IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE VIRGIN ISLANDS

UNITED STATES OF AMERICA,)	
Plaintiff,)	C.A. No. 3:08-CV-158
V.	į (
1. THE TERRITORY OF THE VIRGIN ISLANDS; and))	
2. THE VIRGIN ISLANDS POLICE DEPARTMENT,)	
Defendants.)	

PARTIES' JOINT MOTION, AND MEMORANDUM OF LAW IN SUPPORT OF JOINT MOTION, TO AMEND CONSENT DECREE ACTION PLAN

Plaintiff, the United States of America, and Defendants, the Territory of the Virgin Islands and the Virgin Islands Police Department ("VIPD") (collectively, "the parties") jointly move the Court to grant this motion to amend the Virgin Islands Police Department Consent Decree Action Plan. The amended Action Plan is designed to create a new, achievable timetable for compliance, clarity on the standards for compliance, and an extension of the substantial compliance deadline for the Consent Decree to ensure that the reforms are made in a sustainable fashion. In support of this motion, the parties represent as follows:

A. **PROCEDURAL HISTORY/BACKGROUND**

On March 23, 2009, the Court approved the Consent Decree in the abovereferenced matter. The Consent Decree required Defendants to achieve substantial compliance with all its substantive provisions by March 23, 2012, and to maintain this level Case: 3:08-cv-00158-CVG-RM Document #: 75 Filed: 10/01/13 Page 2 of 10

USA v. Territory, Civil No. 3:08-CV-158

Joint Motion to Amend Consent Decree Action Plan

Page 2 of 10

of compliance for two years prior to its termination date of March 23, 2014. (Dkt. #3). After a hearing on October 1, 2010, regarding the extent of the Virgin Islands Police Department's ("VIPD") compliance, the Court directed the parties to submit interim timelines to aid Defendants in reaching substantial compliance. The parties subsequently filed on November 24, 2010, the Consent Decree Timetable, which required VIPD to comply with certain interim deadlines with the goal of achieving compliance by March 23, 2012. (Dkt. #22). The Court approved the Consent Decree Timetable and directed the parties to comply with it on December 16, 2011. (Dkt. # 25). On April 23, 2013, the Court held an evidentiary hearing to determine VIPD's level of compliance with the Consent Decree. After hearing testimony from several representatives of VIPD and a member of the monitoring team, the Court found that, although progress has been made, it was evident that the Virgin Islands had not achieved substantial compliance with each provision of the Consent Decree within the time required in the Consent Decree. (Dkt. # 61).

Following the April 23, 2013, hearing, the United States moved the Court to amend the Consent Decree by extending the deadline for Defendants to achieve substantial compliance, eliminating the Consent Decree's bright-line termination date, and ordering Defendants to submit a detailed action plan with interim compliance deadlines for the various provisions of the Consent Decree (Dkt. # 42, 51-1). The Court held a hearing on the United States' motion on July 26, 2012. During the hearing, the parties agreed that an extension of the Consent Decree was necessary for VIPD to achieve the objectives of the Consent Decree, but disagreed on the manner and extent to which the Consent Decree should be modified. At the July 26, 2012 hearing, the Court ordered the parties to jointly

Case: 3:08-cv-00158-CVG-RM Document #: 75 Filed: 10/01/13 Page 3 of 10

USA v. Territory, Civil No. 3:08-CV-158

Joint Motion to Amend Consent Decree Action Plan

Page 3 of 10

formulate and file an Action Plan with interim deadlines, with the goal of setting realistic and achievable compliance deadlines (Dkt. # 57). The parties jointly filed the Action Plan with the Court on August 30, 2012 (Dkt # 58-1). In the Action Plan, Defendants agreed to meet certain interim deadlines, the requirements of which were described with more specificity than in the original Consent Decree Timetable, and to achieve substantial compliance with the Consent Decree by a newly extended deadline of October 31, 2013.

On November 2, 2012, the Court adopted the Action Plan and made it a part of the Consent Decree (Dkt# 61 and 61-1). The Court also granted the United States' motion to amend the Consent Decree to eliminate the bright-line termination date. Accordingly, the Consent Decree now terminates two years after Defendants have maintained substantial compliance with its terms.

Since the Court approved the Action Plan, VIPD has moved the court for two extensions of the deadlines set forth in the Action Plan. VIPD has requested an extension of time to complete Blue Team training and training on the Vehicle and Spike Strip policies (Dkt. # 65). The Court granted VIPD's motion on March 12, 2013 (Dkt. # 67). The VIPD also requested an extension of time to comply with the audit requirements set forth in the Action Plan (Dkt. # 69). That motion remains pending; the Court has scheduled an evidentiary hearing on the motion for October 9, 2013. In an accompanying joint filing today, the parties respectfully request that the Court terminate the October 9, 2013 hearing in light of the filing of this motion and the parties' agreement to extend the

