

**STATUS REPORT TO THE INDEPENDENT MONITOR
SUBMITTED BY THE PARTIES TO THE COLLABORATIVE AGREEMENT**

The parties to the Collaborative Agreement, the Plaintiff Class, who is represented by the American Civil Liberties Union (ACLU) of Ohio; the City of Cincinnati and the Fraternal Order of Police (FOP) (collectively referred to as “the parties” or the collaborative partners”) submit this status report to the Independent Monitor, pursuant to Collaborative Agreement paragraph 105.

Dated March 5, 2004

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INTRODUCTION

This Report is intended to advise the Independent Monitor as to the continuing progress that the Parties have made since the issuance of the Monitor's Fifth Status Report on January 15, 2004. The Independent Monitor oversees implementation of both the Memorandum of Agreement (MOA) between the City and the United States Department of Justice, and the Collaborative Agreement (CA) between the City and the ACLU and the Fraternal Order of Police (FOP). The MOA is appended to the CA and is enforceable solely through paragraph 113 of the Collaborative Agreement.

The purpose of the Collaborative Agreement is to resolve conflict, to improve community-police relations, to reduce crime and disorder, to fully resolve the pending claims of all individuals and organizations named in the underlying litigation, to implement the consensus goals identified by the community through the collaborative process, and to foster an atmosphere throughout the community of mutual respect and trust among community members, including the police. The Parties recognize that there has been friction between some members of both the community and the Cincinnati Police Department (CPD). The ultimate goal of the Agreement is to reduce that friction and foster a safer community where mutual trust and respect are enhanced among citizens and police.

Implementation will not only reform police practice, but will enhance trust, communication, and cooperation between the police and the community. The City of Cincinnati, the FOP, and the plaintiffs continue to be optimistic, enthusiastic, and committed to this endeavor.

This report provides a status update on the work of the following committees, which were established to fully implement the terms and conditions stipulated in the Agreement:

- Community Problem Oriented Policing Committee
- Mutual Accountability Evaluation Committee
- Department of Justice Memorandum of Agreement Committee
- Fair, Equitable and Courteous Treatment Committee
- Citizen Complaint Authority Committee

Plaintiff's remarks are clearly identified throughout as theirs. In the spirit of the Collaborative, no effort has been made by the other parties to edit, revise, or otherwise comment on the Plaintiff's remarks. However, the City wishes to make clear at the outset of this report that its silence should not be taken as sharing the Plaintiff's views. Rather than responding in point/counter point fashion in the context of this report (which the City believes would not be productive), The City hopes to address Plaintiffs' comments during committee meetings and other discussions designed to resolve all philosophical and practical differences

Community Problem Oriented Policing

Police tactics designed to maintain community order have traditionally focused on a law enforcement approach. In theory this approach suggests that order will be achieved by the deterrence, and to some extent, the incarceration of offenders that engage in criminal activity by strict police enforcement of laws. To some degree these tactics are still valid given that police must continue immediate intervention into numerous circumstances that jeopardize the safety of the community. For many other issues, a structured approach is effective in identifying and rectifying those issues that contribute to certain crime and disorder conditions. Community Problem Oriented Policing or CPOP is the process that will assist police and the community in identifying and addressing issues that threaten the overall quality of life. The Parties to this Agreement are charged with the responsibility of implementing a problem oriented policing process. Since this concept is not necessarily new to law enforcement, there are temptations to blindly adapt similar strategies used in other jurisdictions around the country. The Parties, however, have resisted these temptations and have cautiously moved forward to implement a program that best fits the needs unique to Cincinnati. CPOP will facilitate community needs and involvement through two main components; a City Action Plan and a Community Partnering Plan. The City Plan will ensure the coordination of city agencies, while the Community Partnering Plan, through the Community Police Partnering Center, will address community training and community engagement issues relative to the CPOP process. Technology will assist the effort with the implementation of a CPOP website that will track progress of problem solving activities. Additionally the website is capable of directing the user to a number of links that will allow the involved parties access to information that will identify and outline the effectiveness of practices that have been previously deployed for similar problems. The user can also access additional problem solving literature and gain information from any resources deemed necessary to the process.

