

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 May 31, 2005

	ASSESSMENT OF COMPLIANCE [1] (for last 5 Quarters)					EVALUATION TIMING		Comments re: Last Evaluation	
	Mar '05- May '05	Dec '04- Feb '05	Sep '04- Nov '04	Jun '04- Aug '04	Mar '04- May '04	Status as of Last Eval'n	Last Eval'n Quarter Ending		Next Expected Eval'n Q/E
USE OF FORCE AND ARREST AND WITNESS DETENTION CONSENT JUDGMENT									
I. DEFINITIONS									
U1								No monitoring requirements	
II. GENERAL PROVISIONS									
U2 - 13								No monitoring requirements	
III. USE OF FORCE POLICY									
A. General Use of Force Policies									
U14	Revision of Policy (Definition of UOF)	DW			X	DW	May-05	May-06	Policies approved by DOJ on 4/14/2005; DPD must implement within 3 months
U15	Use of Force Continuum	DW			X	DW	May-05	May-06	Policies approved by DOJ on 4/14/2005; DPD must implement within 3 months
U16	Opportunity to Submit	DW			X	DW	May-05	May-06	Policies approved by DOJ on 4/14/2005; DPD must implement within 3 months
U17	Prohibition on Choke Holds	DW			X	DW	May-05	May-06	Policies approved by DOJ on 4/14/2005; DPD must implement within 3 months
U18	Revision of Policy within 3 Months	DW			X	DW	May-05	May-06	Policies approved by DOJ on 4/14/2005; DPD must implement within 3 months
U19	Strike to Head Equals Deadly Force	DW			X	DW	May-05	May-06	Policies approved by DOJ on 4/14/2005; DPD must implement within 3 months
B. Use of Firearms Policy									
U20	Firearms Qualification Requirement				X	X	Aug-04	Aug-05	
U21	Failure to Re-Qualify				X	X	Aug-04	Aug-05	
U22	Moving Vehicle Firing Policy				X	X	Aug-04	Aug-05	
U23	Authorized Ammunition				X	X	Aug-04	Aug-05	
C. Intermediate Force Device Policy									
U24	Intermediate Force Device				X	X	Aug-04	Aug-05	
D. Chemical Spray Policy									
U25	Requirements of Policy				X	X	Aug-04	Aug-05	
U26	Prohibition Relative to Handcuffed Prisoners				X	X	Aug-04	Aug-05	

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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	Feb-05	Aug-05	
U29	Requirements of Policy		X	X	X	Feb-05	Aug-05	
U30	Prohibited Methods		X	X	X	Feb-05	Aug-05	
U31	Protocol for Garrity Statements		DW	X	DW	Feb-05	Aug-05	
U32	Report Requirements		X	X	X	Feb-05	Aug-05	
U33	Review Requirements		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	May-05	Nov-05	
U35	Notification Requirements		X	X	X	May-05	Nov-05	
U36	Command Investigation Timelimits		X	X	X	May-05	Nov-05	
C. Review of Critical Firearm Discharges and In-Custody Deaths								
U37	Creation of Shooting Team		X	X	X	May-05	Nov-05	
U38	Protocol for Investigations of Critical Firearms Discharges		X	X	X	May-05	Nov-05	
U39	Command Level Force Review Team		X	X	X	May-05	Nov-05	
U40	Time Limits for Command Level Force Review Team		X	X	X	May-05	Nov-05	
U41	Aggregate Review		X	X	X	May-05	Nov-05	

V. ARREST AND DETENTION POLICIES AND PRACTICES

A. Arrest Policies									
U42	Revision of Arrest Policies		DW	DW	X	DW	May-05	Nov-05	Definition of "probable cause" still at issue
U43	Review of All Arrests		DW	DW	X	DW	May-05	Nov-05	Definition of "probable cause" still at issue
B. Investigatory Stop Policies									
U44	Revision of Policies		NYE	X	X	NYE	May-05	Nov-05	Policy disseminated; implementation to be tested during next scheduled review
U45	Documentation Requirement		NYE	X	X	NYE	May-05	Nov-05	Policy disseminated; implementation to be tested during next scheduled review

