

REPORT OF THE INDEPENDENT MONITOR FOR THE DETROIT POLICE DEPARTMENT

"Report Card" Summarizing the Monitor's Evaluation of Compliance with the Consent Judgments as of the Quarter Ending February 28, 2005

ASSESSMENT OF COMPLIANCE [1]
(for last 5 Quarters)

EVALUATION TIMING

	Dec '04- Feb '05	Sep '04- Nov '04	Jun '04- Aug '04	Mar '04- May '04	Dec ,03- Feb '04	Status as of Last Eval'n	Last Eval'n Quarter Ending	Next Expected Eval'n Q/E	Comments re: Last Evaluation
USE OF FORCE AND ARREST AND WITNESS DETENTION CONSENT JUDGMENT									
I. DEFINITIONS									
U1									No task
II. GENERAL PROVISIONS									
U2 - 13									No task
III. USE OF FORCE POLICY									
A. General Use of Force Policies									
U14 Revision of Policy (Definition of UOF)				X		X	May-04	May-05	
U15 Use of Force Continuum				X		X	May-04	May-05	
U16 Opportunity to Submit				X		X	May-04	May-05	
U17 Prohibition on Choke Holds				X		X	May-04	May-05	
U18 Revision of Policy within 3 Months				X		X	May-04	May-05	
U19 Strike to Head Equals Deadly Force				X		X	May-04	May-05	
B. Use of Firearms Policy									
U20 Firearms Qualification Requirement			X		X	X	Aug-04	Aug-05	
U21 Failure to Re-Qualify			X		X	X	Aug-04	Aug-05	
U22 Moving Vehicle Firing Policy			X		✓	X	Aug-04	Aug-05	
U23 Authorized Ammunition			X		X	X	Aug-04	Aug-05	
C. Intermediate Force Device Policy									
U24 Intermediate Force Device			X		X	X	Aug-04	Aug-05	
D. Chemical Spray Policy									
U25 Requirements of Policy			X		X	X	Aug-04	Aug-05	
U26 Prohibition Relative to Handcuffed Prisoners			X		X	X	Aug-04	Aug-05	
IV. INCIDENT DOCUMENTATION, INVESTIGATION, AND REVIEW									
A. General Investigations of Police Action									
U27 Revision of General Investigation Policies	X		X			X	Feb-05	Aug-05	
U28 Who May Conduct Investigations	X		X		X	X	Feb-05	Aug-05	
U29 Requirements of Policy	X		X		X	X	Feb-05	Aug-05	
U30 Prohibited Methods	X		X		X	X	Feb-05	Aug-05	
U31 Protocol for Garrity Statements	DW		X		X	DW	Feb-05	Aug-05	

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U32	Report Requirements	X		X		X	X	Feb-05	Aug-05		
U33	Review Requirements	X		X		X	X	Feb-05	Aug-05		
B. Use of Force and Prisoner Injury Investigations											
U34	Documentation of UOF and Prisoner Injury		X		X		X	Nov-04	May-05		
U35	Notification Requirements		X		X		X	Nov-04	May-05		
U36	Command Investigation Timelimits		X		X		X	Nov-04	May-05		
C. Review of Critical Firearm Discharges and In-Custody Deaths											
U37	Creation of Shooting Team		X		X		X	Nov-04	May-05		
U38	Protocol for Investigations of Critical Firearms Discharges		X		X		X	Nov-04	May-05		
U39	Command Level Force Review Team		X		X		X	Nov-04	May-05		
U40	Time Limits for Command Level Force Review Team		X		X		X	Nov-04	May-05		
U41	Aggregate Review		X		X		X	Nov-04	May-05		
V. ARREST AND DETENTION POLICIES AND PRACTICES											
A. Arrest Policies											
U42	Revision of Arrest Policies		DW		X		DW	Nov-04	May-05		
U43	Review of All Arrests		DW		X		DW	Nov-04	May-05		
B. Investigatory Stop Policies											
U44	Revision of Policies		X		X		X	Nov-04	May-05		
U45	Documentation Requirement		X		X		X	Nov-04	May-05		
C. Witness Identification and Questioning Policies											
U46	Revision of Policies		X		X		X	Nov-04	May-05		
U47	Submission to DOJ within 3 months		X		X		X	Nov-04	May-05		
U48	Documentation of Interviews and Interrogations		X		X		X	Nov-04	May-05		
D. Prompt Judicial Review Policies											
U49	Revision of Policies and Requirement of Arraignment within 48 Hours	X		X			X	Feb-05	Aug-05		