Mutual Accountability and Responsibility for Implementation of Agreement

Under the Agreement, the Parties with the assistance of the Monitor will implement a system that will measure the progress in meeting the Agreement goals. Referred to as a “mutual accountability plan,” the process will examine behavior and/or attitudes demonstrated by the City, the police department, and the community in general. The process will use surveys, periodic observations and statistical compilations from official as well as unofficial reports to determine the overall effectiveness of the agreement, the status of police community relations, and the perceptions of public safety and police fairness. An independent evaluator will be selected by the Parties to administer this process. Once selected, the evaluator will work with the Parties to develop and disseminate various public reports reflecting these findings.

**** **Use of Force and Status of Terms of the Department of Justice Agreement**

The City has also entered into a Memorandum of Agreement (MOA) with the United States Department of Justice. The MOA speaks to police practice and procedure. Specifically, the MOA provides the Police Department with input on the following areas:

- General Policies (Mental Health Response Teams and Foot Pursuit Policy)
- Use of Force Procedures
- Incident Documentation, Investigation, and Review
- Citizen Complaint Process
- Management and Supervision
- Training

Each quarter, the Police Department submits a report to the Monitor reflecting progress in the above areas. The last status report was submitted to the Monitor on February 12, 2004. This report and the related operational policies are available on the Cincinnati Police Department website for review.

Fair, Equitable and Courteous Treatment for All

The Agreement requires and the City demands that police services be provided in a fair, impartial manner, without discrimination on the basis of race, color, or ethnicity. Even prior to the execution of this Agreement, City Council approved legislation outlawing racial profiling. Pursuant to City Ordinance 88-2001, officers have been required to record information relative to the vehicle's occupants and the activities associated with the vehicle stop.

In November of 2003, an analysis of the traffic stop data was provided to the Monitor and the public in a report entitled "Police Vehicle Stops in Cincinnati" written by Drs. John Eck and Lin Liu and Lisa Growette Bostaph of the University of Cincinnati. (The analysis and the report were produced under a contract between the City of Cincinnati and the University of Cincinnati.) The traffic stop data continues to be collected and in the future will be reported as part of the "Mutual Accountability Plan." The traffic stop report, as well, as the Monitor's Report can also be found on the Cincinnati Police Department website.

Civilian Review

The Citizen Complaint Authority (CCA) is charged with investigating serious interventions by police officers. A serious police intervention is considered but, not limited to, shots fired, deaths in custody, and major uses of force. This independent body also has the responsibility to review and resolve all citizen complaints in a fair and efficient manner. To accomplish these objectives, the CCA has three organizational components:

- Board of Directors (seven citizens)
- Executive Director
- Team of Professional Investigators

The adjudication of complaints and other pertinent issues are publicly discussed by the CCA Board in their bi-monthly meetings.

A. COMMUNITY PROBLEM ORIENTED POLICING STRATEGY

Since the last status report, the Parties continue to make progress in the implementation of CPOP. Of particular significance is the selection of Richard Biehl as the Executive Director for the Community Police Partnering Center. The Parties are enthusiastic about the leadership, experience, and innovation that Mr. Biehl will bring to the development and operation of the Center (See related articles in Appendix Item 1). The Parties believe that good strides have been made with the Partnering Center and hope that full integration between the Center and CPD will be achieved.

During the first quarter of 2004, the Partnering Center staff and Board of Directors have focused on the development of the organization. Four Community Outreach Workers were selected to provide interim support to the Center and to neighborhood CPOP Teams. In order to assign the Outreach Workers to neighborhoods as quickly as possible, Center staff met with CPD to review the neighborhoods that had existing CPOP teams and those neighborhoods where community stakeholders had received earlier SARA problem solving training. Neighborhoods were then prioritized based on data provided by CPD's 2003 crime statistics report, areas that had already received problem solving training and neighborhoods that possessed a committed core of individuals ready to implement CPOP.

Currently, Center staff in partnership with CPD are supporting active CPOP teams and organizing new problem solving teams in the following neighborhoods:

- Avondale
- Cincinnati Business District – Downtown
- College Hill
- Evanston
- Lower Price Hill
- Madisonville
- Mount Auburn
- Mount Washington
- Northside
- Over the Rhine
- Walnut Hills
- West End
- Westwood

A detailed list of CPOP activities in these neighborhoods is included in Appendix Item 2.