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C. Witness Identification and Questioning Policies										
U46	Revision of Policies	NYE		X		X	NYE	May-05	Nov-05	Policy disseminated; implementation to be tested during next scheduled review
U47	Submission to DOJ within 3 months	✓		X		X	✓	May-05	Nov-05	
U48	Documentation of Interviews and Interrogations	NYE		X		X	NYE	May-05	Nov-05	Policy disseminated; implementation to be tested during next scheduled review
D. Prompt Judicial Review Policies										
U49	Revision of Policies and Requirement of Arraignment within 48 Hours		X		X		X	Feb-05	Aug-05	
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	NYE	X	X	DW		NYE	May-05	Aug-05	Policy disseminated; implementation to be tested during next scheduled review
U57	Requirement of Court Order		X		X		X	Feb-05	Aug-05	
H. Documentation of Custodial Detention										
U58	Revision of Policy	X		X		X	X	May-05	Nov-05	
I. Command Notification										
U59	Time Limits for Written Reporting of Violations	DW		X		X	DW	May-05	Nov-05	Definition of "probable cause" still at issue
U60	Daily Reporting Requirement		X		X		X	Feb-05	Aug-05	
VI. EXTERNAL COMPLAINTS										
U61	Revision of External Complaints Policies	X		X		X	X	May-05	Nov-05	
U62	Informational Campaign									
	a. Informing persons about filing complaints									Subparagraph not separately assessed
	b. Distribution of material	NYE		X		X	NYE	May-05	Nov-05	Material distributed by OCI; dissemination to be tested during next scheduled review

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c. Complaint Process Broadcasts		✓		✓		✗	✓	May-05	Nov-05	
d. Informational Campaign Placards		✓		✓		✗	✓	May-05	Nov-05	
U63 Informational Brochures and Contact Forms		✗		DW		✗	✗	May-05	Nov-05	
A. Intake and Tracking										
U64 Policies Regarding Intake and Tracking		DW		✗		✗	DW	May-05	Nov-05	Pending DOJ decision
U65 Factual Account by Intake Officer		✗		✗		✗	✗	May-05	Nov-05	
U66 Unique Identifier		✓		✓		✓	✓	May-05	Nov-05	
B. External Complaint Investigation										
U67 Revision of External Complaint Investigations Policy		✗		✗		✗	✗	May-05	Nov-05	
U68 External Complaint Review Process Time Limits		✗		✗		✗	✗	May-05	Nov-05	
U69 External Complaint Dispositions		✗		✗		✗	✗	May-05	Nov-05	
VII. GENERAL POLICIES										
U70 Clear Definitions of Terms		DW		✗		✗	DW	May-05	Nov-05	Definition of "probable cause" still at issue
U71 Community Comment on Proposed Policy Revisions		✗		✗		✗	✗	May-05	Nov-05	
U72 Police Action in Violation of DPD Policy			✗		✗	✗	✗	Feb-05	Aug-05	
U73 Deployment Plan for Supervisors			✗	DW		✗	✗	Feb-05	Aug-05	
U74 Enforcement of Policy on Reporting Misconduct			✗		✗	✗	✗	Feb-05	Aug-05	
U75 Revision of Off-Duty Action Policies		NYE	✗		DW		NYE	May-05	Aug-05	Policy disseminated; implementation to be tested during next scheduled review
U76 Revision of Prisoner Policies			✗		✗	✗	✗	Feb-05	Aug-05	
U77 Foot Pursuit Policy Development			✗		✗	✗	✗	Feb-05	Aug-05	
VIII. MANAGEMENT AND SUPERVISION										
U78 Development of Risk Management Plan		✗		✗	✗	✗	✗	May-05	Nov-05	
A. Risk Management Database										
U79 Expansion of Risk Management System		✗		✗	✗	✗	✗	May-05	Nov-05	
U80 Requirements for New Risk Management Database		✗		✗		✗	✗	May-05	Nov-05	
U81 Requirement of Identifiers		✗		✗		✗	✗	May-05	Nov-05	
U82 Data Input Plan		✗		✗		✗	✗	May-05	Nov-05	
U83 Report Protocol		✗		✗		✗	✗	May-05	Nov-05	
U84 Review Protocol			✗		✗	✗	✗	Feb-05	Aug-05	