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	U50	Requirement of Warrant Request	X	X	DW		X	Feb-05	Aug-05	
	U51	Documentation of Late Request for Arraignment Warrants	X		X		X	Feb-05	Aug-05	
E. Hold Policies										
	U52	Revision of Policies	X		X		X	Feb-05	Aug-05	
	U53	Documentation of all Holds	X		X		X	Feb-05	Aug-05	
F. Restriction Policies										
	U54	Development of Restriction Policies	X		X		X	Feb-05	Aug-05	
	U55	Documentation of Restrictions	X		X		X	Feb-05	Aug-05	
G. Material Witness Policies										
	U56	Revision of Material Witness Policies	X	X	DW		X	Feb-05	Aug-05	
	U57	Requirement of Court Order	X		X		X	Feb-05	Aug-05	
H. Documentation of Custodial Detention										
	U58	Revision of Policy		X		X	X	Nov-04	May-05	
I. Command Notification										
	U59	Time Limits for Written Reporting of Violations		X		X	X	Nov-04	May-05	
	U60	Daily Reporting Requirement	X		X		X	Feb-05	Aug-05	
VI. EXTERNAL COMPLAINTS										
	U61	Revision of External Complaints Policies		X		X	X	Nov-04	May-05	
	U62	Informational Campaign								
	a.	Informing persons about filing complaints								Subparagraph not separately assessed
	b.	Distribution of material		X		X	X	Nov-04	May-05	
	c.	Complaint Process Broadcasts		✓		X	X	Nov-04	May-05	
	d.	Informational Campaign Placards		✓		X	X	Nov-04	May-05	
	U63	Informational Brochures and Contact Forms		DW		X	DW	Nov-04	May-05	
A. Intake and Tracking										
	U64	Policies Regarding Intake and Tracking		X		X	X	Nov-04	May-05	
	U65	Factual Account by Intake Officer		X		X	X	Nov-04	May-05	
	U66	Unique Identifier		✓		✓	✓	Nov-04	May-05	

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B. External Complaint Investigation											
U67	Revision of External Complaint Investigations Policy		X			X		X	Nov-04	May-05	
U68	External Complaint Review Process Time Limits		X			X		X	Nov-04	May-05	
U69	External Complaint Dispositions		X					X	Nov-04	May-05	
VII. GENERAL POLICIES											
U70	Clear Definitions of Terms		X			X		X	Nov-04	May-05	
U71	Community Comment on Proposed Policy Revisions		X			X		X	Nov-04	May-05	
U72	Police Action in Violation of DPD Policy		X		X	X	DW	X	Feb-05	Aug-05	
U73	Deployment Plan for Supervisors		X	DW		X	DW	X	Feb-05	Aug-05	
U74	Enforcement of Policy on Reporting Misconduct		X		X		X	X	Feb-05	Aug-05	
U75	Revision of Off-Duty Action Policies		X		DW		X	X	Feb-05	Aug-05	
U76	Revision of Prisoner Policies		X		X		X	X	Feb-05	Aug-05	
U77	Foot Pursuit Policy Development		X		X		X	X	Feb-05	Aug-05	
VIII. MANAGEMENT AND SUPERVISION											
U78	Development of Risk Management Plan		X	X	X	X	X	X	Nov-04	May-05	
A. Risk Management Database											
U79	Expansion of Risk Management System		X	X	X	X	X	X	Nov-04	May-05	
U80	Requirements for New Risk Management Database		X			X		X	Nov-04	May-05	
U81	Requirement of Identifiers		X			X		X	Nov-04	May-05	
U82	Data Input Plan		X			X		X	Nov-04	May-05	
U83	Report Protocol		X			X		X	Nov-04	May-05	
U84	Review Protocol		X		X			X	Feb-05	Aug-05	
U85	Modular Development of Database		X		X		X	X	Feb-05	Aug-05	
U86	Common Control Numbers			X		X		X	Nov-04	May-05	
U87	Information Retention			X		X		X	Nov-04	May-05	