USA v. Territory, Civil No. 3:08-CV-158

Joint Motion to Amend Consent Decree Action Plan

Page 4 of 10

relevant deadlines that are the subject of the scheduled hearing. 1

Shortly after filing their motion to extend the audit deadlines, in August 2013, Defendants approached the United States, indicating that they would be unable to meet the Consent Decree's final substantial compliance deadline of October 31, 2013. Defendants requested an extension of time to achieve substantial compliance and to accomplish unmet tasks specified in the Action Plan. Since then, the parties, the heads of VIPD's working groups, other key VIPD personnel, and the members of the monitoring team have spent countless hours working on and negotiating in good faith a revised Action Plan. A copy of the parties' agreed-upon revised Action Plan, and a redline showing the differences between the updated and original versions of the Action Plan, are attached as exhibits hereto.

The changes proposed in the Action Plain are aimed at strengthening the Consent Decree and Action Plan by providing additional specificity to clarify expectations, along with extended realistic and achievable deadlines for the various unmet requirements in the Action Plan. Some of the important, agreed-upon changes in the revised proposed Action

The revised Action Plan the parties submit today addresses these concerns by providing the appropriate extensions and a common understanding of how Defendants will meet the audit-related requirements of the Consent Decree. Accordingly, the parties believe that, if approved by the Court, the Action Plan filed today renders the October 9, 2013 hearing moot.

Although the United States did not necessarily oppose Defendants' motion for an extension of time of the audit-related requirements in the Action Plan, on July 2, 2013, the United States filed a response, requesting that Defendants explain the following:

¹⁾ How Defendants plan to comply with the relevant requirements for which they are seeking an extension, including, but not limited to explaining when and how they plan to engage the United States for the required consultation on the relevant provisions;

²⁾ Why Defendants believe October 31, 2013 is an appropriate deadline for each of the eight provisions for which they seek an extension; and

³⁾ How the proposed extension will affect Defendants' ability to comply with the Consent Decree's final substantial compliance deadline of October 31, 2013.

Dkt. # 70.

Case: 3:08-cv-00158-CVG-RM Document #: 75 Filed: 10/01/13 Page 5 of 10

USA v. Territory, Civil No. 3:08-CV-158

Joint Motion to Amend Consent Decree Action Plan

Page 5 of 10

Plan are: (1) An extension of the Consent Decree's substantial compliance deadline from October 31, 2013 to October 31, 2015; (2) the addition of a column that details the specific actions that VIPD must take to achieve substantial compliance (column entitled "Specific Action Required for Substantial Compliance"); (3) the extension of the deadline for completing all audit-related training to October 31, 2013; and (4) the extension of the deadline to conduct initial audits to December 31, 2013, with the requirement that VIPD conduct quarterly audits thereafter. Although VIPD has received the United States' approval of all its use of force policies and completed its initial training on all use of force policies, the Action Plan also requires Defendants to complete yearly review of polices and conduct refresher training on polices.

B. **DISCUSSION**

It is well established that a district court has the power to amend a consent decree because of changes in conditions or changes in the law, and to enforce compliance with the terms of a consent decree. *Rufo v. Inmates of Suffolk County Jail*, 502 U.S. 367, 384-390 (1992) (recognizing that a court's modification power "is long-established, broad, and flexible" and that modification of a consent decree is warranted when changed factual conditions make compliance with the decree substantially more onerous, when a decree proves to be unworkable because of unforeseen obstacles, and when the statutory or decisional law has changed to make legal what the decree was designed to prevent); *Holland v. New Jersey Dept. of Corrections*, 246 F.3d 267, 270 (3d Cir. 2001) ("it is settled that a court does have inherent power to enforce a consent decree in response to a party's non-compliance, and to modify a decree in response to changed conditions.")

Case: 3:08-cv-00158-CVG-RM Document #: 75 Filed: 10/01/13 Page 6 of 10

USA v. Territory, Civil No. 3:08-CV-158

Joint Motion to Amend Consent Decree Action Plan

Page 6 of 10

Courts have held that a district court has the power to modify a consent decree by extending the terms of a consent decree. In *Holland*, the Third Circuit stated that "the broad remedial power contained within the modification and compliance enforcement powers can be used to extend a consent decree." *Id.* 246 F.3d at 282. The Supreme Court has held it was not an abuse of discretion for a district court to extend the terms of a consent decree where the modification sought to effectuate rather than thwart the basic purpose of the original consent decree. *Chrysler Corp. v. U.S.*, 316 U.S. 556, 562 (1942). In amending the Consent Decree in this matter, this Court has also held that the court has the inherent power to amend the compliance deadline in a consent decree, as the court's power to amend is broad and flexible. (Order, November 2, 2012 Order, Dkt. # 61).

In its November 2, 2012 order, the Court found that "Virgin Islands' failure to reach substantial compliance by March of 2012 has so changed the circumstances that the basic purpose of the Consent Decree has been thwarted. The Court must therefore conclude that some modification of the Consent Decree is in order." *Id.* Similarly, now, there is no dispute that Defendants will be unable to comply with the October 31, 2013 substantial compliance deadline in the Action Plan. As previously, the parties seek an extension to ensure that Defendants achieve the very purpose that led to the filing of this action and the Consent Decree.