At the January 27, 2004 meeting of the CPOP Committee, the following goals regarding the neighborhood training were established:

- Provide the Partnering Center with SARA/CPOP training rosters
- Finalize the prioritization of neighborhoods to be trained and set a timeline
- Commence neighborhood training by mid-March

At the February 24, 2004 CPOP Committee meeting, the Parties reached an agreement regarding the training curriculum for community stakeholders and organizations. On March 17, 2004, all District Neighborhood Units and Community Partnering Center Outreach Workers will be trained on the curriculum. The completion of the CPOP training curriculum represents another significant milestone for the Parties, i.e., agreeing upon the further definition, development, and implementation of CPOP in a practical/tangible sense. Although there remains to be some work done regarding ancillary materials to be utilized in conjunction with the training curriculum, the Parties feel this shall be done satisfactorily. Additionally, the Parties await the full implementation of the problem tracking software. A copy of the training curriculum and the corresponding list of supplementary resources are included in Appendix Item 3.

The CPOP Committee has also established a Human Relations Subcommittee to examine provisions that will inculcate the problem solving process into CPD training, staffing, departmental policies, and employee evaluation areas. Similarly, the CPOP Committee is developing a Best Practices Subcommittee to conduct research and develop a library of those techniques that have been proven effective in problem solving activities. The Partnering Center is also exploring the creation of a “best practices” library. The Parties believe that the Monitoring Team members can be a resource based on their experiences in many other cities. This will expose the Parties to the wisdom generated in these cities from their successes and mistakes, while conserving resources that would otherwise be required for the Parties to travel to those cities and personally learn about these practices.

Discussion among the Parties continues surrounding the development of deliverables for each CPOP subsection of the Agreement. On January 22, 2004, the City framed its ideas on the deliverables and submitted them to the Collaborative Partners for review. On February 25, 2004, the Partners responded to the City with additional comments. The deliverables raise a set of issues that the Parties have not yet fully addressed. Namely, what does CPOP look like before a problem is defined for referral to the Partnering Center? That is, how do we integrate problem solving into daily policing work? Although there may be some agreement on this, the Parties feel there is much work yet to be done to reach consensus. The Partnering Center Director will address the City’s proposed deliverables at the next scheduled CPOP Committee, which will be held on March 23, 2004. The City correspondence outlining input on the proposed deliverables is included in Appendix Item 4. The response by the Partners is included in Appendix Item 5

In regards to the issues surrounding the overall implementation of CPOP, the Monitor has suggested resolution of these items through a CPOP Roundtable Meeting involving the Parties and facilitated by the Monitoring Team. With respect to the meeting, the Parties believe this exercise could be of great value. Plaintiffs agree with the City regarding the desirability of having CPOP team members as well as staff from the Partnering Center join the roundtable.

At the February 26, 2004 All Parties Meeting, there was an agreement that the Parties would determine the timing of this event prior to the meeting with the Monitor in April. To the extent that such a meeting will be necessary, the City recommends that it be deferred until the Parties accomplish a number of related tasks. First, additional time would allow the City to convene a policy level meeting with stakeholders regarding CPOP implementation as it applies to City services. Secondly, it will allow the Parties to resolve some of the issues associated with the two sets of proposed CPOP deliverables.

The City continues to remain actively engaged with community groups in an effort to foster better relations between citizens and police. The collaboration has afforded police and citizens the opportunity to become active partners in addressing neighborhood crime issues. The following is a brief description of the more formal efforts to connect citizens with their city government:

- On January 8, 2004, Council members Laketa Cole and Alicia Reece facilitated a community meeting in Bond Hill. In addition to several other City Council members, there were approximately one-hundred citizens from various community groups and organization in attendance. Lieutenant Colonel Janke gave a presentation on the Safe and Clean Neighborhood Fund, the application process, and the criteria for those eligible. (Appendix Item 6)
- On January 9, 2004, the Cincinnati Human Relations Commission (CHRC), at the request of the Mayor, convened a meeting of approximately thirty community leaders including representative of all the Collaborative Partners. The purpose of the meeting was to provide education concerning crime initiatives and seek feedback and suggestions. The Police Chief and other members of the city administration participated in the meeting. (Appendix Item 7)
- On January 27, 2004, Councilman David Pepper sponsored the first of several planned Safety Summits. This particular meeting took place in the West End community. Council members Tarbell, Smitherman, and Crowley were also in attendance. (Appendix Item 8)
- Also on January 27, 2004, the Friends of the Collaborative held a kickoff meeting at the Urban League. The event was sponsored by the Collaborative Partners and the Community Partnering Center Board of Directors. The Executive Director of the Partnering Center, Mr. Richard Biehl, was introduced to the public. A number of community groups and organizations were represented. (Appendix Item 9)
- On January 31, 2004, City Council held an all day community forum and workshop event at Xavier University. The focus of the event was to seek input from the community on neighborhood crime, safety, and quality of life issues.
- On February 19, 2004, the second Safety Summit was held in Walnut Hills. Over sixty citizens participated in the event. Council members Pepper and Crowley were also in attendance. (Appendix Item 10)

