is objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject” (Dkt. No. 107-1 at 1, 3);
- Officers must carry a less-lethal force tool, such as a conducted energy weapon (“CEW” or “taser”), OC spray (pepper spray), or baton (Dkt. No. 107-1 at 11);
- Officers must report and document all uses force except de minimis force (Dkt. No. 107-3 at 2); and
- A dedicated Force Investigations Team (“FIT”) conducts all investigations of serious force (Type III and officer-involved shootings), (Dkt. No. 107-3 at 7), and a multi-disciplinary body (the UOFRB) reviews every instance of significant (Type II and above) force.

Finally, we note with interest the SPD's collaboration with the Washington State Criminal

Justice Training Center (“CJTC”) in various types of this training.

**1. Comprehensive Training**

The use of force policy became the official policy of the SPD on January 1, 2014. The SPD recognized that the variances between the old and new use of force policies would require that officers be thoroughly trained in the new policies. According to the First-Year Monitoring Plan, a first draft of the specific content and curricula for comprehensive use of force training was to be provided on December 31, 2013.

As part of the First-Year Monitoring Plan, the SPD committed to produce a final training plan and comprehensive training curriculum by March 15, 2014. The first draft of the comprehensive use of force training is due on April 18, and a comprehensive training plan is due May 30. The Second-Year Monitoring Plan requires that SPD provide the plans and curriculum for comprehensive use of force training by May 30 and all training be completed for patrol operations and other Department personnel, as determined by the approved training plan, by December 31, 2014.

**2. Interim Training**

Mindful that it would be unfair to hold officers to new standards before they had received any training, the SPD agreed with the Monitor and the Parties that the SPD should provide an “interim training” that would introduce important elements of the new policies and clarify expectations. That interim training—which consists of a one-day, in-class training and additional e-learning components—has commenced. If all officers have received such training by the stipulated deadline April 30, 2014, it will constitute a significant milestone in the implementation of the Consent Decree.

The interim training does not, however, supplant a comprehensive training that the Settlement Agreement requires that SPD develop and for the Court to approve. (See SA ¶¶ 128-29.) SPD continues to refine, in close consultation with DOJ’s training consultant and the

1 Monitor's senior police experts, both a work plan for providing the comprehensive training and  
2 specific curricula and content for the various elements of the training program. The  
3 comprehensive training will address the new policies in greater detail and provide more scenario-  
4 based and practical skills training.

5 The Plan provides December 31, 2014 as the deadline for having trained all patrol  
6 operations personnel and others identified by the training plan. The Monitoring Team and DOJ  
7 recognize that SPD will need to dedicate substantial resources and organizational focus to meet  
8 the deadline. The Parties are confident that SPD can meet the deadline—and that the centrality  
9 of use of force to the Settlement Agreement requires it.

### 10 **3. Less Lethal Training**

11 Paragraph 76 of the Consent Decree provides that:

12 The weapon-specific policies will continue to include training and  
13 certification requirements that each officer must meet before being permitted to  
14 carry and use the authorized weapon. Officers will only carry weapons authorized  
15 by the Department. SPD will consult with the Monitor as to whether and when  
16 each uniformed officer should be required to carry at least one Less Lethal Device.  
17 (Dkt. No. 3-1 at 18.) The approved Use of Force policy now requires that officers carry at least  
18 one less-lethal device. (Dkt. No. 107-1 at 11.)

19 It is important that SPD officers are quickly trained in less lethal force options so that  
20 they may carry and use them. The Monitoring Team has pressed for that training to be provided.  
21 The Monitor suggested, and the Parties agreed, that the less than lethal training will take place on  
22 an expedited basis. Thus, by July 15, officers should be certified and carrying a less lethal  
23 device.

**D. Stops and Detentions Training**

An “interim” training will also be created and conducted for the policies on stops and detentions and on bias-free policing. An “interim” training program—consisting of an introductory message from the Interim Chief of Police that articulates the values that animate the policy, interactive e-learning modules, and a series of roll call trainings—will provide officers with a clear understanding of requirements and expectations under the policies. This interim training is slated to be completed by August 1, 2014. A more comprehensive training program—consisting of in-class training on the policies and scenario-based, interactive exercises—will be designed by August 31, 2014. That comprehensive training will be completed by a date to which the Parties, SPD, and the Monitoring Team will stipulate upon the SPD’s completion of a rigorous work plan (referred to in the Plan Matrix as the Instructional System Design Model (“ISDM”)). SPD, the Parties, and Monitoring Team will be working with the CPC throughout the development of comprehensive materials. (*See* Dkt. No. 3-1 at ¶¶ 146-47.)

**E. Crisis Intervention Training**

The Department has worked extensively throughout the first year of Monitoring with the Crisis Intervention Committee (“CIC”). The CIC is a group of some 42 regional mental health providers, clinicians, advocates, academics, outside law enforcement representatives and the judiciary, (*See* Dkt. 114 at 57), tasked with finding new approaches for the SPD’s policies and procedures on dealing with individuals experiencing behavioral crisis. The SPD-CIC collaboration yielded important new policies, training, and procedures on response to individuals in behavioral crisis that align the SPD closely with departments that are “thought leaders” in the area.

The Monitoring Plan for the Second Year proposes a number of CIT milestones in this coming year. First, SPD—working collaboratively with the CIC, the State Police Academy (the “CJTC”) and King County MIDD Program—will conduct and implement a “basic,” 8-hour crisis



1 intervention training, which will be approved by the Court, for all patrol and other key  
2 Department personnel by December 31, 2014. Second, by May 15, 2014, SPD must propose a  
3 standard (or standards) for how recently an officer must have taken the CIT 40-hour course in  
4 order to be considered “advanced CIT-certified,” which will be provided on a timetable that will  
5 be reviewed by June 30, 2014. SPD will formulate “advanced” training for those CIT-certified  
6 officers to complete annually so that such officers stay abreast of the most recent developments  
7 in this challenging area of law enforcement. Additionally, SPD will develop a crisis intervention  
8 program for dispatchers, which will be approved by May 30, 2014.

9 Concurrently, sub-committees of the CIC will work on developing data analysis plans for  
10 collecting data on all SPD interactions with those that appear to be in behavioral crisis, as well as  
11 analyzing the systems of resource development.

#### 12 **F. Data & Information Technology**

13 The Court-approved Use of Force policy for SPD went into effect on January 1, 2014.  
14 The SPD had agreed that the new use of force policy required a reliable system for collection of  
15 data on use of force that would also be in service by January 1. In the Monitor’s Second  
16 Semiannual Report, we pointed out deep problems with the SPD’s data systems and the absence  
17 of any reliable data on use of force. (*Id.* at 7-13.) As a stopgap measure to report and record use  
18 of force pending development and implementation of a permanent BI system, the SPD—with the  
19 approval of the Monitor and Parties—purchased off-the-shelf software called IAPro to meet  
20 interim needs. SPD initially agreed that IAPro would be up and running by January 1, 2014. The  
21 SPD deadline for the commencement of IAPro was extended to April 15, 2014.

22 However, the SPD recently informed the Parties that it would not be able to meet the  
23 April 15 deadline but could anticipate partial compliance by May 31, 2014 and full compliance  
24 by September 30. Those dates are incorporated in the Plan. If those dates are met, it will  
25 represent exponential progress toward compliance and the ability of SPD to analyze officer

1 performance and manage the risk of unconstitutional policing.

2 Pricewaterhouse Coopers conducted an exhaustive study of the SPD's existing data  
3 systems and found that it is imperative that SPD construct a new business intelligence system  
4 ("BIS"). Once a vendor is approved, it will take a year or two to construct the BIS. Unexpected  
5 technical difficulties could drive the process out further. An RFP for the BIS will be completed  
6 by July 30, 2014.

#### 7 **G. Supervision**

8 Pursuant to the First-Year Monitoring Plan, the SPD was to provide by December 31,  
9 2013, a plan to address the "unity of command," to eliminate the use of untrained acting  
10 sergeants, and to deploy a sufficient number of first-line supervisors to meet the obligations of  
11 paragraphs 153 and 155 of the Consent Decree. SPD's December 31 submission did not contain  
12 a sufficiently adequate plan. Nonetheless, over the last year, the SPD has endeavored to reduce  
13 the number of squads using in-squad relief, which is detrimental to the unity of command, and  
14 the percentage of untrained acting sergeants.

15 The SPD is completing a span of control analysis that: (1) analyzes the scope of a  
16 supervisor's tasks and the supervisor's workload; (2) if needed, reshapes the precincts'  
17 boundaries and the sectors within each precinct so that there can be an adequate number of first-  
18 line supervisors; and (3) creates a plan to train acting sergeants. The First-Year Monitoring Plan  
19 indicated that, by June 30, 2014, paragraphs 153 and 155 of the Consent Decree would be fully  
20 implemented. On the June 30 compliance deadline, the Monitor will, in consultation of the  
21 Parties, report to the Court whether SPD has met the goals of paragraphs 153–155.

#### 22 **H. Review of the Use of Force**

23 The Monitor has recommended the merger of the SPD's Firearm Review Board into the  
24 Use of Force Review Board by December 31, 2014 or sooner. The Monitor will propose that the  
25 Assistant Chief of the Compliance & Professional Standards Bureau be added to the Use of

1 Force Review Board when it considers officer-involved shootings.

2 **I. In-Car Video and Microphones**

3 The in-car video system (“ICV”), which SPD officers are required to use, significantly  
4 assists the Board and the Office of Professional Accountability (“OPA”) in its review of force  
5 cases. Early in the first year of monitoring, the Monitoring Team observed that in-car video was  
6 unavailable to the Use of Force Review Board in a large number of instances. Audio from the  
7 officer’s “on-body,” shoulder microphone was sometimes not being recorded, was unintelligible,  
8 or was not appropriately synced with the video. The SPD blamed COBAN, the company that  
9 designed and installed the cameras and microphones. COBAN, in turn, blamed SPD officers for  
10 failing to turn on the cameras and the microphones, for not charging the batteries, and for  
11 resisting the policy that all incidents be recorded.