As this Court has stated, "[t]he importance of the Virgin Islands Government achieving substantial compliance cannot be denied--this case involves allegations that VIPD officers 'engaged in a pattern or practice of using excessive force . . . in effecting arrests . . . in otherwise routine encounters with citizens, and . . . in shooting and brandishing weapons." (Order, July 24, 2012 at 2, Dkt. # 52) (alterations in original). To

USA v. Territory, Civil No. 3:08-CV-158

Joint Motion to Amend Consent Decree Action Plan

Page 7 of 10

ensure that the intent of the parties to a consent decree and the purpose of the consent decree are not frustrated, "a court may use its compliance enforcement power to extend one or more provisions of a decree . . . if such compliance enforcement is essential to remedy the violation and thus provide the parties with the relief originally bargained for in the consent order." *Rufo*, 502 U.S. at 381. Without an extension of time, VIPD will not be able to fully achieve the mandates and objectives of the Consent Decree within the current time allotted.

Although it is undisputed that VIPD will not be able to achieve substantial compliance by October 31, 2013, VIPD has continued to make steady progress toward the goal of substantial compliance. Indeed, the monitors' reports over the last year describe improvements in VIPD's progress as it continues to push toward achieving substantial compliance. The monitors' most recent report, covering the first quarter of 2013, describes significant progress, particularly in the areas of policy and training. The monitors report that, for most Consent Decree requirements, VIPD has completed the policy and training phases and is now in the implementation phase, which is the final phase required to achieve substantial compliance. Additionally, although the monitors' have not yet issued their report for the second quarter of 2013, the monitors have informed the parties that they anticipate finding VIPD in substantial compliance with paragraphs 31, 39, 40, 47, 50, 52, 53, 62, 64 and 70 of the Consent Decree. In the first quarter report for 2013, VIPD received a rating of substantial compliance with paragraph 42.

The parties anticipate that the proposed revisions to the Action Plan, which more clearly delineated expectations and specific actions required for substantial

Case: 3:08-cv-00158-CVG-RM Document #: 75 Filed: 10/01/13 Page 8 of 10

USA v. Territory, Civil No. 3:08-CV-158

Joint Motion to Amend Consent Decree Action Plan

Page 8 of 10

the extended deadlines. The approval of all Consent Decree-related polices and the completion of most initial training on polices (trainings on the Audit Policy and Disciplinary Policy and Matrix are scheduled to be completed before the end of this calendar year) place VIPD in a better position to achieve substantial compliance. With the adoption of policies that require constitutional policing and good police practices, and with the completion of training on most of the policies, VIPD now has much of the infrastructure in place on which to build greater progress and ensure success. As VIPD continues to implement changes, demand accountability from its supervisors and officers, and provide ongoing proof of accomplishments to the monitoring team, VIPD fully expects to meet the extended interim deadlines and the newly extended substantial compliance deadline of October 31, 2015, as provided in the attached proposed revised Action Plan.

Additionally, VIPD is required under the Consent Decree and Action Plan to engage in frequent auditing and self-monitoring. These activities are designed to aid VIPD in obtaining a better understanding of its level of compliance; what is, and is not, working; and what further changes are needed. The implementation of regular audits not only serves as a measure to assess VIPD's goal of substantial compliance, but also helps to build the framework for lasting, long-term success. The proposed extended substantial compliance deadline will give VIPD the additional time to build up its cadre of supervisors who are critical for the success of the auditing and implementation phase of the Consent Decree. The extension of the substantial compliance deadline is necessary so that VIPD can meet the mandates of the Consent

Case: 3:08-cv-00158-CVG-RM Document #: 75 Filed: 10/01/13 Page 9 of 10

USA v. Territory, Civil No. 3:08-CV-158 Joint Motion to Amend Consent Decree Action Plan Page 9 of 10

Decree.

Wherefore, the parties respectively request that the Court grant their joint motion and enter the attached order.

Respectfully submitted,

FOR THE DEFENDANTS:

VINCENT F. FRAZER Attorney General

Dated: October 1, 2013

/s/ Carol Thomas-Jacobs
CAROL THOMAS JACOBS
Assistant Attorney General
V.I. Department of Justice
34-38 Kronprindsens Gade
G.E.R.S. Complex, 2nd Floor
St. Thomas, Virgin Islands 00802

FOR THE UNITED STATES:

JONATHAN M. SMITH Chief Special Litigation Section Civil Rights Division

LAURA L. COON Special Counsel

/s/ Marina Mazor

MARINA MAZOR
Senior Trial Attorney
Special Litigation Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
(202) 514-6255 (telephone)
(202) 514-0212 (facsimile)