Finally to support the problem solving process, the CPD Crime Analysis Unit provides statistical crime data and analysis on a routine basis. The existence and flow of data is vital to the CPOP process, especially in the assessment and evaluation phases. For example, during the Fourth Quarter of 2003 the Crime Analysis Unit was involved in a number of projects for each patrol district. A specific list of the Crime Analysis Unit activities can be found in Appendix Item 11.

Plaintiff's Comments Regarding CPOP

The Plaintiffs received from CPD a detailed analysis of the aggregate number and various types of calls for service received by all officers of the CPD for 2003. After reviewing these statistics, it does appear that officers, on average, have time to engage in initial problem solving work that would be helpful in defining problems. We expect a system where at roll call assignments are given that include some amount of time allotted for problem-solving work. At such time, we envision that an officer would be assigned to investigate a particular problem to determine if it can be resolved by the officer or if it should be recommended to the District Commander for a problem solving team. Plaintiffs' position on this matter is explained more fully in a letter attached to this status report. (See Appendix Item 5) Included therein are our recommendations re the inclusion of problem-solving in the daily work of CPD officers and our recommendations regarding the requirements enumerated in Paragraph 29 of the Collaborative Agreement?

B. MUTUAL ACCOUNTABILITY EVALUATION

Evaluation Protocol

Monitor's Assessment

In considering the bids for the Evaluator contract, the Parties have moved closer to a consensus on which elements are essential components of the Evaluation Protocol. By concentrating on these elements, the Parties have been able to obtain bids that have been significantly reduced from their original amounts. In addition, the Monitor and the Parties have agreed on a revision to the schedule for escrow payments of the Monitor's costs that will free up additional funds so that these funds will be available to pay for other costs associated with the Agreements, in particular the Evaluator contract. Even with these additional funds, however, the cost of the Evaluator contract may be more than the City has currently budgeted. These issues must be resolved and a bidder chosen in order for the Evaluation, so essential to the Collaborative Agreement, to be started.

Status Update

On December 5, 2003, RAND and the University of Cincinnati Center for Criminal Justice submitted revised proposals based on revised scope requirements developed by the Parties. After reviewing the proposals, the Parties agreed to select RAND as the preferred vendor

based on their references, recognized capabilities to perform the work envisioned by the Evaluation Protocol, the quality of their proposal, and the enhancements they offered within their proposal. The Parties recognized that the cost of RAND's latest proposal still exceeded the City's budgeted funds for this work, and that more work was required to reduce scope and/or identify additional funding.

Since then, based on several conference calls between RAND and the Parties regarding scope and correspondence with the Monitor regarding the funds to be escrowed to meet projected expenses, the Parties have made substantial progress on this matter. Current status is as follows:

- The Monitor has agreed to reduce his escrow to approximately 10% of the original bid price. This provides an additional \$1.1218 million to be applied toward the cost of the evaluation contract over five year projected duration.
- Based on the funds now available, the City and the Parties will continue to work with RAND to finalize the revised cost proposal consistent with reduced scope requirements, agreed to by the Parties, and the City's forecasted funding plan.
- The current goal is to have a contract executed within 45 days and work to commence soon thereafter.

This milestone is another example of the Parties working cooperatively together to accomplish an objective and is noteworthy of recognition.

C. DEPARTMENT OF JUSTICE MEMORANDUM OF AGREEMENT

Terms of the Memorandum of Agreement

Monitor's Assessment

None Noted

Status Update

The City has outlined progress with the provisions of the Memorandum of Agreement in the Quarterly Status Report to the Monitor dated February 12, 2004. Copies of the report have been distributed to the Collaborative Parties in addition to being posted on the CPD website.