12 The Monitoring Team has met with SPD on numerous occasions, and spoken directly  
13 with COBAN at multiple junctures. The problems appear partly due to user error and partly due  
14 to technical glitches. Nonetheless, significant problems remain with respect to audio. Officers  
15 sometimes fail to turn on their microphones when they leave the vehicle—which policy requires  
16 and is obviously a prerequisite for capturing high-quality audio of recorded incidents. Moreover,  
17 some of the on-body microphone units’ batteries purportedly cannot hold a sufficient charge to  
18 last for a full shift. Issues also remain with the capture and storage of the video itself.

19 The Monitoring Team will expect that, whether user error or technical glitches, the issues  
20 that may be preventing the successful capture of video and audio of use of force and other  
21 incidents will be resolved. The Monitoring Team and SPD recently agreed that, by May 1, all  
22 known and reasonably foreseeable technical problems must have been resolved and that SPD  
23 will certify the same to the Parties, Monitoring Team, and Court.

24 **J. Disciplinary System**

25 The disciplinary system in the SPD is actually three systems of complaint, discipline and

1 appeal. It has evolved since 1999 as a product of labor negotiations, “improvement efforts” and  
2 political pressure with the ultimate result of being byzantine and less than transparent. Mayor  
3 Murray has asked Dr. Bernard Malekian, a retired Pasadena California Chief of Police, and the  
4 former head of the COPS office, to do a thorough review of the disciplinary system with an  
5 interdisciplinary team, coupled with technical assistance provided by the Monitor and  
6 DOJ. Although specific date is not set forth in the Monitoring Plan, it is hoped and expected that  
7 recommendations for overhaul of the disciplinary system will be shared and completed in the  
8 next six months.

## 9 **II. CONCLUSION**

10 The Second-Year Monitoring Plan is before this Court for approval. It endeavors to set  
11 realistic dates for compliance that take into account the some delay necessarily caused by  
12 replacement of the Interim Chief and the selection of a new Chief of Police. We anticipate a new  
13 Chief taking office in late spring or early summer, according to goals set by the Mayor.

14 The first year of monitoring was marked by significant achievements but also some delay  
15 in the tasks defined in the Consent Decree and in the First-Year Monitoring Plan. To ensure that  
16 enduring progress toward achieving the major objectives of the Consent Decree continues at an  
17 elevated rate, the party or parties seeking a delay must seek an extension from the Court. The  
18 Monitor may, at his discretion, support or comment on the motion to extend.

19 For these reasons, we respectfully seek this Court’s approval of the Second-Year  
20 Monitoring Plan.

21  
22 DATED this 17<sup>th</sup> day of March, 2014.

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25 \_\_\_\_\_  
Merrick J. Bobb, Monitor

1 The Court hereby approves the Second-Year Monitoring Plan dated March 17, 2014.

2 DONE IN OPEN COURT this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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6 THE HONORABLE JAMES L. ROBART  
7 UNITED STATES DISTRICT JUDGE  
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**CERTIFICATE OF SERVICE**

I certify that on the 17<sup>th</sup> day of March, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record:

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DATED this 17<sup>th</sup> day of March, 2014.

/s/ Carole Corona  
Carole Corona

# Appendix A

## **SECOND-YEAR MONITORING PLAN MATRIX**



## **GUIDE TO THE SECOND-YEAR MONITORING PLAN MATRIX**

This Second-Year Monitoring Plan Matrix provides significant detail on the array of objectives that SPD will be working toward throughout the second year of monitoring. Those objectives are organized on the Matrix into the primary issue areas of: policy development, officer training, data and information technology, review of the use of force, supervision, and assessments and reviews.

Primary objectives, reflected in bold print in the more darkly shaded rows, are the broader achievements or accomplishments that the Settlement Agreement requires. Below those objectives, in the more lightly shaded and indented rows, are the key results or milestones that must be met during the second year of monitoring in service of each objective. An un-shaded box appears below many of these key results or milestones. These areas primarily indicate how the Monitoring Team and DOJ, under their independent enforcement obligation, will assess whether the SPD has achieved the attendant key result or realized the associated milestone. In limited instances, this formatting corresponds to a “note” that provides additional explanation about the objective, key result, or milestone delineated above it.

The Monitoring Plan describes the “deadline type” for each objective, result, or milestone:

- A “first-year deadline” refers to a deadline that was previously approved as part of the First-Year Monitoring Plan and remains unchanged for purposes of the Second-Year Monitoring Plan.
- A “first-year deadline (modified)” refers to a deadline that had been previously approved as part of the First-Year Monitoring Plan but is proposed to be changed under the Second-Year Monitoring Plan.

- A “second-year follow-up” deadline refers to a deadline that is being submitted for the first time as part of the Second-Year Monitoring Plan.

Under the “Deadline Date” column, the Monitoring Plan provides specific deadlines along with a more specific description of precisely what the Monitoring Team, SPD, and Parties have agreed must be accomplished by that date:

- A “first draft deadline” is the date by which SPD must provide the Monitor and Parties with a high-quality, proposed initial draft of the associated written materials.
- A “final draft deadline” is the date by which SPD must provide the Monitor and Parties with their final, proposed draft of the associated written materials and after which the 45-day review period outlined in the Settlement Agreement should commence.
- A “final approval deadline” is the deadline for the Monitor to indicate its approval or disapproval of the associated written materials to the Court according to the process outlined in the Settlement Agreement.
- A “deadline for completion” is the date by which SPD must have completed the associated task, implementation, or program.
- A “compliance deadline” is a deadline by which the SPD must be in compliance with the associated Settlement Agreement provision.
- Additional deadlines refer to the submission or completion or more specific tasks that should be understandable in reference to surrounding material.

Appendix A, attached, is a summary of the Matrix’s deadlines.

Policy Development		Deadline Type	Deadline Date
Office of Professional Accountability (“OPA”)	SPD will revise and update the OPA’s Training and Operations Manual (“OPA Manual”). (SA ¶¶ 165-67.) This revision should reflect: (i) “revision of] its policies, as necessary, to clarify when and how officers must report misconduct” and an “exploration of] ways to develop metrics to assess internal reporting of misconduct” (¶ 165), and (ii) revision of policies “to clarify that prohibited retaliation includes discouragement, intimidation, coercion, or adverse action against any person who reports misconduct, makes a misconduct complaint, or conducts or cooperates with an investigation of misconduct” (¶ 166).	First-year deadline	Final draft deadline: May 16, 2014  Final approval deadline: June 30, 2014
Stops & Detentions	<u>Assessment:</u> The Monitor and Parties will assess the OPA Training and Operations Manual to ensure that they are consistent with best practices and harmonious with implicated Departmental policy, including but not limited to use of force policies. The Accountability Workgroup of the Community Police Commission (“CPC”) will provide its draft recommendations to the proposed Manual and policies by March 14 and final recommendations by April 15.		
	<u>Note:</u> This objective, and the process for achieving it, is distinct from the CPC’s larger discussion of the “structure” of the accountability system provided for by the July 27, 2012 Memorandum of Understanding (“MOU”).		
	<b>The Parties and Monitor will reach agreement on the data that SPD policy will require that the Department collect on stops and detentions. (Dkt. No. 116 at 2.)</b>	<b>First-year deadline (modified)</b>	<b>May 16, 2014</b>
	The Parties and Monitor will confer and agree on data points to be collected for all stops and detentions. (Dkt. No. 116 at 2.)	First-year deadline (modified)	May 16, 2014
	<u>Assessment:</u> The Monitor and Parties will consider whether the data points that SPD are collecting on stops and detentions: (i) are consistent with current law ( <i>see, e.g., Floyd v. City of New York</i> , Case No. 1:08-cv-01034 (S.D.N.Y. Aug. 12, 2013)); (ii) anticipate the IAPro database technology, including its capabilities and limitations; and (iii) form the basis for providing SPD, the City of Seattle and the Department of Justice (the “Parties”), and the Monitor to conduct the statistical analysis that it requires for assessing compliance and adherence to the bias-free policing policies.		

Note:

Per discussions with the CPC and the Parties, the CPC and Parties will provide comments to the DOJ's proposed elements and the Monitor's proposed data analysis plan by March 28. By April 4, the CPC, Parties, and Monitor will: (i) develop a process and deadline for agreement on the data elements, and (b) discuss whether and how to gather data pending implementation of new data technology systems (IAPro and an eventual Business Intelligence System.)