USA v. Territory, Civil No. 3:08-CV-158 Joint Motion to Amend Consent Decree Action Plan Page 10 of 10

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Parties' Joint Motion to Amend Consent Decree Action Plan in <u>United States v. Territory of the Virgin Islands</u>, 3:08-CV-158, was filed electronically on October 1, 2013, using the CM/ECF system, which will send electronic notification to the following:

Marina Mazor
Senior Trial Attorney
Special Litigation Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
marina.mazor@usdoj.gov

/s/ Carol Thomas-Jacobs CAROL THOMAS JACOBS Assistant Attorney General V.I. Department of Justice

VIRGIN ISLANDS POLICE DEPARTMENT CONSENT DECREE TIMETABLE/ACTION PLAN AUGUST 30, 2012OCTOBER 1, 2013

CONSENT DECREE PARAGRAPH	POLICY	TRAINING	ACTION/ REVIEW/AUDIT	REQUIREMENTS FOR SUBSTANTIAL COMPLIANCE	PERSON/ GROUP#! UNIT RESPON SIBLERE SPONSI- BLE	SUBSTAN- TIAL COM- PLIANCE DEALINE
USE OF FORCE						
Policies Paragraph 31- The VIPD will review and revise its use of force policies as necessary to: a. define terms clearly; b. define force as that term is defined in this Agreement; c. incorporate a use of force model that teaches disengagement, area containment, surveillance, waiting out a subject, summoning reinforcements or calling in specialized units as appropriate responses to	Use of Force Policies approved and signed off by Commissioner includes: 3.1 Use of Force 3.3 Reportable Use3.2 Reporting, Investigating and Review of Force 3.4 Firearms Policy 3.5 Impact Weapons 3.6 Electronic Control Weapon 3.7 OC Spray 3.8 Off-Duty Policy 3.9 Vehicle Pursuit Policy 3.10 Spike Strip 3.11 Canine Operations 3.12 Tactical Operations 3.13 Sniper Operations Training has been completed on the foregoing policies.	TrainingInitial training has been completed on the following; 3.1 Useuse of Forceforce policies as provided in this paragraph. 3.3 Reportable Use of Force 3.4 Firearms Policy 3.5 Impact Weapons 3.6 Electronic Control Weapon 3.7 OC Spray	Yearly review of policies.	Competency based training ¹ of officers and supervisors on remaining policies by Jan 31, 2013 3.8 Off Duty Policy 3.9 Vehicle Pursuit Policy 3.10 Spike Strip 3.12 Tactical Operations 3.13 Sniper Operations will be completed by January 31, 2013 By November 30, 2012, implement	Head of Use of Force Working Group/Head of Policy Committee/ Head of Training	October 31, 20132015

⁴ "Competency based training" means the provision of knowledge and skills sufficient to enable the trained person to meet specified standards of performance as validated through that person's demonstration that he or she can use such knowledge or skills effectively in the circumstances for which they are required.

a situation;	3.11 Canine	system to ensure all
d. advise that, whenever	Operations	staff are trained on
possible, individuals	Refresher training	policies (i.e., a tracking
should be allowed to	is also on-going	system) and
submit to arrest before	during in-service	periodically test
force is used;	training modules.	proficiency with the
e. reinforce that the use of	training modules.	policies.
excessive force will	Training on	poneics.
subject officers to	remaining policies:	Refresher training on
discipline, possible	3.8 Off-Duty	policies ongoing,
criminal prosecution,	Policy	through documented,
and/or civil liability;	3.9 Vehicle Pursuit	periodic in-service and
f. ensure that sufficient	Policy	roll call/commanders
less lethal alternatives are	3.10 Spike Strip	call training.
available to all	3.12 Tactical	Incorporate
patrol officers; and	Operations	competency-based
g. explicitly prohibit the	3.13 Sniper	training on policies
use of choke holds and	Operations	into Police Academy
similar carotid holds	will be completed	by Jan. 31, 2013.
except where deadly force	by January 31,	
is authorized.	2013.	Yearly review of
Once the DOJ has		policies.
reviewed and approved		Poneton
these policies, the VIPD		By June 30, 2013, in
shall immediately		consultation with DOJ,
implement any revisions.		implement audit tools
		to ensure staff are
		complying with the
		policies (i.e., review of
		sample of 1 As and
		arrest reports).
		F 1 12/
		Ensure allocation of

EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 - The VIPD will require all uses of force Response to Resistance Report Form (RRR) has been approved and signed of force to be documented as a supervisor training by Newember 30, 2012, **Truining onlinital of force to be documented of force to be documented as a supervisor training by Newember 30, 2012, **Use of force incidents have been documented of force to be documented of the properties of training of the properties of training of the properties of the properties of training of the properties of the pro		T	т.	1		1	1
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Report born (RRR) has been approved and signed data into IAPro. svelop and implement a process for identifying personnel who continually fail to report uses of force or otherwise fail to follow the policy and provide and document discipline and/or remedial training. Obtained DOI approval. Approved policies are distributed to sworn personnel and applicable civilian employees. EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The Report Form (RRR) has been approved and signed Officer and October 31, 2013-2015 Paragraph 32 – The Agraph 32 – The Agraph 32 – The Agraph 32 – The Agraph 33 – The Agraph 34 – The Agraph 35 – The Agraph 35 – The Agraph 36 – The Agraph 36 – The Agraph 37 – The Agraph 37 – The Agraph 38 – The Agraph 39 – The Agraph 39 – The Agraph 39 – The Agraph 30 – The Agraph 31 – The Agraph 32 – The Agraph 33 – The Agraph 33 – The Agraph 34 – The Agraph 35 – The Agraph 36 – The Agraph 37 – The Agraph 38 – The Agraph 38 – The Agraph 39 – The Agraph 39 – The Agraph 30 – The Agraph 30 – The Agraph 30 – The Agraph 31 – The Agraph 32 – The Agraph 32 – The Agraph 32 – The Agraph 33 – The Agraph 34 – The Agraph 35 – The Agraph 36 – The Agraph 37 – The Agraph 38 – The Agraph 38 – The Agraph 39 – The Agraph 39 – The Agraph 39 – The Agraph 30 – The Agraph 30 – The Agraph 30 – The Agraph 31 – The Agraph 32 – The Agraph 32 – The Agraph 32 – The Agraph 33 – The Agraph 34 – The Agraph 35 – The Agraph 36 – The Agraph 37 – The Agraph 37 – The Agraph 38 – The Agraph 38 – The Agraph 39 – The Agraph 39 – The Agraph 30 – The Agraph 3					sufficient staff to input		
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses svelop and implement a process for identifying personnel who continually fail to report uses of force or otherwise fail to follow the policy and provide and document descipline und or remedial training. Obtained DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees.* EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The Vigary review of policies. Lise of force incidents have been documented officer and offic					historical and current		
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses svelop and implement a process for identifying personnel who continually fail to report uses of force or otherwise fail to follow the policy and provide and document descipline und or remedial training. Obtained DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees.* EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The Vigary review of policies. Lise of force incidents have been documented officer and offic							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses process for identifying personnel who continually fail to report uses of force or otherwise fail to follow the policy and provide and document discipline and/or remedial training. Obtained DOI approval for all use of force policies that require DOI approval. Approved policies are distributed to sworn personnel and applicable civilian employees. Training-onlinital officer and officer and of Force incidents have been documented of Force 201-22015							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses process for identifying personnel who continually fail to report uses of force or otherwise fail to follow the policy and provide and document discipline and/or remedial training. Obtained DOI approval for all use of force policies that require DOI approval. Approved policies are distributed to sworn personnel and applicable civilian employees. Training-onlinital officer and officer and of Force incidents have been documented of Force 201-22015					avelon and implement a		
EVALUATION, ADD REVIEW OF USE OF FORCE Paragraph 32 – The UIPD will require all uses Report Form (RRR) has been approved and signed Paragraph 32 - The UIS U							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The UIPD will require all uses Report Form (RRR) has been approved and signed Continually fail to report uses of force or otherwise fail to follow the policy and provide and document discipline and/or remedial training. Obtained DOJ approval. Approved policies that require DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. I state of the policy and provide and document discipline and/or remedial training. Obtained DOJ approval Approved policies are distributed to sworn personnel and applicable civilian employees. I state of the policy and provide and document discipline and/or remedial training. Obtained DOJ approval for all use of force policies are distributed to sworn personnel and applicable civilian employees. I state of the policy and provide and document discipline and/or remedial training. EVALUATION,							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 - The VIPD will require all uses Report uses of force or otherwise fail to follow the policy and provide and document discipline and/or remedial training. Obtained DOJ approval for all use of force policies that require DOJ approval. Approved policies are distributed to sworm personnel and applicable civilian employees? EVALUATION, AND REVIEW OF USE OF FORCE Paragraph 32 - The VIPD will require all uses Report Form (RRR) has been approved and signed officer and other provides and described and documented the policy and provide and described and documented the policy and discipline and officer and officer and officer and officer and officer and officer and other provides and documented the policy and provide and described and document discipline and of the policy and provide and described and document discipline and of the policy and the policy and provide and described and document discipline and of the policy and the policy and provide and described and document discipline and of the policy and the policy and provide and described and document discipline and of the policy and							
etherwise fail to follow the policy and provide and document discipline and/or remedial training. Obtained DOJ approval for all use of force policies that require DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Report Form (RRR) has been approved and signed Training on Initial officer and off							
the policy and provide and document discipline and/or remedial training. Obtained DOJ approval for all use of force policies that require DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Report Form (RRR) has been approved and signed							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses and document discipline and/or remedial training. Obtained DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. ² Fraining on Initial officer and Yearly review of policies. Use of force incidents have been documented bave been documented of Force 20132015					otherwise fail to follow		
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses and document discipline and/or remedial training. Obtained DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. ² Fraining on Initial officer and Yearly review of policies. Use of force incidents have been documented bave been documented of Force 20132015					the policy and provide		
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses discipline and/or remedial training. Obtained DOJ approval for all use of force policies that require DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. Training on Initial officer and off							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses remedial training. Obtained DOJ approval for all use of force policies that require DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. ² Fraining on Initial officer and Yearly review of policies. Use of force incidents have been documented blave been documented control of Force control of F							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Obtained DOJ approval for all use of force policies that require DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. Yearly review of policies. Use of force incidents have been documented of Force 20132015							
approval for all use of force policies that require DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Report Form (RRR) has been approved and signed Training on Initial officer and offic					_		
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Fraining on Initial officer and of Force Response to Resistance Report Form (RRR) has been approved and signed Training on Initial officer and of Force Response to Resistance Report Form (RRR) has been approved and signed Training on Initial officer and of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Resistance Report Form (RRR) has been approved and signed of Force Response to Response t							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses require DOJ approval.							
Approved policies are distributed to sworm personnel and applicable civilian employees. EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Approved policies are distributed to sworm personnel and applicable civilian employees. Training on Initial officer and of Use of Force incidents have been documented of Force 20132015							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Report Form (RRR) has been approved and signed distributed to sworn personnel and applicable civilian employees. ² Vearly review of policies. by a very review of policies.					require DOJ approval.		
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Report Form (RRR) has been approved and signed distributed to sworn personnel and applicable civilian employees. ² Vearly review of policies. by a very review of policies.					Approved policies are		
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses Report Form (RRR) has been approved and signed applicable civilian employees. Vearly review of policies. Vearly review of policies. Average of force incidents have been documented by the complex of force incidents have been documented of Force 20132015							
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses Paragraph 32 – The VIPD will require all uses					-		
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses 3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signed Training on Initial officer and Yearly review of policies. Luse of force incidents have been documented of Force 20132015							
DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses AND REVIEW OF USE OF FORCE 3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signed Training on Initial officer and Officer and Officer and Officer and Officer and Description Wearly review of policies. Head of Use October 31, have been documented Officer and					employees. ²		
DOCUMENTATION, AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses AND REVIEW OF USE OF FORCE 3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signed Training on Initial officer and Officer and Officer and Officer and Officer and Description Wearly review of policies. Head of Use October 31, have been documented Officer and	EVALUATION						
AND REVIEW OF USE OF FORCE Paragraph 32 – The VIPD will require all uses OF FORCE Report Form (RRR) has been approved and signed Training on Initial officer and							
OF FORCESolutionControl of the paragraph 32 – The VIPD will require all uses3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signedTraining on Initial officer and o							
Paragraph 32 – The VIPD will require all uses3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signedTraining on Initial officer andYearly review of policies.Use of force incidents have been documentedHead of Use of ForceOctober 31, 2013 2015							
VIPD will require all uses Report Form (RRR) has been approved and signed officer and have been documented of Force 2013 2015		222	m · · · · · · · · · · · ·	X 1	TT 000 111	XX 1 CXX	0 1 21
				Yearly review of policies.			
of force to be documented off by the Commissioner. Supervisor training By November 30, 2012, in an RRR and Working							2013 <u>2015</u>
	of force to be documented	off by the Commissioner.	supervisor training	By November 30, 2012,	in an RRR and	Working	