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U85	Modular Development of Database		X		X		X	Feb-05	Aug-05	
U86	Common Control Numbers	X		X		X	X	May-05	Nov-05	
U87	Information Retention	X		X		X	X	May-05	Nov-05	
U88	Schedule for Development									
	a. Submit Data Input Plan to DOJ	X		X		X	X	May-05	Nov-05	
	b. Submit Report Protocol and RFP to DOJ	X		X		X	X	May-05	Nov-05	
	c. Issue RFP	X		X		X	X	May-05	Nov-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	Feb-05	Aug-05	
U90	Modification Protocol						NYE			Compliance will be assessed as needed
B. Performance Evaluation System										
U91	Performance Evaluations				X		X	Aug-04	Aug-05	
C. Oversight										
U92	Audit Protocol		X	X	X	DW	X	Feb-05	Aug-05	
U93	Audit Reporting Requirements	X	X	X	X		X	May-05	Aug-05	
U94	a. UOF Investigations Audit	X	X	X	X		X	May-05	Aug-05	
	b. Prisoner Injuries Investigations Audit	X	X	X	X		X	May-05	Aug-05	
	c. Misconduct Investigations Audit	X	X	X	X		X	May-05	Aug-05	
U95	a. Arrest Practices Audit		X	X	X		X	Feb-05	Feb-06	
	b. Stop and Frisk Audit	X	NYE	X	X		X	May-05	Feb-06	
	c. Witness Identification and Questioning Audit	X	X	X	X		X	May-05	May-05	
U96	Audits of Custodial Detention Practices			X	X		X	Nov-04	Aug-05	
U97	OCI External Complaints Investigations Audit	X	X	X	X		X	May-05	Aug-05	
U98	Videotape Reviews		X		X		X	Feb-05	Aug-05	
U99	Regular Meetings with Prosecutors	✓		✓		✓	✓	May-05	Nov-05	
D. Use of Video Cameras										
U100	Repair or Replacement of Video Cameras		X		X		X	Feb-05	Aug-05	

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U101 Revision of Video Camera Policy		X		X		X	Feb-05	Aug-05	
U102 Video Camera Recording Requirements		X		X		X	Feb-05	Aug-05	
F. Discipline									
U103 Elimination of Backlogs		X		X		X	Feb-05	Aug-05	
U104 Steps to Prevent Backlog		X		X		X	Feb-05	Aug-05	
U105 Creation of Disciplinary Matrix		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	X	May-05	Nov-05	
U107 Michigan Law Enforcement Officers Training Council Standards	X		X		X	X	May-05	Nov-05	
U108 Individual Training Records	X		X		X	X	May-05	Nov-05	
U109 Approved Lesson Plans / Scenario-Based Training	X		X		X	X	May-05	Nov-05	
U110 Civil Lawsuits	X		X		X	X	May-05	Nov-05	
U111 Distribution and Explanation of the UOF CJ	X		X		X	X	May-05	Nov-05	
B. Use of Force Training									
U112 Annual UOF Training	X		X		X	X	May-05	Nov-05	
C. Firearms Training									
U113 Firearms Training Protocol	X		X		X	X	May-05	Nov-05	
D. Arrest and Police-Citizen Interaction Training									
U114 Annual Arrest and Police-Citizen Interaction Training	X		X		X	X	May-05	Nov-05	
E. Custodial Detention Training									
U115 Annual Custodial Detention Training		X		X		X	Feb-05	Aug-05	
U116 Advise Officers not to Delay Arraignment		X		X		X	Feb-05	Aug-05	
U117 Advise that Materiality of Witness is Judicial Determination		X		X		X	Feb-05	Aug-05	

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F. Supervisory Training									
U118 Training on the Evaluation of Written Reports		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	Feb-05	Aug-05	
G. Investigator Training									
U121 Training for Evaluating Credibility		X		X		X	Feb-05	Aug-05	
U122 Handling External Complaints		X		X		X	Feb-05	Aug-05	
H. Field Training									
U123 Enhancement of FTO Program		X		X		X	Feb-05	Aug-05	
X. MONITORING, REPORTING, AND IMPLEMENTATION									
U124 - 138									No monitoring requirements
U139 Reopening of Investigations Deemed Incomplete						NYE	May-05	Nov-05	Reviewed but compliance assessment was not required
U140 - 154									No monitoring requirements

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CONDITIONS OF CONFINEMENT CONSENT JUDGMENT

I. DEFINITIONS							
C1							No monitoring requirements
II. GENERAL PROVISIONS							
C2 - 13							No monitoring requirements
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
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 Aug-05
C25	Key Control Policies		X			X	Nov-04 Aug-05
V. MEDICAL AND MENTAL HEALTH CARE POLICIES							
C26	Identification and Response for Special Needs	X	X		X	X	May-05 Nov-05
C27	Screening Program Development	X	X		X	X	May-05 Nov-05
C28	Minimum Standards for Screening Program	X	X		X	X	May-05 Nov-05
C29	Minimum Standards for Medical Protocols	X	X		X	X	May-05 Nov-05
C30	Infectious Disease Policy	NYE	X	NYE	X	NYE	May-05 Aug-05
C31	Prisoner Health Information Protocol	X	X		X	X	May-05 Nov-05
C32	Prescription Medication Policy	X	X		X	X	May-05 Nov-05
C33	Suicide Watch Garb	X	X		X	X	May-05 Nov-05
C34	Suicide Hazard Removal	X	X		X	X	May-05 Nov-05