Training		Deadline Type	Deadline Date
Use of Force: Phase I – Interim Training	SPD will develop, implement, and complete an interim use of force training program that will be provided to all patrol and other relevant officers. (See Settlement Agreement, Dkt. No. 3-1 (hereinafter “SA”) ¶ 128.)	Second-year follow-up	Deadline for completion: April 30, 2014
	SPD will conduct and implement the interim use of force training program. The program will consist of a curriculum agreed to by the Parties and approved by the Monitor. It will include: (i) a message by the current Chief that introduces the updated use of force policies approved by the Court on December 17, 2013; (ii) five approved e-learning modules; (iii) a one-day, live classroom instruction on elements of the policy, and screening and reporting requirements for patrol officers. SPD will also maintain an easily accessible “Frequently Asked Question (FAQ)” document or website area with respect to the new use of force policies, which should be updated as new frequently asked questions arise.	Second-year follow-up	Deadline for completion: April 30, 2014
	<p><u>Assessment:</u></p> <p>The Monitoring Team and DOJ have assessed each element of the curricula. The Team, along with DOJ and its training consultants, will attend a sampling of in-person classroom trainings to assure quality and form assessments to share with the Parties in anticipation of the comprehensive training program.</p> <p>SPD will rigorously track and ensure that 100% of all patrol and other relevant officers complete all elements of the training program, providing the Parties and Monitor with reports every two weeks on the progress of training program and on the current completion rate.</p>	Second-year follow-up	Reports required every two weeks until 100% of all patrol and other relevant officers trained, beginning March 27, 2014
	<p><u>Assessment &amp; Note:</u></p> <p>The Monitoring Team and DOJ will evaluate the reports to ensure that all patrol and other relevant officers are becoming trained fully and consistent with the approved training curriculum. The Monitoring Team and Parties expect that SPD will quickly develop a process that will allow the Department, Parties, and Monitor to know, at any time, precisely which trainings each member of SPD personnel has successfully completed, as well as any training that each personnel member should have received or taken but has not yet successful completed. To the extent that the interim sources of these reports is an “Excel” chart and/or “moodle” listing of officers who have completed the training, SPD will ensure that the UOFRB will have access to this data. SPD will also permit the Monitoring Team and DOJ with the ability to ensure that the tracking system is accurate and complete upon request by either.</p>		

Use of Force: Phase II – Comprehensive Use of Force Training	SPD will develop, implement, and complete a comprehensive use of force training program that will be provided: (i) to “all patrol and other relevant officers” on each of the topics listed in SA ¶ 128, and (ii) to “sworn and other relevant supervisors” on each of the topics outlined in SA ¶ 129.	Second-year follow-up	Compliance deadline: December 31, 2014
	SPD will develop an Instructional System Design Model (“ISDM”) for a comprehensive use of force training program for all officers that covers the topics listed in SA ¶¶ 128-29 and in the relevant approved policies. SPD will provide curricula, materials, and a training plan for all elements of the comprehensive training. The ISDM will prioritize the swift completion of less-lethal and firearms certification, which will include instruction on policies and interactive training on field tactics.	First-year deadline (modified)	Final draft deadline: April 18, 2014  Final approval deadline (for ISDM): May 30, 2014
	<u>Assessment:</u> The Monitor and DOJ will assess the draft training curricula, materials, and plan to determine whether they, among other things: (i) are consistent with both the letter and spirit of the current use of force policies; (ii) provide officers clear expectations and guidance; (iii) incorporate best practices in adult education; and (iv) thoroughly cover each of the topics and sub-topics listed in SA ¶¶ 128-29 and in the relevant approved policies. SPD will conduct and complete training on less-lethal force options on a prioritized timetable.	Second-year follow-up	Deadline for completion: July 15, 2014
	<u>Assessment:</u> The Monitor and Parties will attend training sessions for instructors and offer feedback where necessary. On an unannounced basis, the Monitoring Team will attend a sampling of in-person classroom and other trainings to assure quality and consistency with approved training materials, curricula, and objectives. SPD will conduct and implement the comprehensive use of force training approved by the Court for all patrol operations and other personnel, as determined by the approved ISDM. (The deadline for the remaining sworn officers not part of patrol operations will be determined by May 30, 2014.)	Second-year follow-up	Deadline for completion: December 31, 2014
	<u>Assessment:</u> The Monitor and Parties will attend training sessions for instructors and offer feedback where necessary. On an unannounced basis, the Monitoring Team will attend a sampling of in-person classroom and other trainings to assure quality and consistency with approved training materials, curricula, and objectives.		

	SPD will rigorously track and ensure that officers complete all elements of the training program, providing the Parties and Monitor with reports once per month on training program progress and the current officer completion rate.	Second-year follow-up	Reports required once per month until 100% of all sworn and other relevant employees are trained, beginning June 1, 2014
	<u>Assessment:</u> The Monitoring Team and DOJ will evaluate the reports that provide assurance that relevant officers are becoming trained fully and consistent with the approved training curriculum.		
Crisis Intervention	SPD will provide training related to crisis intervention, including: <ul style="list-style-type: none"> <li>• “Basic” training (SA ¶ 134);</li> <li>• Advanced and/or refresher training for “CIT-Certified” officers (SA ¶ 133)</li> <li>• Dispatcher training (SA ¶ 135).</li> </ul>	Second-year follow-up	Compliance deadline: December 31, 2014
	SPD will develop a “basic” crisis intervention training program. (SA ¶ 134.)	First-year deadline (modified)	Final draft deadline: May 16, 2014
			Final approval deadline: May 30, 2014
	<u>Assessment:</u> Pursuant to a newly-formed “CJTC-SPD-MIDD Workgroup,” which is a spin-off of the Crisis Intervention Committee’s (“CIC”) Policy/Curriculum Subcommittee, the SPD will provide the Monitor the agreed, MIDD-approved CIC Basic (8-9-hour) Course Outline for the Monitor and DOJ’s assessment. The Monitor and DOJ will evaluate the materials for consistency with the crisis intervention policies and with best practice.		
	SPD will develop a crisis intervention training program for dispatchers. (SA ¶ 135.)	First-year deadline (modified)	Final draft deadline: April 15, 2014
			Final approval deadline: May 30, 2014
	<u>Assessment:</u> The CIC and Parties will assess and advise the Monitor about the need, if any, for additional dispatcher training, including but not limited to communications personnel attending the CIT dispatcher training, by April 30, 2014.		



SPD will develop an advanced and/or refresher training on crisis intervention for "CIT-Certified" officers. (SA ¶ 133.)	First-year deadline (modified)	Final draft deadline: July 16, 2014 Final approval deadline: August 31, 2014
<u>Assessment:</u> The CJTC-SPD-MIDD Workgroup will develop and present to the CIC and the Parties the advanced training required for certified CIT officers. The Monitoring Team and DOJ will evaluate the materials for consistency with the critical incident policies and with best practice.		
SPD will conduct and implement the crisis intervention training approved by the Court. <ul style="list-style-type: none"> <li>For all patrol operations and other relevant personnel as determined by the CJTC-SPD-MIDD Workgroup, the deadline for conducting the training is December 31, 2014. The deadline for remaining sworn officers will be determined by May 30, 2014.</li> <li>For dispatcher training, the deadline, if any, will be determined by May 30, 2014.</li> <li>For advanced training, the deadline for provision of such advanced training to CIT-certified officers will be determined on an officer-by-officer basis.</li> </ul>	Second-year follow-up	Deadline for completion of patrol operation training: December 31, 2014  Deadline for updating deadlines for other sworn personnel and dispatchers: May 30, 2014
<u>Assessment:</u> The Monitor, and DOJ, will attend training sessions for instructors and offer feedback where necessary. The Monitoring Team and Parties will attend a sampling of in-person classroom or other similar trainings to assure quality and consistency with approved training materials, curricula, and objectives.		
SPD will rigorously track and ensure that officers complete all elements of the training program, providing the Parties and Monitor with reports every month on training program progress and the current completion rate.	Second-year follow-up	Reports required every month until 100% of all sworn and other relevant employees are trained, beginning June 1, 2014
<u>Assessment:</u> The Monitoring Team and DOJ will evaluate the reports to ensure that relevant officers are becoming trained fully and consistent with the approved training curriculum.		



Bias-Free Policing and Stops & Detentions: Phase I – Interim Training	In conjunction with the CIC executive committee, SPD will propose a standard (or standards) for how recently an officer must have taken the CIT 40-hour course in order to be considered “advanced CIT-certified” (by May 15, 2014). SPD will also assess the effect that this standard would have on the coverage provisions of the CIT policy and solicit additional officers to attend the 40-hour course to fill any gap in coverage (“Coverage Assessment”) (by June 15, 2014). SPD will, by June 30, provide a deadline for sending any officers to the 40-hour CJTC course to fill in such identified gaps (by December 31, 2014).	Second-year follow-up	Deadline for standard for advance certification: May 15, 2014  Deadline for Coverage Assessment: June 15, 2014  Deadline for completion of implicated training: TBD
	<b>SPD will develop and complete an interim training program on the policies addressing bias-free policing and stops &amp; detentions approved by the Court on January 17, 2014. The training will be provided to all patrol officers, (see SA ¶¶ 142, 148), as well as supervisors and command staff (see SA ¶¶ 143, 148.)</b>	<b>Second-year follow-up</b>	<b>Deadline for completion: August 1, 2014</b>
	SPD will create an interim training curriculum and training materials that: (i) effectively and accurately introduce officers to the expectations and guidelines of the Court-approved bias-free policing and stops and detentions policies; and (ii) sufficiently address the topics and sub-topics listed in SA ¶¶ 142, 143, 148, and 149. (Deadlines will be determined as part of the unified Instructional System Design Model.)	Second-year follow-up	Deadline for initial draft: April 15, 2014  Deadline for commencement of training: June 2, 2014
<u>Assessment:</u> The Monitoring Team and DOJ suggest that SPD consider an interim training that consists of three elements: (1) a message from the Chief of Police; (2) e-learning; and (3) ongoing roll call trainings. The Monitoring Team and Parties will assess the draft training materials to determine whether they, among other things: (i) are consistent with both the letter and spirit of the bias-free policing and stops and detention policies; (ii) articulate clear expectations for officers and provide them with clear guidance; (iii) incorporate best practices in adult education; and (iv) sufficiently cover the topics and sub-topics listed in SA ¶¶ 142, 143, 148, and 149.			