Pointing Firearms Complaints

Monitor's Assessment

The investigations of complaints of improper pointing of firearms from March 2000 to November 2002 were forwarded to Conciliator Judge Michael Merz in July 2003. The Parties also submitted supplementary materials to Judge Merz for his review in making his decision under Paragraph 48. On November 14, 2003, Judge Merz issued his decision. Judge Merz determined that there has not been a pattern of improper pointing of firearms by CPD officers. Therefore, CPD officers will not be required to complete a report when they point their weapon at a person. The Parties are in compliance with the provisions of Paragraph 48.

Status Update

The city has nothing to report in this area.

D. “TO ENSURE FAIR, EQUITABLE AND COURTEOUS TREATMENT FOR ALL”

Monitor’s Assessment

I. Traffic Stop Data Collection

The Parties are in partial compliance with these provisions. The City did collect traffic stop data in 2001 and the University of Cincinnati released its analysis of the data in November 2003. CPD has continued to collect data from traffic stops on its contact cards, and enter the information into an electronic database. Until an Evaluator is selected, however, the data from stops occurring after December 2001 will not be analyzed and released.

In addition, the Monitor made a number of recommendations regarding the UC study and CPD’s continuing data collection efforts. These recommendations have not yet been addressed by the Parties.

One of the recommendations, as noted above, was to sponsor a series of community discussions on the UC Traffic Stop study and on racial profiling issues in general. As we stated in our analysis of the UC study, statistics and research studies are useful for the light they can shed on real events. But statistics and social science won’t address how persons in the community are feeling. The concerns of minority residents in Cincinnati are real and need to be addressed. Through community engagement, the implementation of CPOP, and the bias-free policing provisions of the Collaborative, Cincinnati has an opportunity to improve police-community relations and increase confidence in the fairness of police actions. To do that, however, the Parties need to use the UC study as a jumping off point for further dialogue.

b. Data Collection on Pedestrian Stops.

The Parties are not in compliance with this CA provision.

c. Favorable Interactions

The Parties are in partial compliance with this provision. A form has been agreed to, but it has not yet been implemented.

d. Unfavorable Interactions

The Parties are not in compliance with this provision.

II. Training and Dissemination of Information

Although the Police Academy recruit training program requires that each recruit attend the Professional Traffic Stops/Bias-Free Policing training, the level of ongoing training to all officers as required by the CA is uncertain. Further, there is no evidence of the other Parties' participation in the ongoing training and dissemination of information. As a result, the Parties are in partial compliance with this requirement

III. Professional Conduct

In addition to reviewing CPD's procedures, the Monitor has reviewed a number of CCRP complaints alleging discourtesy over the last four quarters. While it is certainly true that there have been incidents where officers have not conducted themselves "in a professional, courteous manner," we have found that the CPD has sustained the complaints in those instances and taken appropriate action. Another method of evaluating compliance with this provision would be a random review of MVR tapes of traffic stops. The Monitor has not yet undertaken such a study. However, review of videotapes is one of the components of the Evaluation Protocol that the Parties will use to measure progress on the Agreements. Once the Evaluation Protocol gets underway, the Monitor will have additional sources upon which to base our compliance assessment.

Based on the information we have to date, the City is in compliance with the professional conduct provision of the CA.

Status Update

I. Traffic Stop Data Collection

As noted by the Monitor, pursuant to City Ordinance 88-2201, CPD started collecting traffic stop data in 2001. The data collected in 2001 was the subject of a report entitled "Police Vehicle Stops in Cincinnati" written by Drs. John Eck and Lin Liu and Lisa Growette Bostaph. As suggested at the January All Parties Meeting, the City agrees that the police

vehicle stop report would best serve as a baseline for future efforts conducted by the selected Evaluator. As required by the Agreement, the work generated by the Evaluator will be subject to periodic public report and as such can easily be interjected into the arena of public discussion. To facilitate the Evaluator's initial efforts, CPD has prioritized completing the entry of all 2003 Contact Card data.

In regards to data collection efforts, CPD has made enhancements to the Contact Card and revisions to Procedure 12.554, Investigatory Stops. The significant revisions include:

- A Contact Card must be completed for all vehicle stops
- A Contact Card must be completed for any vehicle passenger detention which meets the definition of a "Terry" stop.
- An officer may complete a Contact Card for any consensual citizen contact when the officer believes completing the card will provide intelligence information and the information is provided voluntarily by the citizen.
- Contact Cards completed as a result of a vehicle stop (where a citation is issued) will be submitted with the citation for processing. A Contact Card is not required when a citation is issued as a result of an automobile accident.
- All other Contact Cards will be submitted with the officer's Daily Activity Sheet.
- Supervisors will review and approve all Contact Cards.
- In all incidents where a Contact Card is required, all fields on the front of the card must be completed.
- All Contact Cards will be forwarded to the Records Section once approved by the supervisors.
- All Contact Cards will be entered by the Records Section personnel into the Contact Card Database.
- Contact Cards will be filed by the date of contact after entry into the database.