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U88	Schedule for Development									
	a. Submit Data Input Plan to DOJ		X		X		X	Nov-04	May-05	
	b. Submit Report Protocol and RFP to DOJ		X		X		X	Nov-04	May-05	
	c. Issue RFP		X		X		X	Nov-04	May-05	
	d. Submit Review Protocol to DOJ	X		X			X	Feb-05	Aug-05	
	e. Select Contractor for Risk Management Database	X		X			X	Feb-05	Aug-05	
	f. Beta Version of Risk Management Database						NYE		Aug-05	Deadline for beta version is June 30, 2005
	g. Risk Management Database Operational						NYE		Feb-06	Deadline for operation and implementation is December 31, 2005
U89	Interim System to Detect Patterns of Behavior	X		X		X	X	Feb-05	Aug-05	
U90	Modification Protocol						NYE			Compliance will be assessed as needed
B.	Performance Evaluation System									
U91	Performance Evaluations			X		X	X	Aug-04	Aug-05	
C.	Oversight									
U92	Audit Protocol	X	X	X	DW	DW	X	Feb-05	May-05	2004-05 audit protocol not completed
U93	Audit Reporting Requirements	X	X	X		X	X	Feb-05	May-05	Consistency not reported upon; actions unknown
U94	a. UOF Investigations Audit	X	X	X		X	X	Feb-05	May-05	Audit not completed
	b. Prisoner Injuries Investigations Audit	X	X	X		X	X	Feb-05	May-05	Audit not completed
	c. Misconduct Investigations Audit	X	X	X		X	X	Feb-05	May-05	Audit not completed
U95	a. Arrest Practices Audit	X	X	X		X	X	Feb-05	Feb-06	Timeliness and quality concerns
	b. Stop and Frisk Audit	NYE	X	X		X	NYE	Feb-05	Feb-06	Audit not completed until February 2005
	c. Witness Identification and Questioning Audit	X	X	X		X	X	Feb-05	May-05	Audit not completed
U96	Audits of Custodial Detention Practices		X	X		X	X	Nov-04	Nov-05	Timeliness and quality concerns
U97	OCI External Complaints Investigations Audit	X	X	X		X	X	Feb-05	May-05	Audit not completed
U98	Videotape Reviews	X		X		X	X	Feb-05	Aug-05	
U99	Regular Meetings with Prosecutors		✓		✓	DW	✓	Nov-04	May-05	

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D. Use of Video Cameras									
U100 Repair or Replacement of Video Cameras		X		X		X	X	Feb-05	Aug-05
U101 Revision of Video Camera Policy		X		X		X	X	Feb-05	Aug-05
U102 Video Camera Recording Requirements		X		X		X	X	Feb-05	Aug-05
F. Discipline									
U103 Elimination of Backlogs		X		X		X	X	Feb-05	Aug-05
U104 Steps to Prevent Backlog		X		X		X	X	Feb-05	Aug-05
U105 Creation of Disciplinary Matrix		X		X		X	X	Feb-05	Aug-05
IX. TRAINING									
A. Oversight and Development									
U106 Review of all UOF and Arrest and Detention Training			X		X		X	Nov-04	May-05
U107 Michigan Law Enforcement Officers Training Council Standards			X		X		X	Nov-04	May-05
U108 Individual Training Records			X		X		X	Nov-04	May-05
U109 Approved Lesson Plans / Scenario-Based Training			X		X		X	Nov-04	May-05
U110 Civil Lawsuits			X		X		X	Nov-04	May-05
U111 Distribution and Explanation of the UOF CJ			X		X		X	Nov-04	May-05
B. Use of Force Training									
U112 Annual UOF Training			X		X		X	Nov-04	May-05
C. Firearms Training									
U113 Firearms Training Protocol			X		X		X	Nov-04	May-05
D. Arrest and Police-Citizen Interaction Training									
U114 Annual Arrest and Police-Citizen Interaction Training			X		X		X	Nov-04	May-05

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E. Custodial Detention Training										
U115 Annual Custodial Detention Training		X		X		X	X	Feb-05	Aug-05	
U116 Advise Officers not to Delay Arraignment		X		X		X	X	Feb-05	Aug-05	
U117 Advise that Materiality of Witness is Judicial Determination		X		X		X	X	Feb-05	Aug-05	
F. Supervisory Training										
U118 Training on the Evaluation of Written Reports		X		X		X	X	Feb-05	Aug-05	
U119 Leadership and Command Accountability Training		X		X			X	Feb-05	Aug-05	
U120 Risk Assessment Training Requirement		X		X		X	X	Feb-05	Aug-05	
G. Investigator Training										
U121 Training for Evaluating Credibility		X		X		X	X	Feb-05	Aug-05	
U122 Handling External Complaints		X		X		X	X	Feb-05	Aug-05	
H. Field Training										
U123 Enhancement of FTO Program		X		X		DW	X	Feb-05	Aug-05	
X. MONITORING, REPORTING, AND IMPLEMENTATION										
U124 - 138										No task
U139 Reopening of Investigations Deemed Incomplete							NYE	Nov-04	May-05	Reviewed but compliance assessment was not required
U140 - 154										No task