Bias-Free Policing and Stops & Detentions: Phase II – Comprehensive Training	SPD will conduct and implement the interim training program on the bias-free policing and stops and detentions policies.	Second-year follow-up	Deadline for completion: August 1, 2014
	SPD will rigorously track and ensure that officers complete all elements of the training program, providing the Parties and Monitor with reports every month on the progress of training program and on the current completion rate.	Second-year follow-up	Reports required every month until 100% of all patrol and other relevant officers trained, beginning June 13, 2014 (subject to modification by ISDM)
	<u>Assessment:</u> The Monitoring Team and DOJ will evaluate the reports to ensure that relevant officers are becoming trained fully and consistent with the approved training curriculum.		
	<b>SPD will create, implement, and complete a comprehensive training program on bias-free policing and stops and detentions that will encompass the whole of the trainings that will be provided annually, beginning in 2014,: (i) to all patrol officers on each of the topics listed in SA ¶ 142; (ii) to all patrol officers on the topics and sub-topics listed in SA ¶ 148; and (iii) to all supervisors and command staff on the topics and sub-topics listed in SA ¶ 149.</b>	<b>First-year deadline (modified)</b>	<b>TBD (subject to approval of ISDM)</b>
	The Parties will collaborate to develop a comprehensive, annual training program that includes the training required to be given: (i) to all patrol officers on each of the topics listed in SA ¶ 142; (ii) to all patrol officers on the topics and sub-topics listed in SA ¶ 148; and (iii) to all supervisors and command staff on the topics and sub-topics listed in SA ¶ 149. (The deadlines for the development and implementation of the comprehensive training will be developed as part of the ISDM above. Until the ISDM is completed and approved by the Parties and Monitor, the existing deadlines are in effect.)	First-year deadline (modified)	Deadline for first draft: May 16, 2014  Deadline for final draft: July 17, 2014  Final approval deadline: August 31, 2014

Note:

The Monitoring Team notes that, for training on bias-free policing, “SPD, in conjunction with the [CPC], will develop and provide training on bias-free policing . . . .” (SA ¶ 147.) Specifically, “SPD will develop a training curriculum, with input from the Commission, that builds on existing discriminatory policing training, determine the appropriate modality or combination of modalities (scenario-based, classroom, academy, etc.) and training assessment tools.” (*Id.*)

As to stops and detentions training, the CPC “may make recommendations to the City . . . based upon community input and best practices.” (SA ¶ 138.) In addition to the general recommendations recently provided to the Monitor, the Monitor requests that the CPC start the process of developing its specific recommendations, if any, for bias-free policing training and stops and detention training as soon as possible and deliver those recommendations to the Monitor and Parties by June 16, 2014.

Assessment:

The Monitor and DOJ will assess the draft training materials to determine whether they, among other things: (i) are consistent with both the letter and spirit of the bias-free policing and stops and detentions policies; (ii) articulate clear expectations for officers and provide them with clear guidance; (iii) incorporate best practices in adult education; and (iv) thoroughly cover each of the topics and sub-topics listed in SA ¶¶ 142, 143, and 149.

Once the training is approved by the Court, SPD will conduct and implement the comprehensive training on stops and detentions and bias-free policing. (The deadlines for the development and implementation of the comprehensive training will be developed as part of the ISDM above. Until the ISDM is completed and approved by the Parties and Monitor, the existing deadlines are in effect.)

Assessment:

The Monitor and DOJ will attend training sessions for instructors and offer feedback where necessary. The Monitoring Team will, on an unannounced basis, attend a sampling of in-person classroom trainings to assure quality and consistency with approved training materials, curricula, and objectives.

SPD will rigorously track and ensure that officers complete all elements of the training program, providing the Parties and Monitor with reports every month on the progress of training program and on the current completion rate.

Assessment:

The Monitoring Team and DOJ will evaluate the reports to ensure that relevant officers are becoming trained fully and consistent with the approved training curriculum.

<b>“SPD will provide all officers with regular roll call trainings regarding social contacts, non-custodial interviews, and investigatory stops and detentions.” (SA ¶ 143.)</b>	<b>Second-year follow-up</b>	<b>Ongoing</b>
SPD will provide the Parties and the Monitor with a plan for delivering roll call trainings related to the stops and detentions policies beginning August 1, 2014 (hereinafter “Bias-Free Policing and Stops and Detentions Roll Call Training Plan”). The plan should include specific outlines of the topics to be covered and the messages to be conveyed during the roll call trainings.	Second-year follow-up	Deadline for submission of plan: July 7, 2014
<u>Assessment:</u> The Monitor and DOJ will assess the Bias-Free Policing and Stops and Detentions Roll Call Training Plan, and the materials that they contain, to determine whether they, among other things: (i) are consistent with both the letter and spirit of the current stops and detentions and bias-free policing policies; (ii) articulate clear expectations for officers and provide them with clear guidance; (iii) incorporate best practices in adult education; and (iv) sufficiently cover the topics and sub-topics listed in SA ¶¶ 142, 143.	Second-year follow-up	Deadline for submission of report: December 31, 2014
SPD will provide the Parties and the Monitor with a Year-End Report on Bias-Free Policing and Stops and Detention Training. It should: (i) detail what roll call trainings were given, and where they were given, during the time period covered by the “Bias-Free Policing and Stops and Detentions Roll Call Training Plan”; and (ii) discuss the efforts by “SPD leadership and supervising officers” to “continue to reinforce to subordinate that discriminatory policing is an unacceptable tactic, and officers who engage in discriminatory policing will be subject to discipline.” (SA ¶ 150.)		
<u>Assessment:</u> The Monitor and Parties will assess the SPD’s Year-End report to ensure that SPD personnel are being effectively trained on the stops and detentions and bias-free policing policies and in a manner consistent with the letter and spirit of the obligations set forth in SA ¶¶ 142, 143, 148, 149, and 150. The Monitor will also randomly attend roll-call trainings to ensure that the roll trainings are being conducted with good-faith and are of the quality and rigor that is consistent with best practice.		

Force Investigation Team (“FIT”)	“SPD will create a FIT training curriculum . . . .” (SA ¶ 115.)	First-year deadline (modified)	First draft deadline: March 31, 2014 Final draft deadline: May 15, 2014 Final approval deadline (for training materials): June 1, 2014 Compliance deadline (for completion of training): November 1, 2014
	SPD will create a FIT Training Schedule and Course Offerings Work Plan, including training provided by third parties, consistent with SA ¶¶ 112-118, the updated policies on use of force and the review of the use of force, and best practices.	First-year deadline (modified)	First draft deadline: March 31, 2014 Final draft deadline: May 15, 2014 Compliance deadline: June 1, 2014
	<u>Assessment:</u> The Monitor and DOJ will assess the draft training materials to determine whether they are consistent with both the letter and spirit of the updated policies on the use of force and review of the use of force, SA ¶¶ 112–18, and best practices. SPD will provide the approved training outlined in the FIT Training Schedule and Course Offerings Work Plan.	Second-year follow-up	Compliance deadline (for completion of training): November 1, 2014
<u>Assessment:</u> The Monitor will attend training sessions for instructors and offer feedback where necessary. The Monitoring Team will, to the extent feasible,, attend a sampling of in-person classroom trainings to assure quality and consistency with approved training materials, curricula, and objectives. The Monitor will also review training records of each member of FIT to assess compliance. Some of the training may be conducted in other cities by third parties.			



Use of Force Review Board (“UOFRB” or, in SA, “Use of Force Committee” or “UFC”)	“Each member [of the UOFRB] will receive a minimum of eight hours of training on an annual basis, including legal updates regarding use of force and curriculum utilized by the Training Section regarding use of force.” (SA ¶ 121.)	Second-year follow-up	Deadline for completion of training (of existing Board members): September 30, 2014
	SPD will create a training program for the members of the Use of Force Review Board which will include a set of minimum performance expectations, attendance requirements, legal updates, training curriculum utilized by the Training Section regarding use of force, and other important topics.	First-year deadline	First draft deadline: March 31, 2014  Final draft deadline: June 26, 2014  Final approval deadline: July 31, 2014
	<u>Assessment:</u>  The Monitor and DOJ will assess the draft training materials to determine whether they are consistent with both the letter and spirit of the current use of force and review of the use of force policies(SA ¶¶ 119-125), the recommendations provided in the Monitor’s Semiannual reports, and best practices. New Board members will be trained on a rolling basis and within a reasonable time of being named to serve on the Board.		
	SPD will train members of the UOFRB upon approval by the Court of the UOFRB training materials, will ensure that their participation is recorded and tracked, and will notify the Parties and Monitor as soon as all members of the UOFRB have been trained using the approved curriculum.	Second-year follow-up	Deadline for completion of training and notification to Parties: September 30, 2014