The revisions are highlighted in the November 25, 2003 Department Staff Notes and revised Procedure, 12.554, Investigatory Stops. Both of these items are located in Appendix Item 12.

To ensure uniform completion and review of the Contact Cards, CPD conducted training sessions for supervisory personnel on December 17 and 18, 2003. The curriculum for this training is located in Appendix Item 14. In the Department Staff Notes dated December 23, 2003, personnel were directed to begin using the final revision of the Contact Card on January 1, 2004. The December 23, 2003 edition of the Department Staff Notes, containing this directive, is located in Appendix Item 13.

The Monitor is also required to examine and report on the racial composition of those persons arrested by CPD. Accordingly, CPD is including within this report those statistics for the fourth quarter of 2003 along with the aggregate statistics for the entire year of 2003. These statistics are included in Appendix Item 15. The reports forwarded to the Monitor included the following information:

- Number of use of force incidents and race of citizens involved in the use of force by quarter and year.

- Number and race of officers involved in use of force incidents by quarter and year.
- Type of force used including race of citizen involved.
- Total Number of arrests [Part I & Part II offenses] by race offender by quarter.
- Number and race of offenders arrested for offenses which are indicative of offender noncompliance with arrest efforts (Assault on a Police Officer, Resisting Arrest, and Obstructing Official Business).
- Racial composition of personnel assigned to the Patrol Bureau.

Included along with these statistics is a memorandum to City Manager Valerie Lemmie which provides further contextual information. The report states that the number of incidents requiring the use of force is very infrequent when compared to the total number of arrests and especially in relation to the number of calls for service. CPD also believes this position is supported by national studies on police use of force that have provided evidence with “modest confidence...(that) use of force appears to be unrelated to an officer’s characteristics such as age, gender, and ethnicity.”¹

1 Use of Force by Police: Overview of National and Local Data: U.S. Department of Justice, October 1999, page 6

b. Data Collection on Pedestrian Stops

In regards to this issue, the City will be submitting correspondence to the Monitor under separate cover.

c. Favorable Interactions

The Report of Favorable Police conduct has been adopted by the Parties and implementation has been achieved. The report is available at CPD and public facilities, on the CPD website, and a supply is also maintained in CPD vehicles. To ensure inventory levels remain adequate, CPD has initiated inspection processes for the following areas:

- CPD Facilities
- CPD Neighborhood Substations
- Designated Public Facilities (Libraries, Recreation Centers etc)
- Designated CPD Vehicles

The above inspections are completed on either a monthly or quarterly basis.

c. Unfavorable Interactions

The Parties are still working to create a final version of this report. The FOP has also agreed to research the costs associated with placing lockboxes in CPD facilities to ensure the security of these reports.

II. Training and Dissemination of Information

The Training Section is exploring the possibility of ongoing Professional Traffic Stop/Bias Free Policing training. Efforts continue to identify a suitable curriculum and vendor.

III. Professional Conduct

The City has nothing to report in this area. Although, CPD would like the opportunity to discuss with the Monitor the proof of compliance for Professional Conduct beyond the incorporation of the language from CA Paragraph 54 into CPD policies.

E. CITIZEN COMPLAINT AUTHORITY (CCA)

Monitor's Assessment

A. Establishment of CCA and CCA Board

The City is in compliance with these provisions.

B. Executive Director and Staff

While the City had selected and hired Nate Ford as Executive Director in January, 2003, Mr. Ford resigned effective June 27, 2003. According to CPD, by January 15, 2004, the City will have developed a list of candidates for the executive director position. It is our understanding that the Parties will be participating in the selection process in a fashion similar to their role in selecting Nate Ford.

CCA currently has four investigators, rather than the required five. CCA has been accepting resumes and interviewing candidates for the fifth investigator position, and a short list has been compiled. These candidates will shortly be reviewed by the Parties.