² For paragraphs 31, 39, 40, 47, 50, 52, 53, 62, 64, and 70, training requirements will be measured under paragraph 75; and audit and implementation requirements will be measured under paragraph 100.

VIPD Consent Decree

Timeline Table/ Action Plan

August 30, 2012October 1, 2013

in writing. The use of force report form will indicate each and every type of force that was used, and require the evaluation of each usetype of force. Use of force reports will include a supervisor's narrative description of the events preceding the use of force, and written by a supervisor or by the designated investigative unit. Use of force reports also will include the officer(s)' narrative description of events and the officer(s)' audiotaped statement. Except in cases of use of force involving the lowest level of force as defined in VIPD policy as approved by DOJ, the officer's	on policies completed with refresher training on-going during inservice training modules. Additional training for supervisors has been completed.	implementJanuary 31, 2014 improve tracking system to ensure all staff are trained on policies (i.e., a tracking system). By November 30, 2012, ensureEnsure that the Virgin Islands' Attorney General's Office, VIPD's counsel, the Training Working Group, and the Use of Force Working Group review all use of force policies. RefresherConduct refresher training on policies ongoing, through documented, periodic in-service and roll call/commanders call training. Incorporate	investigated by a supervisor. RRRs will include each of the requirements identified in ¶ 32 of the Consent Decree. In use of force incidents, there is evidence that corrective action was taken against the sworn personnel whose use of force documentation failed to meet the requirements of the Consent Decree. Uses of force comply with applicable law.	Group	
force involving the lowest level of force as defined in VIPD policy as approved		call/commanders call training. Incorporate			
		Academy by Jan By October 31, 2013-			

³This requirement applies only insofar as the position of VIPD counsel is filled.