Data & Information Technology			Deadline Type	Deadline Date
Data Technology to Track Officer Performance: Phase I – Interim Solution	SPD will adopt, fully implement, and make technically and practically operational an interim database system that: (i) captures data on use of force, stops and detentions, and other areas that are consistent with best practices ( <i>see, e.g., SA ¶ 93, 99, 100, 103, 129(b), 136, 141, 144, 161</i> ); (ii) allows supervisors to review details about specific uses of force, stops, and other incidents or events ( <i>¶ 93, 97, 99, 100, 103, 108–9, 163</i> ); and (iii) allows the Department “to analyze the force data captured in officers’ force reports and supervisors’ investigative reports” in order “to determine significant trends, [and] to identify and correct deficiencies revealed by the analysis . . . .” ( <i>SA ¶ 99; see also ¶ 163, 189.</i> )	Second-year follow-up	Technical implementation: April 15, 2014 OPA implementation: April 30, 2014 Use of Force (IAPro): May 31, 2014 Use of Force (officer entry) Start of training: June 15, 2014 End of training: September 30, 2014 Stops and Detentions: December 31, 2014 Additional functional modules (for EIS): Start of additional modules: July 15, 2014 All modules functional: December 31, 2014	
	<p><u>Note:</u></p> <p>The Monitoring Team only “may use any relevant data collected and maintained by SPD and OPA[] provided that it has determined, and the Parties agree, that this data is reasonably reliable, complete and relevant to determining the standard and established practice of SPD officers is to use force within constitutional limits and that no pattern or practice of the use of excessive force exists.” (<i>SA ¶ 190.</i>) The Monitoring Team’s initial assessments of SPD’s use of force data have thus far precluded such a determination. (<i>See Seattle Police Monitor, Second Semiannual Report (December 2013), at 6-12.</i>) The implementation of IAPro will allow the Department, City, and the Monitoring Team to conduct rigorous, ongoing, quantitative analyses of measurements of use of force, training, supervision, and accountability. (<i>See ¶ 189 (outlining outcome assessments that require accurate, reliable quantitative data).</i>) The Monitoring Team continues to stand at the ready to provide technical assistance, and real-time consultation, so that SPD does not waste resources on implementing processes that would yield results that the Monitor would find inconsistent with the Settlement Agreement.</p> <p><u>Assessment:</u></p> <p>The Monitoring Team will consider “full implementation” to be the regular, ongoing use of IAPro for reporting, reviewing, and analyzing use of force and stops and detentions data. IAPro is an “off-the-shelf” performance management database that SPD will use on an interim basis. It is a business intelligence-like system that will capture data necessary for the Department to assess Department and officer performance and for the Monitor to assess compliance.</p> <p>The Monitoring Team will track progress by conducting qualitative assessments with SPD personnel; quantitative assessments through IAPro; observing the Use of Force Review Board (“UOFRB”); and by working with SPD IT specialists and IAPro implementation professionals. The Monitor is aware that the Department will reach other, important milestones that are prerequisites to this “full implementation.” Accordingly, those major milestones, with accompanying deadlines for their completion, are included below.</p>			

SPD will complete all necessary installation and technical tasks necessary to have IAPro “go live,” <i>i.e.</i> to have designated supervisors and command staff use the IAPro program, to have their work captured in the IAPro database, and to allow IAPro to capture all information, data, and attachments required by the scope of the Settlement Agreement. This does not include the migration of data previously captured in the SPD’s legacy AIM system or include the automated integration of human resources information from SPD’s legacy PEDS system.	Second-year follow-up	April 15, 2014
<u>Note &amp; Assessment:</u> The fundamental importance of the SPD capturing robust data in a manner that is easily and immediately accessible to supervisors means that the SPD must do all that is necessary to ensure technical implementation. The Monitoring Team will consider the Department’s fidelity to the IAPro vendor’s installation and implementation plan.		
SPD will begin to use IAPro for capturing, initiating, and reviewing all new OPA investigations.	Second-year follow-up	April 30, 2014
<u>Assessment:</u> The Monitoring Team will expect that SPD will change its business and operational practices to ensure that the capabilities of IAPro are maximized to the extent possible. The Monitoring Team will assess the Department’s success in reference to the more than 500 other agencies that have successfully implemented IAPro, including agencies of similar or greater size. See “IAPro—Client List,” <a href="http://www.iapro.com/clients/">http://www.iapro.com/clients/</a> (last visited: Feb. 28, 2014).		
SPD will begin to use IAPro for capturing use of force data and reviewing use of force incidents.	Second-year follow-up	May 31, 2014
<u>Assessment:</u> The Monitoring Team will expect that SPD will change its business and operational practices to ensure that the capabilities of IAPro are maximized to the extent possible. The Monitoring Team will assess the Department’s success in reference to the more than 500 other agencies that have successfully implemented IAPro, including agencies of similar or greater size. See “IAPro—Client List,” <a href="http://www.iapro.com/clients/">http://www.iapro.com/clients/</a> (last visited: Feb. 28, 2014).		
SPD will complete technical and functional implementation of BlueTeam, the website-based data entry portal for use by line officers and first-level supervisors, for the entry of data about use of force incidents.	Second-year follow-up	Deadline for initiating training: June 15, 2014 Deadline for completing training: September 30, 2014



Data Technology to Track Officer Performance – Phase II: Business Intelligence System	<u>Assessment:</u> The Monitoring Team will expect that SPD will change its business and operational practices to ensure that the capabilities of BlueTeam are maximized to the extent possible. The Monitoring Team will assess the Department's success in reference to the more than 500 other agencies that have successfully implemented IAPro, including agencies of similar or greater size, that use BlueTeam. <i>See</i> "IAPro—Client List," <a href="http://www.iapro.com/clients/">http://www.iapro.com/clients/</a> (last visited: Feb. 28, 2014). SPD will begin to use IAPro and BlueTeam for capturing data on stops and detentions.		
	<u>Assessment:</u> IAPro, SPD, the Parties, and the Monitoring Team will be assisting IAPro in designing a data module for stops and detentions that will be designed in the first half of 2014 and is slated to be available to SPD in the final quarter of 2014.		
	In collaboration with the EIS Work Group, SPD will add functionality in modules beyond use of force and stops and detentions for use in assessing officer performance generally and for assessing the need for early intervention or performance mentoring specifically.	Second-year follow-up	Deadline for start of additional module implementation: July 15, 2014
	<u>Assessment:</u> The Monitoring Team and Parties will evaluate: (i) how well each added module or functionality within IAPro captures data consistent with best practice; (ii) how well the functionalities and modules, when combined, provide the Department with necessary metrics on officer performance; and (iii) how well the functionalities and modules, when combined, fulfill the requirements of the Department's EIS policy.		Deadline for implementation of all relevant modules: December 31, 2014
	<b>SPD will adopt a permanent "business intelligence system" that permits the Department to manage personnel, use of force, early intervention, data collection, supervision, OPA investigations, and other areas addressed or otherwise encompassed by the SA. (<i>See, e.g.,</i> SA ¶¶ 188-190 (requiring quantitative, objective outcome assessments based on "data [that] is reasonably reliable, complete, and relevant . . . .").</b>	Second-year follow-up	TBD (see below)

<b>Early Intervention System ("EIS")</b>	<p>The City and SPD will develop a formal Business Intelligence System Work Group ("BI Work Group"), who will, in turn, complete: (i) a project charter ("Charter") and (ii) a project plan ("Project Plan"). The Project Plan will include details regarding project governance, goals, objectives, scope, deliverables, dependencies, a high-level project plan, and a schedule for deadlines. The BI Work Group will consult with the Parties and Monitor and will be substantially informed by the existing recommendations contained with the December 2013 report by Pricewaterhouse Coopers.</p> <p>(Pricewaterhouse Coopers, "Seattle Police Department: Proposed Development of a Business Intelligence System – Future State Recommendations and Roadmap" (<i>hereinafter</i> "PWC Report").) The Deadlines contained within the BI Work Group will be incorporated into this Monitoring Plan upon the Monitor and Parties approving the Plan and its associated deadlines.</p>		
	<p><i>Assessment &amp; Note:</i></p> <p>Because IAPro may lack the ability to capture many data points, be insufficiently customizable, and may not allow some of the quantitative and management analysis desired, a comprehensive business intelligence system must be designed that will allow SPD to fully self-manage the risk of unconstitutional policing. Such a system is also required in order for the Parties and Monitor to discuss and assess compliance by using objective and reliable quantitative measures.</p> <p>To the extent that the Parties and Monitoring Team assess the Work Plan and determine that the deadlines and timetables for future objectives, key results, and action steps that it sets forth are reasonable and reflective of actual capabilities, the Monitor will adopt those deadlines as deadlines expressly incorporated within the scope of this Monitoring Plan.</p>	Second-year follow-up	Deadline for establishing Work Group: April 1, 2014
	The BI Work Group will prepare a request for proposals for a BI vendor.	Second-year follow-up	Deadline for completion of RFP: July 30, 2014
	<b>SPD will implement its revised EIS policy. (SA ¶¶ 157-63.)</b>	<b>Second-year follow-up</b>	<b>Ongoing</b>
	SPD will convene an EIS Work Group that will: (i) be responsible for the full and complete implementation of all aspects of the approved EIS policy; (ii) rigorously and continuously assess the Department's current EIS platforms; and (iii) work with Compliance Bureau and all other relevant work groups to develop a comprehensive, rigorous EIS database system. The Group will meet with the Monitors and Parties on a regular basis.	Second-year follow-up	Deadline for initial meeting: April 17, 2014

<p><u>Assessment:</u></p> <p>The Monitoring Team and DOJ will evaluate the extent to which: (i) the Department is conducting performance mentoring and early intervention in a manner consistent with the approved EIS policies and best practices, and (ii) the Department's data systems are able to provide timely, accurate, and comprehensive information about officer performance that is sufficient to meet the goals and requirements of the SPD's EIS policy and best practice.</p>			
<p><b>In-Car Video (“ICV”)</b></p>	<p><b>SPD must “remedy all existing technical problems with ICV without . . . delay” so that officers may be held accountable, when necessary, for the failure to properly capture incidents with in-car video and audio equipment. (Second Semiannual Report, at 16; see SA ¶¶ 99, 119–25, 189–90.)</b></p>	<p><b>Second-year follow-up</b></p>	<p><b>Deadline for certification: May 1, 2014</b></p>
	<p>SPD will provide the Parties and Monitoring Team with daily updates on the status of the SPD's efforts to: (i) identify, address, and remedy any and all technical issues that have prevented, or may prevent, ICV video or audio from being appropriately captured; (ii) train officers on the proper use, maintenance, and preparation of ICV equipment; (iii) develop a systematic, ongoing program for auditing ICV technology that will prevent, or lead to the swift discovery of, new technical problems with ICV; and (iv) develop a formal, comprehensive process for officers to report technological or technical difficulties with their ICV equipment.</p>	<p>Second-year follow-up (previously stipulated obligation)</p>	<p>Daily until certification (see below)</p>
	<p>SPD will formally certify, in writing, to the Parties, Monitor, and the Court that it has taken all reasonable steps to investigate all known and reasonably foreseeable technical issues and other technical implementation issues with ICV, on-body microphones, and the COBAN technology. It will further certify that, because the Department has taken all such reasonable steps to investigate and eliminate the possibility of systemic technological problems, individual SPD officers may be appropriately held accountable for any failure of ICV equipment to capture a use of force incidents. Finally, it will certify that it has developed an ongoing auditing program for ensuring the ongoing discovery of any technical issues with ICV, on-body microphones, and COBAN technology and their swift elimination.</p>	<p>Second-year follow-up</p>	<p>Deadline for certification: May 1, 2014</p>