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<u>CONDITIONS OF CONFINEMENT CONSENT JUDGMENT</u>									
I. DEFINITIONS									
C1								No task	
II. GENERAL PROVISIONS									
C2 - 13								No task	
III. FIRE SAFETY POLICIES									
C14 Life Safety Code Compliance		X				X	Nov-04	Aug-05	
C15 Detection, Suppression and Evacuation Programs		X				X	Nov-04	Aug-05	
C16 Fire Safety Program Development		X				X	Nov-04	Aug-05	
C17 Fire Safety Program Implementation		X				X	Nov-04	Aug-05	
C18 Fire Safety Interim Measures		X				X	Nov-04	Aug-05	
C19 Safety Equipment Testing		X				X	Nov-04	Aug-05	
C20 Smoking Policy						✓	Feb-04	Aug-05	
C21 Storage of Flammable Liquids						X	Feb-04	Aug-05	Non-compliance with training requirements
C22 Removal of Cane Ceiling Tiles						X	Feb-04	Aug-05	
IV. EMERGENCY PREPAREDNESS POLICIES									
C23 Ensure Safety Level		X				X	Nov-04	Aug-05	
C24 Emergency Preparedness Program Development		X		X		X	Nov-04	May-05	
C25 Key Control Policies		X				X	Nov-04	Aug-05	
V. MEDICAL AND MENTAL HEATH CARE POLICIES									
C26 Identification and Response for Special Needs		X		X		X	Nov-04	May-05	
C27 Screening Program Development		X		X		X	Nov-04	May-05	
C28 Minimum Standards for Screening Program		X		X		X	Nov-04	May-05	
C29 Minimum Standards for Medical Protocols		X		X		X	Nov-04	May-05	
C30 Infectious Disease Policy		X	NYE	X		X	Feb-05	May-05	
C31 Prisoner Health Information Protocol		X		X		X	Nov-04	May-05	
C32 Prescription Medication Policy		X		X		X	Nov-04	May-05	
C33 Suicide Watch Garb		X		X		X	Nov-04	May-05	

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C34	Suicide Hazard Removal		X		X		X	Nov-04	May-05	
VI. PRISONER SAFETY POLICIES										
C35	Ensure Safety Level	X		X		X	X	Feb-05	Aug-05	
C36	Security Screening of Prisoners	X		X		X	X	Feb-05	Aug-05	
C37	Cell Check Policies	X		X		X	X	Feb-05	Aug-05	
C38	Observation Cell Policy	X		X		X	X	Feb-05	Aug-05	
VII. ENVIRONMENTAL HEALTH AND SAFETY POLICIES										
C39	Cleanliness of Cells	X		DW		✓	X	Feb-05	Aug-05	
C40	Cleaning Policy	X		X		X	X	Feb-05	Aug-05	
C41	Maintenance Policy	X		X		X	X	Feb-05	Aug-05	
C42	a. Ventilation	✓		X	DW	DW	✓	Feb-05	Aug-05	
	b. Heating	X		X	DW	DW	X	Feb-05	Aug-05	
C43	Repairs to be Made	X		✓		✓	X	Feb-05	Aug-05	
C44	Lighting Requirements	X		X		X	X	Feb-05	Aug-05	
C45	Toilet Access	X		X		X	X	Feb-05	Aug-05	
C46	Air Purification	✓		✓		✓	✓	Feb-05	Aug-05	
VIII. POLICIES CONCERNING PERSONS WITH DISABILITIES										
C47	Accommodations for Persons with Disabilities	X		DW			X	Feb-05	Aug-05	
C48	Detention of Individuals with Disabilities	X		X		X	X	Feb-05	Aug-05	
IX. FOOD SERVICE POLICIES										
C49	Food Storage and Service		X		X		X	Nov-04	May-05	
C50	Development of Food Service Policies		X		X		X	Nov-04	May-05	
X. PERSONAL HYGIENE POLICIES										
C51	Availability of Personal Hygiene Items		X				X	Nov-04	May-05	
XI. USE OF FORCE AND RESTRAINTS POLICIES										
C52	Compliance with DPD's UOF Policy	X		X		X	X	Feb-05	Aug-05	
C53	UOF Protocols for Prisoners	X		X		X	X	Feb-05	Aug-05	
C54	Handcuffing to Benches	X		X		X	X	Feb-05	Aug-05	