C. CCA Investigations and Findings

As we noted in Chapter Two, the Monitor is awaiting receipt of additional files of CCA investigations. We will review the investigations in the next quarter. In the December 5, 2003 CA Status Report, Plaintiffs raise a number of concerns regarding CCA complaint investigations. According to Plaintiffs' review, non-CPD witnesses have not been thoroughly interviewed; other potential witnesses have not been contacted; and the CCA has not made credibility determinations. We will examine these issues as part of our review of CCA files.

Status Update

A. Establishment of CCA and CCA Board

Nothing to Report

B. Executive Director and Staff

Executive Director

The City has secured the services of the Angus Group to perform a national search in identifying and selecting viable candidates to permanently fill the Executive Director position. Representatives from the FOP and ACLU were consulted in the development of a profile of skills necessary for the Executive Director position.

To facilitate the search, a selection committee was established consisting of two teams. The City's Selection Committee consists of:

Mr. Rod Prince, Director of Cincinnati Human Resources Department
Ms. Maria Rodell, Assistant City Solicitor
Captain Dan Gerard, CPD Internal Investigations Section Commander
Mr. S. Gregory Baker, Executive Manager of Police Relations

The FOP/ACLU Selection Committee consists of:

Don Hardin, Attorney representing the FOP
George Ellis, Attorney representing the ACLU
Ayanna Love, Attorney representing the ACLU

The following outlines the Selection Process:

- Pre-screen of candidates identified by the search firm
- Conduct the telephone interviews of those candidates
- Select two to four candidates for in-person interviews
- Selection Committee to conduct the in-person interviews
- Selection Committee will recommend two to three candidates to the City Manager
- City Manager and CCA Board Chairperson will interview candidates
- City Manager and Selection Committee meet to finalize selection

To date, the recruiting firm has reviewed well over 110 resumes of respondents and has narrowed that group to approximately 10 individuals based on the qualifications set forth in the Position Profile. Initially, the two interview teams have completed an in depth review of the potential candidates. In addition, both have completed telephone interviews of those candidates in order to select individuals to participate in face-to-face interviews. As a result, the teams have agreed upon 4 candidates. At this time, the Angus Group is in the process of scheduling both groups and the four candidates to meet as a whole for in-person discussions regarding the leadership requirements for the Citizen's Complaint Authority.

The Parties anticipate that selection can be achieved in the first half of March 2004.

Investigator Position

The Parties have completed the selection process for the fifth investigator position. Ms. Shakitha Thompson has been named to fill the position and will begin work on March 15, 2004. Ms. Thompson has a masters and an undergraduate degree in Criminal Justice from the University of Cincinnati and has worked as a Parole Officer for the State of Ohio.

C. CCA Investigations and Findings

CCA investigative files requested by the Monitoring Team have been forwarded for review.

F. MISCELLANEOUS

CA Steering Committee Meetings

The Parties continue to meet on a monthly basis to provide updates and discuss issues and concerns related to implementation to the Agreement (See Attachment 16: Meeting Summary).

APPENDIX

1. News media announcements for the Appointment of the Executive Director of the Partnering Center-Richard Biehl.
2. Neighborhood meetings with Partnering Center staff members, District Captains, Sergeants and Neighborhood Officers.
3. CPOP Training Presentation.
4. Letter from City Manager Lemmie to Mr. Alphonse Gerhardstein and Mr. Don Hardin dated January 22, 2004 regarding Proposed CPOP Deliverables.
5. Response letter from Mr. Alphonse Gerhardstein to City Manager Lemmie dated February 25, 2004 regarding Proposed CPOP Deliverables.
6. 2004 Neighborhoods Committee Agenda
7. Notes from Meeting held January 9, 2004, with Mayor Luken, City Manager Lemmie, and Chief Streicher regarding Community-Police Relations and Crime Statistics in Cincinnati.
8. West End Safety Summit Agenda.
9. Friends of the Collaborative-Outreach Kickoff Meeting Agenda dated January 27, 2004.
10. Walnut Hills Safety Summit Agenda.
11. Fourth Quarter Report-Planning Section and Crime Analysis Unit Problem Solving Activities.
12. CPD Staff Notes dated November 25, 2003.
13. CPD Staff Notes dated December 23, 2003.
14. Contact Card Training; Revised Contact Cards.
15. Use of Force Statistics for 2003.
16. Collaborative Agreement Steering Committee meeting minutes dated December 11, 2003 (no meeting held in January).