Supervision			
		Deadline Type	Deadline Date
Unity of Command	<p>“[A]ll operational field officers (including patrol officers) should be assigned to a single, consistent, clearly identified first-line supervisor. First-line supervisors should normally be assigned to work the same days and hours as the officers they are assigned to supervise.” (SA ¶ 154.)</p> <p>SPD, the Parties, and the Monitor will: (i) confer to assess the SPD’s plan for addressing the provisions of SA ¶ 154; and (ii) determine an appropriate timeline for completion of activity described in, or activity different or additional to that described in, SPD’s December 31, 2013 Memorandum on Span of Control/Unity of Command/Acting Sergeants (<i>hereinafter</i> “Unity of Command Timeline”).</p> <p><u>Assessment:</u></p> <p>On June 30’s compliance deadline, the Monitor will, in consultation of the Parties, report to the Court on the City’s progress toward meeting the goals of paragraph 154.</p> <p>Upon determination of a timeline for completion of tasks and results properly contemplated by the Unity of Command Timeline, the deadlines contained within that timeline shall serve as an addendum to this Monitoring Plan.</p>	First-year deadline	Compliance deadline: June 30, 2014
Span of Control	<p>“The City will provide and SPD will deploy an adequate number of qualified field/first-line supervisors (typically sergeants) to assure that the provisions of this Agreement are implemented. SPD will employ sufficient first-line supervisors to assure that first-line supervisors are able to: 1) respond to the scene of uses of force as required by this Agreement; 2) investigate each use of force (except those investigated by FITT) in the manner required by this Agreement; 3) ensure documentation of uses of force as required by this Agreement; and 4) provide supervision and direction as needed to officers employing force.” (SA ¶ 153.)</p>	Second-year follow-up	TBD
		First-year deadline	Compliance deadline: June 30, 2014
	<p>SPD, the Parties, and the Monitor will: (i) confer to assess the SPD’s plan for addressing the requirements of SA ¶ 153; (ii) determine an appropriate timeline for the completion of the “needs assessment” that SPD indicated is necessary in its December 31, 2013 Memorandum on Span of Control/Unity of Command/Acting Sergeants (<i>hereinafter</i> “Span of Control Needs Assessment”) as well as any modified or additional tasks not expressly outlined in that memorandum.</p>	Second-year follow-up	Deadline for determination of “Span of Control Needs Assessment” timeline: March 21, 2014

<p><u>Assessment:</u></p> <p>On June 30's compliance deadline, the Monitor will, in consultation of the Parties, report to the Court on the City's progress toward meeting the goals of paragraph 153.</p>			
Acting Sergeants	Upon determination of a timeline for completion of the "Span of Control Needs Assessment," the deadlines contained within that timeline shall serve as an addendum to this Monitoring Plan and be incorporated into this Monitoring Plan.	Second-year follow-up	TBD
	<b>"... The City and SPD will ensure that personnel assigned to a planned assignment of acting sergeant for longer than 60 days will be provided adequate training to fulfill the supervisor obligations under this Agreement, either period to serving as acting sergeant, or as soon as practicable (and in no event longer than 90 days from the beginning of the planned assignment).?" (SA ¶ 155.)</b>	First-year deadline	<b>Compliance deadline: June 30, 2014</b>
	SPD, the Parties, and the Monitor will: (i) confer to assess the SPD's plan for addressing the requirements of SA ¶ 155; and (ii) determine an appropriate timeline for the completion of the tasks and assessments that SPD indicated is necessary in its December 31, 2013 Memorandum on Span of Control/Unity of Command/Acting Sergeants ( <i>hereinafter</i> "Status of Acting Sergeants Progress Assessment"), as well as any modified or additional tasks not expressly outlined in that memorandum.	Second-year follow-up	Deadline for determination of "Status of Acting Sergeants Progress Assessment" timeline: March 21, 2014
Bias-Free Policing and Stops & Detentions Supervision	Upon determination of a timeline for completion of the "Status of Acting Sergeants Progress Assessment," the deadlines contained within that timeline shall serve as an addendum to this Monitoring Plan and be incorporated into this Monitoring Plan.	Second-year follow-up	TBD
	<b>SPD will ensure that "SPD leadership and supervising officers will continue to reinforce to subordinates that discriminatory policing is an unacceptable tactic, and officers who engage in discriminatory policing will be subject to discipline." (SA ¶ 150; see also id. ¶¶ 151–52.)</b>	Second-year follow-up	<b>Compliance deadline: August 31, 2014</b>



Supervision of Sergeants	SPD will ensure that all SPD leadership, supervisors, and command staff complete the training outlined in SA ¶ 149. (See “Training: Bias-Free Policing and Stops & Detentions: Phase II – Comprehensive Training,” <i>supra</i> .)	Second-year follow-up	Deadline for first draft: April 30, 2014  Deadline for final draft: July 17, 2014  Deadline for compliance: August 31, 2014
	SPD will provide the Parties and the Monitor with a “Year-End Report on Bias-Free Policing and Stops and Detention Training.” The report should: (i) detail what roll call trainings were given, and where they were given, during the time period covered by the “Bias-Free Policing and Stops and Detentions Roll Call Training Plan”; and (ii) discuss the efforts by “SPD leadership and supervising officers” to “continue to reinforce to subordinates that discriminatory policing is an unacceptable tactic, and officers who engage in discriminatory policing will be subject to discipline.” (SA ¶ 150; see “Training: Bias-Free Policing and Stops & Detentions: Phase II – Comprehensive Training,” <i>supra</i> .)	Second-year follow-up	Deadline for submission of “Year-End Report on Bias-Free Policing and Stops and Detention Training”: December 31, 2014
	<b>“Precinct commanders and watch lieutenants will continue to closely and effectively supervise the first-line supervisors and officers under their command, particularly whether commanders and supervisors identify and effectively respond to uses of force.” (SA ¶ 156.)</b>	First-year deadline	<b>Compliance deadline: December 31, 2014</b>
	SPD will provide the Parties and Monitor with a work plan for assessing the quality of the supervision of sergeants ( <i>hereinafter</i> “Sergeant Supervision Work Plan.”).	Second-year follow-up	September 30, 2014
	Upon determination of a timeline for completion of the “Sergeant Supervision Work Plan,” the deadlines contained within that timeline shall serve as an addendum to this Monitoring Plan and be incorporated into this Monitoring Plan.	Second-year follow-up	TBD

## Review of the Use of Force

Deadline Type			Deadline Date
Use of Force Review Board (“UOFRB”)	The Use of Force Review Board (“UOFRB”) will be the hub of internal innovation in the Department—critically analyzing use of force incidents in a rigorous, comprehensive manner in light of SPD policy and criminal law. ( <i>See, e.g., SA ¶¶ 119–25.</i> )		
	SPD should generate a written report, twice per year, that: (i) inventories the “lessons learned” at the Use of Force Review Board; (ii) indicates what responses or changes in training, policy, procedure, or administration have been effectuated as a result of those lessons; and (iii) responds to recommendations that the Monitor has made about the UOFRB contained in the Monitor’s Semiannual Reports. The report should be made available to the Parties, SPD, and the Monitor.	Second-year follow-up	Reports due: June 30, 2014 December 31, 2014
<u>Assessment:</u> The Monitoring Team will continue to attend UOFRB Meetings. It will continue to assess progress by independently reviewing UOF packets and evaluating the nature and quality of the review that occurs at the UOFRB. ( <i>See ¶¶ 119–25; SA Second Semiannual Report, at 19–31 (outlining expectations for UOFRB reviews.)</i> )			
	The UOFRB should provide weekly follow-up on action items stemming from previous UOFRB meetings, and this follow-up should be reviewed during UOFRB meetings. All “action items” should be accompanied by a specific deadline.	Second-year follow-up	Ongoing
<u>Note &amp; Assessment:</u> It is not uncommon for a given use of force incident to be “pending” for additional information or for an officer to be, as a result of UOFRB discussion, sent for additional training or remedial action. UOFRB needs to ensure that these types of “action items” are followed up on. The Monitoring Team will attend all UOFRB Meetings and expect weekly follow-up action items.			
	The UOFRB will make recommendations on changes to use of force review procedures, review processes, and review forms. This may include a revision of the “72-hour” rule for the initial forwarding of force review packets.	Second-year follow-up	Deadline for proposal of initial changes: May 12, 2014
			Deadline for implementation of initial changes: June 15, 2014
<u>Assessment:</u> The Monitoring Team will continue to attend UOFRB meetings, independently review UOF packets, and evaluate the nature, quality, and timeliness of the review both at the UOFRB and through the Chain of Command below.			