⁴ "Competency-based training" means the provision of knowledge and skills sufficient to enable the trained person to demonstrate compliance with specified performance standards.

	Conduct Use of Force	
	Review on quarterly basis	
	commencing November 30,	
	2012.	
	By June 30, 2013, in	
	consultation with DOJ.	
	finalize Audit Plan. ⁵	
	Illianze Audit Flan.	
	D D 1 21 2012	
	By December 31, 2013,	
	implement audit tools to	
	ensure staff are complying	
	with the policies (i.e., review	
	of sample of 1As and arrest	
	reports to ensure RRRs are	
	completed). This requires	
	allocation of sufficient staff	
	to input historical and current	
	data into IAPro) and conduct	
	use of force review on a	
	<u>quarterly basis</u> .	
	By June 30 December 31,	
	2013, ensure that audits audit	
	the timeliness of completion	
	of use of force	
	investigations.	
	By June 30 December 31,	
	2013, in consultation with	
	DOJ, develop and implement	

⁵ The Audit Plan is a document describing at a high level how VIPD will conduct audits for the general areas of the Consent Decree.

Paragraph 33 - Office shall notify their supervisors following use of force or upon the receipt of an allegation excessive force. Supervisors Except in uses of force involving lowest level of force and defined in VIPD police approved by DOJ, supervisors will response to the scene, examine subject for injury, interview the subject to complaints of pain, and ensure that the subject receives received need medical attention	Report Form (RRR) has been approved and signed off by the Commissioner. the as d he or	Training Initial training on policies completed with refresher training on-going during in- service training modules. Additional training for supervisors has been completed.	a process for identifying quarterly thereafter, conduct audits to identify personnel who continually fail to report uses of force or otherwise fail to follow the policy and provide and document discipline and/or remedial training Refresher Conduct refresher training on policies ongoing, through documented, periodic in-service and roll call/commanders call training.—Incorporate Continue to incorporate competency-based training on policies into Police Academy-by Jan. 31, 2013. Yearly review of policies. By November 30, 2012, implement January 31, 2014, improve tracking system to ensure all staff are trained on policies (i.e., a tracking).	The officer using force notified his/her supervisor as required by VIPD policy. Where a supervisor was notified of the use of force by an officer, he/she responded to the scene in a reasonable amount of time, as required by VIPD policy. In incidents where the supervisor responded to the scene, he/she conducted a complete investigation,	Head of Use of Force Working Group	October 31, 20132015
	d			-		

Conduct complete Use of of pain, and ensuring Force Review on quarterly that the subject basis commencing on received any needed November 30, 2012. medical attention. By November 30, 2012, All training must VIPD will Provide DOJ with comport with the an action plan for achieving requirements of the sufficient numbers of Consent Decree, and supervisors or outlining how be taught from it intends to use existing curricula/lesson plans supervisors to implement the that: (a) identify polices and this action plan. training objectives; (b) The plan will include an incorporate, to the implementation date subject extent possible, adult to the agreement of the learning techniques (e.g., class exercises); parties. and (c) indicate that it By June 30, has been reviewed by By June 30, 2014, VIPD will legal counsel, as provide USDOJ with a appropriate.6 comprehensive report regarding: (1) the actions it has taken to obtain appropriate number of supervisory personnel to carry out the mandates of the Consent Decree, and (2) any additional steps necessary to ensure a sufficient number of supervisors. By February 1

VIPD Consent Decree

Timeline Table/ Action Plan

August 30, 2012October 1, 2013

⁶ This requirement applies to Consent-Decree related training.

2014, VIPD will provide
<u>USDOJ with an interim</u>
report addressing the above
issues.
<u>1554C5.</u>
D 0 4 1 21 2012 :
By October 31, 2013, in
consultation with DOJ.
<u>finalize Audit Plan.</u>
By December 31, 2013,
implement audit tools to
ensure staff are complying
with the policies (i.e., review
of sample of 1As, arrest
reports and RRRs). This
requires allocation of
sufficient staff to input
historical and current data
into IAPro.) and conduct use
of force review on a
quarterly basis.
By June 30December 31,
2013, in consultation with
DOJ, develop and implement
a process for
identifying quarterly
thereafter, conduct audits to
<u>identify</u> personnel who
continually fail to report uses
of force and provide and
document discipline and/or
remedial training.
Temediai daming.