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VI. PRISONER SAFETY POLICIES										
C35	Ensure Safety Level		X		X		X	Feb-05	Aug-05	
C36	Security Screening of Prisoners		X		X		X	Feb-05	Aug-05	
C37	Cell Check Policies		X		X		X	Feb-05	Aug-05	
C38	Observation Cell Policy		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	Feb-05	Aug-05	
C41	Maintenance Policy		X		X		X	Feb-05	Aug-05	
C42	a. Ventilation		✓		X	DW	✓	Feb-05	Aug-05	
	b. Heating		X		X	DW	X	Feb-05	Aug-05	
C43	Repairs to be Made		X		✓		X	Feb-05	Aug-05	
C44	Lighting Requirements		X		X		X	Feb-05	Aug-05	
C45	Toilet Access		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	Feb-05	Aug-05	
IX. FOOD SERVICE POLICIES										
C49	Food Storage and Service	X		X		X	X	May-05	Nov-05	
C50	Development of Food Service Policies	X		X		X	X	May-05	Nov-05	
X. PERSONAL HYGIENE POLICIES										
C51	Availability of Personal Hygiene Items	X		X			X	May-05	Nov-05	
XI. USE OF FORCE AND RESTRAINTS POLICIES										
C52	Compliance with DPD's UOF Policy		X		X		X	Feb-05	Aug-05	
C53	UOF Protocols for Prisoners		X		X		X	Feb-05	Aug-05	
C54	Handcuffing to Benches		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	Feb-05	Aug-05	
C56	UOF Reporting	X		X		X	Feb-05	Aug-05	
C57	Injury Reporting	X		X		X	Feb-05	Aug-05	
XIII. EXTERNAL COMPLAINTS									
C58	Processing of External Complaints	X		X		X	Feb-05	Aug-05	
C59	Complaint Investigation	X		X		X	Feb-05	Aug-05	
XIV. GENERAL POLICIES									
C60	Clear Definition of Terms	DW		X		X	May-05	Nov-05	Definition of "probable cause" still at issue
C61	Community Comment on Proposed Policy Revisions	X		X		X	May-05	Nov-05	
XV. MANAGEMENT AND SUPERVISION									
C62	Regular Operation Evaluation		X			X	Feb-05	Aug-05	
C63	Operation in Compliance with Risk Management Plan		X			X	Feb-05	Aug-05	
C64	Video Camera Policy		X			X	Feb-05	Aug-05	
C65	a. Holding Cell UOF Investigations Audit	X	X	X	X	X	May-05	Aug-05	
	b. Holding Cell Prisoner Injuries Investigations Audit	X	X	X	X	X	May-05	Aug-05	
	c. Holding Cell Misconduct Investigations Audit	X	X	X	X	X	May-05	Aug-05	
C66	a. HCCC to Assure Compliance with COC CJ	X	X	X	X	X	May-05	Aug-05	
	b. HCCC Fire Safety Audit	X	X	X	X	X	May-05	Aug-05	
C67	HCCC Emergency Preparedness Audit		X	X	X	X	Feb-05	Aug-05	
C68	HCCC Medical/Mental Health Audit	X	X	X	X	X	May-05	Aug-05	
C69	HCCC Detainee Safety Audit	X	X	X	X	X	May-05	Aug-05	
C70	HCCC Environmental Health and Safety Audit	X	X	X	X	X	May-05	Aug-05	
C71	HCCC Food Service Audit	X	X	X	X	X	May-05	Aug-05	
C72	Audit Reporting Requirements	X	X	X	X	X	May-05	Aug-05	
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	

✓ = Compliant; X = Non-Compliant;
 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 May 31, 2005

	ASSESSMENT OF COMPLIANCE [1] (for last 5 Quarters)					EVALUATION TIMING		Comments re: Last Evaluation	
	Mar '05- May '05	Dec '04- Feb '05	Sep '04- Nov '04	Jun '04- Aug '04	Mar '04- May '04	Status as of Last Eval'n	Last Eval'n Quarter Ending		Next Expected Eval'n Q/E
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 monitoring requirements								
C94 Reopening of Investigations Deemed Incomplete						NYE	May-05	Nov-05	Reviewed but compliance assessment was not required
C95 - 99	No monitoring requirements								
XVIII. STIPULATION PURSUANT TO THE PRISON LITIGATION REFORM ACT, 18 U.S.C. 3626									
C100 - 102	No monitoring requirements								
XIX. IMPLEMENTATION AND ENFORCEMENT									
C103 - 110	No monitoring requirements								
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.