	<p>To ensure that Type II uses of force are not being misclassified as Type I uses of force, and therefore subject to less review and analysis than they should be, SPD should—at least as an interim measure as officers become accustomed to the updated use of force policies—ensure that UOFRB personnel review a random sampling of all Type I Use of Force reports generated Department-wide on a weekly basis to ensure that they were properly classified and appropriately reviewed by the chain of command. The Monitor will be afforded direct, immediate access to all Type I reports, whether or not reviewed by the UOFRB previously. If the UOFRB review uncovers issues that should be addressed training, they will provide those to the training division.</p>	Second-year follow-up	Ongoing
	<p><u>Assessment:</u></p> <p>The Monitoring Team will evaluate whether uses of force classified as Type I are properly classified as such and will make specific recommendations as necessary to ensure that the scope of incidents that UOFRB are consistent with policy.</p>		
<b>Firearms Review Board (“FRB”)</b>	<b>SPD, upon determining the appropriate means to do so, should incorporate the FRB into the UOFRB.</b>	<b>Second-year follow-up</b>	<b>December 31, 2014</b>



## Assessments, Reviews, and Reporting

Deadline Type			Deadline Date
FIT Review	No later than September 1, 2014, the City, in conjunction with the Monitor and DOJ, will begin a rigorous review to determine how well FIT has functioned in Professional Standards. (See Ex. C Force Investigation Team (FIT) Plan (Dec. 17, 2013), at 2.)	Second-year follow-up (previously stipulated)	Deadline for Commencement of Review: September 1, 2014
	<p><u>Assessment:</u></p> <p>This review will include, but not be limited to an examination of the thoroughness of the investigations, how closely the policies and Manual have been adhered to, an assessment of the qualifications, skills and experience of the officers assigned to FIT, whether the FIT investigations have appropriately identified potential criminal behavior, policy violations or other misconduct, whether FIT appropriately refers misconduct and criminal matters to the proper investigatory authority, whether FIT is able to maintain separation of exposed and unexposed teams as required by the Settlement Agreement, whether FIT is meeting relevant investigatory deadlines, whether any problems arise related to <i>Garrity</i>, etc. FIT investigations will be expected to extend beyond the officer's immediate use of force to encompass an examination of events, decisions and tactics that led up to the use of force incident, including officer involved shootings. The review will also include an assessment of the extent to which FIT has accommodated and supported the role of OPA in FIT investigations. (Ex. C at 2.)</p> <p>By December 1, 2014, the Monitor and the Parties will determine whether FIT has or has not performed satisfactorily in Professional Standards. If they are satisfied with FIT's performance, then the Monitor will provide final approval of the FIT Manual and FIT will not be transferred to OPA. If the Monitor and the Parties have concerns about the ability of FIT to meet the compliance requirements of the Settlement Agreement, FIT will be immediately transferred to OPA. The Monitor may then choose to disapprove the FIT Manual in writing. (Ex. C, at 2.)</p>	Second-year follow-up (previously stipulated)	December 1, 2014
Progress Assessment	<p>The Monitor and the Parties will confer "to consider whether or to what extent the outcomes intended by the Settlement Agreement have been achieved, and any modifications to the Settlement Agreement that may be necessary for continued achievement in light of changed circumstances or unanticipated impact (or lack of impact) of the requirement." (SA ¶ 175.)</p> <ul style="list-style-type: none"> <li>The conference will "address areas of greatest achievement and the requirements that appear to have contributed to this success." (<i>Id.</i>)</li> <li>The conference will also address "areas of greatest concern, including strategies for accelerating full and effective compliance." (<i>Id.</i>)</li> </ul>	Second-year follow-up	Compliance deadline: February 27, 2015

<b>Ongoing Policy Review</b>	<p><u>Assessment:</u></p> <p>“Based upon this conference, the Monitor may recommend modifications to the Settlement Agreement necessary to achieve and sustain intended outcomes.” (SA ¶ 175.)</p>		
	<p><b>“With the assistance of the Monitor, SPD will review each policy, procedure, training curricula and training manual required by the Settlement Agreement 180 days after it is implemented, and annually thereafter (on a regularly published schedule), to ensure that the policy or procedure continues to provide effective direction to SPD personnel and remains consistent with the purpose and requirements of the Settlement Agreement and current law.” (SA ¶ 180.)</b></p>		
	SPD will, with the assistance of the Monitor, review the use of force policies.	Second-year follow-up	July 1, 2014
	SPD will, with the assistance of the Monitor, review the bias-free policing and stop and detentions policies.	Second-year follow-up	July 30, 2014
	SPD will, with the assistance of the Monitor, review the crisis intervention policies.	Second-year follow-up	September 4, 2014
	SPD will, with the assistance of the Monitor, review the EIS policies.	Second-year follow-up	October 3, 2014
<b>Monitoring Plan</b>	SPD will, with the assistance of the Monitor, review any other policies that may be approved during the term of the Monitoring Plan six months after “implementation,” e.g. six months subsequent to the policy coming into effect (which is 30 days after the Court files its orders approving of the policy).	Second-year follow-up	TBD
	<b>The Monitor will submit a third-year Monitoring Plan.</b>	<b>Second-year follow-up</b>	<b>March 17, 2015</b>
	The Monitor “will meet with the Parties to determine what outcome measures will be reviewed and how the Monitor will evaluate the outcomes in measuring full and effective compliance.” (SA ¶ 188.) The outcome assessments that will be considered in this meeting will include those expressly outlined in SA ¶ 189 and will be mindful of the imperative that “data collected and maintained by SPD” may used only “provided that [the Monitor] has determined, and the Parties agree, that this data is reasonably reliable, complete, and relevant . . . .” (SA ¶ 190.)	Second-year follow-up	TBD [pending initial collection of quantitative data]

<b>Monitoring Reports</b>	<b>The Monitor will issue public reports “detailing the Parties’ compliance with and implementation of the Settlement Agreement” every 6 months. (SA ¶¶ 173(b), 196.)</b>	<b>Second-year follow-up</b>	
	The Monitor will issue his Third Semiannual Report (six months after the issuance of the previous semiannual report.)	Second-year follow-up	Draft: May 15, 2014 Final: June 15, 2014
	The Monitor will issue his Fourth Semiannual Report.	Second-year follow-up	Draft: November 15, 2014 Final: December 15, 2014
	<b>CPC will assess the SPD’s community outreach efforts.</b>	First-year deadline	<b>Deadline for comprehensive assessment: July 31, 2014</b>
	CPC will complete an initial assessment of SPD’s community outreach efforts. (Dkt. No. 106.)	First-year deadline	March 13, 2014
<b>Community Outreach Efforts</b>	CPC will complete a comprehensive assessment of SPD’s community outreach efforts. (MOU ¶ 14.)	First-year deadline	July 31, 2014
	<b>The Monitoring Team will draft a community outreach plan to address its own outreach efforts for the second year and present it to the Parties for comment and agreement. (SA ¶ 192.)</b>	<b>Second-year follow-up</b>	<b>April 23, 2014</b>

# Appendix B

## **Appendix B: Agreed Deadlines**

The following table summarizes, by category, the agreed deadlines for the obligations under the Settlement Agreement, as implemented in the First and Second Year Monitoring Plans.

- Category: Lists the type of obligation: policy development, training development, supervision, miscellanea.
- Topic: Identifies the substantive topic that is categorized.
- Sub-Topic: Lists the sub-topics that are being categorized.
- Deadline for City to Provide First Draft to the Monitor and DOJ: The deadline by which the City provides the Monitor and DOJ with a first draft of the policy, training curriculum, or whatever other document is to be produced. (Provision of a draft document to the Monitor does not automatically require the Monitor and DOJ to review and comment within 45 days of submission per SA ¶ 177.) Provision of a draft document begins a collaborative discussion between the City, DOJ and the Monitor about development of the policy, training curricula, implementation, measurement, or whatever other document was produced.
- Deadline for City to Provide Final Draft to Monitor: The Deadline by which the City provides the Monitor with a final draft of the policy, training curriculum, or whatever document is to be produced. This is the draft to which the Monitor must provide written comments if he disapproves of the draft per SA ¶ 177. After the document is provided, the City, DOJ and Monitor have up to 45 days to meet, confer and attempt to resolve any disagreements regarding any anticipated or proposed comments if necessary. (SA 177). This is also a good time period for the City and the Monitor to solicit feedback from other interested persons or organizations.
- Final Approval Deadline: The deadline by which the Parties expect the Monitor and DOJ to provide final approval of the document submitted by the City and expect the City's policy/training/etc. document would be in compliance with the SA. If approved, the Monitor will submit the document to the Court by or on this date. If approval will not be provided, the Monitor will submit his reasons for his decision in writing to the Parties by this date per SA ¶ 179. Assuming approval, the City will be required to "begin implementation" of the policy/training/etc. within 30 days thereafter per SA ¶ 179.

## DEADLINES

CATEGORY	TOPIC	SUBTOPIC (SETTLEMENT AGREEMENT PARAGRAPH NUMBERS)	DEADLINE FOR CITY TO PROVIDE FIRST DRAFT TO MONITOR	DEADLINE FOR CITY TO PROVIDE FINAL DRAFT TO MONITOR	FINAL APPROVAL DEADLINE	JUDGE APPROVED
<b>Policy</b>	Use of Force	Reporting and Investigation Policy Development (SA ¶¶ 70-71, 73, 91-118. <i>See also</i> ¶¶ 69, 72, 127)	3/31/13 <b>Complete</b>	7/17/13 <b>Complete</b>	11/30/13 <b>Monitor Approved</b>	<b>Judge Approved</b>
<b>Policy</b>	Use of Force	Use of Force Committee (SA ¶¶ 70-71, 119-125) & FIT Manual (SA¶¶ 115)	6/30/13 <b>Complete</b>	10/16/13 <b>Complete</b>	11/30/13 <b>Monitor Approved</b>	<b>Judge Approved</b>
<b>Policy</b>	Stops and Detentions	Policy (SA ¶¶ 139-141) (requires CPC Consultation)	1/31/13 <b>Complete</b>	11/30/13 <b>Complete</b>	12/31/13 <b>Monitor Approved</b>	<b>Judge Approved</b>
<b>Policy</b>	Bias Free Policing	Policy (SA ¶¶ 146 & 151) (requires CPC consultation)	1/31/13 <b>Complete</b>	11/30/13 <b>Complete</b>	12/31/13 <b>Monitor Approved</b>	<b>Judge Approved</b>
<b>Policy</b>	Crisis Intervention	Policy Development, including Data Collection (SA ¶¶ 130-132 & 136; MOU ¶ 25(b))	6/30/13 <b>Complete</b>	12/17/13 <b>Complete</b>	1/31/14 <b>Monitor Approved</b>	<b>Judge Approved</b>
<b>Policy</b>	Early Intervention System	Policy Development, including Data Collection (SA ¶¶ 157-163)	9/30/13 <b>Complete</b>	1/15/14 <b>Complete</b>	3/1/14 <b>Monitor Approved</b>	
<b>Policy</b>	OPA	Policy and Manual Development (SA ¶¶ 164-168), including the Anti-Retaliation Policy (¶ 166) & Reporting Misconduct Policy (¶ 165)	12/31/13 <b>Complete</b>	5/16/14 [CPC will weigh in by 4/15]	6/30/14	