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XII. INCIDENT DOCUMENTATION, INVESTIGATION AND REVIEW										
C55	Investigations of In-Custody Deaths	X		X		X	X	Feb-05	Aug-05	
C56	UOF Reporting	X		X		X	X	Feb-05	Aug-05	
C57	Injury Reporting	X		X		X	X	Feb-05	Aug-05	
XIII. EXTERNAL COMPLAINTS										
C58	Processing of External Complaints	X		X		X	X	Feb-05	Aug-05	
C59	Complaint Investigation	X		X		X	X	Feb-05	Aug-05	
XIV. GENERAL POLICIES										
C60	Clear Definition of Terms		X		X		X	Nov-04	May-05	
C61	Community Comment on Proposed Policy Revisions		X		X		X	Nov-04	May-05	
XV. MANAGEMENT AND SUPERVISION										
C62	Regular Operation Evaluation	X		X			X	Feb-05	Aug-05	
C63	Operation in Compliance with Risk Management Plan	X		X		X	X	Feb-05	Aug-05	
C64	Video Camera Policy	X		X			X	Feb-05	Aug-05	
C65	a. Holding Cell UOF Investigations Audit	X	X	X		X	X	Feb-05	May-05	Audit not completed
	b. Holding Cell Prisoner Injuries Investigations Audit	X	X	X		X	X	Feb-05	Nov-05	Deficient scope and sampling processes
	c. Holding Cell Misconduct Investigations Audit	X	X	X		X	X	Feb-05	May-05	Audit not completed
C66	a. HCCC to Assure Compliance with COC CJ	X	X	X	X	X	X	Feb-05	May-05	All holding cell policies not implemented
	b. HCCC Fire Safety Audit	X	X	X	X	X	X	Feb-05	Nov-05	Timeliness and quality concerns
C67	HCCC Emergency Preparedness Audit	X	X	X	X	X	X	Feb-05	Nov-05	Timeliness and quality concerns
C68	HCCC Medical/Mental Health Audit	X	X	X	X	X	X	Feb-05	Nov-05	Deficient scope
C69	HCCC Detainee Safety Audit	X	X	X	X	X	X	Feb-05	Nov-05	Timeliness and quality concerns
C70	HCCC Environmental Health and Safety Audit	X	X	X	X	X	X	Feb-05	Nov-05	Timeliness and quality concerns
C71	HCCC Food Service Audit	X	X	X	X	X	X	Feb-05	Nov-05	Quality concerns
C72	Audit Reporting Requirements	X	X	X	X	X	X	Feb-05	May-05	Consistency not reported upon; actions unknown

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 NYE = Not Yet Evaluated; DW = Determination Withheld

REPORT OF THE INDEPENDENT MONITOR FOR THE DETROIT POLICE DEPARTMENT

"Report Card" Summarizing the Monitor's Evaluation of Compliance with the Consent Judgments as of the Quarter Ending February 28, 2005

"Report Card" Summarizing the Monitor's Evaluation of Compliance with the Consent Judgments as of the Quarter Ending February 28, 2005			ASSESSMENT OF COMPLIANCE [1] (for last 5 Quarters)					EVALUATION TIMING		Comments re: Last Evaluation
			Dec '04- Feb '05	Sep '04- Nov '04	Jun '04- Aug '04	Mar '04- May '04	Dec ,03- Feb '04	Status as of Last Eval'n	Last Eval'n Quarter Ending	
XVI. TRAINING										
C73	Training of Detention Officers			X			X	Aug-04	Aug-05	
C74	Training Records			X			X	Aug-04	Aug-05	
C75	Emergency Preparedness Training			X			X	Aug-04	Aug-05	
C76	Medical/Mental Health Screening Program Training			X			X	Aug-04	Aug-05	
C77	Detainee Safety Training			X			X	Aug-04	Aug-05	
C78	Environmental Health and Hygiene Training			X			X	Aug-04	Aug-05	
XVII. MONITORING AND REPORTING										
C79	- 93									No task
C94	Reopening of Investigations Deemed Incomplete						NYE	Nov-04	May-05	Reviewed but compliance assessment was not required
C95	- 99									No task
XVIII. STIPULATION PURSUANT TO THE PRISON LITIGATION REFORM ACT, 18 U.S.C. 3626										
C100	- 102									No task
XIX. IMPLEMENTATION AND ENFORCEMENT										
C103	- 110									No task
XX. MISCELLANEOUS										
C111	- 112									

NOTES: [1] The Monitor assesses each paragraph's various components of compliance (policy, training, implementation, audit) separately . However, if the Department is in non-compliance with any of these components for a given paragraph, then the Department is in overall non-compliance with that paragraph. This Report Card reflects only the overall compliance rating.

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