CATEGORY	TOPIC	SUBTOPIC (SETTLEMENT AGREEMENT PARAGRAPH NUMBERS)	DEADLINE FOR CITY TO PROVIDE FIRST DRAFT TO MONITOR	DEADLINE FOR CITY TO PROVIDE FINAL DRAFT TO MONITOR	FINAL APPROVAL DEADLINE	JUDGE APPROVED
Training	Use of Force	Training Curricula (SA ¶¶ 127-129) (Interim Training on UOF policies completed by 4/30/14) Comprehensive Training completed for patrol by December 31, 2014	12/31/13 <b>Complete</b>	4/18/14 (for ISDM)	5/30/14 (for ISDM)	
Training	Use of Force Review Board	Training Curricula (SA ¶¶ 127-129) Training Completed by: 9/30/14	3/31/14	6/26/14	7/31/14	
Training	Use of Force— Force Investigation Team (FIT)	Training Curricula (SA ¶115) Training Completed by: 11/1/14	3/31/14	5/15/14	6/1/14	
Training	Crisis Intervention	Training (Basic, Dispatcher, and Advance/Refresher) (SA ¶¶ 133-135) (CIC will weigh in)	Basic: 6/1/13 Dispatcher: 9/1/2013 <b>Complete</b>	Basic: 5/16/14; Dispatcher: 4/15/14; Advanced: 7/16/14	Basic: 5/30/14; Dispatcher: 5/30/14; Advanced: 8/31/14	
Training	Bias-Free Policing and Stops/ Detentions	Training (BP: SA ¶¶ 147-149) (Stops: SA ¶¶ 142-143) (Interim Training Completed by 8/1/31) Comprehensive Training Completed by: TBD by ISDM Roll Call Training Completed by: 12/31/14 (Requires CPC Consultation)	Interim: 4/15/14  Comprehensive: 5/16/14	Commence interim training: 6/2/14  Comprehensive: 7/17/14  Plan for roll call training: 7/17/14	Complete interim training: 8/1/14  Comprehensive: 8/31/14	



Category	Topic	SubTopic (Settlement Agreement PARAGRAPH NUMBERS)	DEADLINE FOR CITY TO PROVIDE FIRST DRAFT TO MONITOR	DEADLINE FOR CITY TO PROVIDE FINAL DRAFT TO MONITOR	FINAL APPROVAL DEADLINE	COMPLETE
Supervision	Management	Span of Control (SA ¶ 153)	12/31/13 Needs assessment due <b>Complete</b>	3/21/14 (timeline due)	TBD	
Supervision	Management	Unity of Command (SA ¶ 154)	Update due 9/30/13; Plan due 12/31/13 <b>Complete</b>	3/21/14 (timeline due)	TBD	
Supervision	Management	Acting Sergeants (SA ¶ 155)	Update due 3/25/13; Plan due 12/31/13 <b>Complete</b>	3/21/14 (timeline due)	6/30/14 (Compliance Deadline)	
Supervision	Management	Supervision of Sergeants (SA ¶ 156)	Q1 2014 – metrics established	NA	12/31/14 (Compliance Deadline)	
Supervision	Bias-Free Policing and Stops/ Detentions	Supervision (BP: SA ¶¶ 150-152) (Stops: SA ¶¶ 144)	3/16/14 (Implementation Begins)	NA	8/31/14 (Compliance Deadline)	

Category	Topic	SubTopic (Settlement Agreement PARAGRAPH NUMBERS)	DEADLINE FOR CITY TO PROVIDE FIRST DRAFT TO MONITOR	DEADLINE FOR CITY TO PROVIDE FINAL DRAFT TO MONITOR	FINAL APPROVAL DEADLINE	COMPLETE
Data & Info. Tech.	Business Intelligence System	Phase I: Interim Solution Phase II: Permanent Solution (Work Group, Vendor, etc)	NA	NA	12/31/14 (all modules functional in interim solution)	
Data & Info. Tech.	Stops Data	Dkt. 116: Agreement on Stops Data (consulting with CPC)	5/16/14	NA	NA	
Data & Info. Tech.	ICV	Certification	5/1/14	NA	NA	
Misc.	Critical Self-Analysis	Discussion of Modifications to SA (SA ¶ 175)	NA	NA	2/27/15	
Misc.	Critical Self-Analysis	Review Approved Policies (SA ¶ 180)	NA	NA	Six months after approval granted	
Misc.	Reporting	CPC Assessment of SPD's Community Outreach Efforts (MOU 14; Dkt. 106)	Initial Assessment 3/13/14	Comprehensive Assessment 7/31/14	NA	
Misc.	Reporting	Monitor's Report (SA ¶ 173(b) & 196)	5/15/14 (and every 6 months thereafter) (draft to City)		6/15/14 (and every 6 months thereafter)(final filed with Court)	
Outcome Assessments	Compliance Measurement	Monitor Conducts Outcome Assessments (SA ¶ 188)	February 27, 2014	N/A	At least annually thereafter	

# Appendix C

## **Force Investigation Team (FIT) Plan**

December 17, 2013

On October 16, 2013, the City presented a final draft of the FIT Manual to the Monitor. The Monitor approved the FIT Manual on November 27, 2013. The Parties and the Monitor have been discussing the appropriate location for FIT and the role that OPA should have in FIT investigations. The Parties and the Monitor have agreed with the following plan for FIT for the first year:

1. The Monitor provided a preliminary approval of the FIT Manual on November 27. The FIT Manual will be implemented on an interim basis and FIT will be located in Professional Standards during the one year “pilot.” On December 1, 2014 the Monitor’s preliminary approval of the FIT Manual will end, and FIT will be automatically transferred to OPA unless the Parties and the Monitor meet in advance thereof and determine that FIT should stay in Professional Standards or move to another location.
2. From January 1, 2014 to December 1, 2014, OPA will be notified of all FIT investigations, and the OPA Director and members of his staff may respond to the scene and observe those investigations as described in the FIT Manual. OPA personnel will participate at the scene to the extent necessary to identify any potential misconduct or criminal issues and whether OPA will initiate its own investigation. OPA may review any statements (including audio or video), documents or other evidence from a FIT investigation if requested by OPA. The OPA Director will provide ongoing feedback and suggestions to the Assistant Chief of Professional Standards regarding the quality and completeness of FIT investigations. This feedback will include an identification of any perceived weaknesses in the FIT investigations as well as concrete recommendations and suggestions for improving the quality of those investigations.
3. If at any time during the one year pilot period, the Monitor determines that FIT investigations are not in “full and effective” compliance with the requirements of the Settlement Agreement, the Monitor will notify the Assistant Chief of Professional Standards in writing and will identify the specific areas of noncompliance and recommend corrective measures. The City will have 30 days to correct the identified deficiencies and bring FIT into compliance. If the Monitor determines that the corrective measures were ineffective and that FIT is still not in full and effective compliance, the Monitor may withdraw his approval of the FIT

Manual and, if he does so, the Department will move FIT from Professional Standards to OPA. The Monitor shall make this determination in writing and identify the specific requirements of the Settlement Agreement where FIT is noncompliant. During the first 4 months of FIT operations, it is expected that there will be some “bugs” and improvements that will need to be made. The Monitor agrees to assist the Department during this initial start-up phase and will make some allowances when things do not work perfectly.

4. No later than September 1, 2014, the City, in conjunction with the Monitor and DOJ, will begin a rigorous review to determine how well FIT has functioned in Professional Standards. This review will include, but not be limited to, an examination of the thoroughness of the investigations, how closely the policies and Manual have been adhered to, an assessment of the qualifications, skills and experience of the officers assigned to FIT, whether the FIT investigations have appropriately identified potential criminal behavior, policy violations or other misconduct, whether FIT appropriately refers misconduct and criminal matters to the proper investigatory authority, whether FIT is able to maintain separation of clean and dirty teams as required by the Settlement Agreement, whether FIT is meeting relevant investigatory deadlines, whether any problems arise related to Garrity, etc. FIT investigations will be expected to extend beyond the officer’s immediate use of force to encompass an examination of events, decisions and tactics that led up to the use of force incident, including officer involved shootings. The review will also include an assessment of the extent to which FIT has accommodated and supported the role of OPA in FIT investigations.
5. By December 1, 2014, the Monitor and the Parties will determine whether FIT has or has not performed satisfactorily in Professional Standards. If they are satisfied with FIT’s performance, then the Monitor will provide final approval of the FIT Manual and FIT will not be transferred to OPA. If the Monitor and the Parties have concerns about the ability of FIT to meet the compliance requirements of the Settlement Agreement, FIT will be immediately transferred to OPA. The Monitor may then choose to disapprove the FIT Manual in writing.
6. During the one year pilot period, the OPA Director and/or the CPC may propose changes to OPA policies and procedures that could impact OPA’s role and responsibilities in FIT investigations. The review and approval of those proposed changes will follow the process established by the Monitoring Plan and the deadlines within the Schedule of Priorities.