Paragraph 34 –	3.2 Reportable Use of Force Response to Resistance	Training Initial	By November 30, 2012,	In reportable use of	Head of Use	October 31,
Supervisors, or designated	Report Form (RRR) has been approved and signed	training on policies		force incidents, the	of Force	20132015
investigating officers or	off by the Commissioner.		implementJanuary 31, 2014	-	Working	2013 2013
	on by the Commissioner.	completed with	improve tracking system to ensure all staff are trained on	investigating		
units, will review, evaluate, and document		refresher training		supervisor had no involvement in the	Group	
,		on-going during in-	policies (i.e., a tracking			
each use of force, and will		service training	system). .	incident (<i>i.e.</i> , he/she was not involved in the		
complete the supervisor's		modules.	Defined and a standard and a standard			
narrative description		Additional training	Refresher Conduct refresher	use of force incident,		
section of the use of force		for supervisors has	training on policies ongoing,	his/her conduct did not		
report. The supervisor's		been completed.	through documented,	lead to an injury, and		
narrative description will			ongoing periodic in-service	he/she did not		
include a precise			and roll call/commanders	authorize or participate		
description of the facts			call training. Incorporate	in conduct leading to		
and circumstances that				the use of force		
either justify or fail to			Continue to incorporate	incident).		
justify the officer's			competency-based training	In reportable use of		
conduct. As part of this			on policies into Police	force incidents, the		
review, the supervisor or			Academy by Jan. 31, 2013.	supervisor completed		
designated investigating				his/her review and		
officer/unit will evaluate				evaluation according to		
the basis for the use of			Yearly review of policies.	VIPD's use of force		
force, and determine				policies and all other		
whether the officer's			Conduct Use of Force	requirements of ¶ 31 of		
actions were within VIPD			Review on quarterly basis	the Consent Decree.		
policy. An officer who			commencing November 30,			
used force during the			2012.	<u>In reportable use of</u>		
incident, or whose				force incidents, the		
conduct led to an injury,			By November 30, 2012June	supervisor completes		
or who authorized conduct			31, 2014, VIPD will provide	the supervisor's		
leading to the use of force			DOJ with an action plan for	narrative description of		
or allegation of excessive			achieving USDOJ with a	the RRR in a manner		
force, or who was present			comprehensive report	that comports with the		
during the incident, will			regarding: (1) the actions it	requirements of ¶ 34 of		

not be eligible to review	has taken to obtain the Consent Decree.
or investigate the incident.	appropriate number of
of threstigate the incident.	supervisory personnel to
	supervisory personner to
	carry out the mandates of the
	Consent Decree and (2) any
	additional steps necessary to
	ensure a sufficient
	numbers number of
	supervisors or outlining how
	it intends to use existing
	supervisors to implement the
	policies and this action plan.
	The plan will include an
	implementation date subject
	to the agreement of the
	parties.
	By June 30
	By February 1, 2014, VIPD
	will provide USDOJ with an
	interim report addressing the
	above issues.
	doo've issues.
	By October 31, 2013, in
	consultation with DOJ
	finalize Audit Plan.
	Illianze Audit Flan.
	Py December 1, 2012
	By December 1, 2013,
	implement audit tools to
	ensure staff are complying
	with the policies (i.e., review
	of sample of 1As, arrest
	reports and RRRs).) and

			conduct use of force reviews			
			on a quarterly basis.			
			on a quarterry basis.			
			By June 30 December 31,			
			2013, in consultation with			
			DOJ, develop and implement			
			a process for			
			identifyingquarterly			
			thereafter, conduct audits to			
			identify supervisors who			
1			neglect their responsibilities			
			to investigate as required by			
			policy and provide and			
			document discipline and/or			
			remedial training.			
Paragraph 35 – The	3.2 Reportable Use of Force Response to Resistance	Training Initial	Refresher Conduct refresher	In interviews	Head of Use	October 31,
parties agree that it is	Report Form (RRR) has been approved and signed	training on policies	training on policies ongoing,	nducted	of Force	2013 2015
improper interview	off by the Commissioner.	completed with	through documented,	during use of force	Working	<u></u>
procedure during use of		refresher training	periodic in-service	views,	Group	
force		on-going during in-	training.	leading questions were	1	
<i>reviews</i> investigations to		service training		avoided.		
ask officers or other		modules.	By November 30, 2012,	In investigations when		
witnesses leading		Additional training	implementJanuary 31, 2014,	In investigations where material inconsistencies		
questions that improperly		for supervisors has	improve tracking system to	material inconsistencies		
suggest legal justifications		been completed.	ensure all staff are trained on	present between		
for the officer's conduct		_	policies (i.e., a tracking	itness		
when such questions are			system).	statements, reasonable		
contrary to appropriate				efforts are made to		
law enforcement			Yearly review of policies.	solve		
techniques. In each				the inconsistencies.		
review/investigation, the			Conduct Use of Force			
VIPD will consider all			Review on quarterly basis	In the use of force		
relevant evidence			commencing November 30,	reviews, all relevant		

including circumstantial,			2012.	evidence, including		
direct and physical			2012.	circumstantial, direct		
evidence, as appropriate,			By June 30 October 31, 2013,	and physical evidence		
and make credibility			in consultation with DOJ.	is documented and		
determinations, if feasible.			finalize Audit Plan.	appropriately		
The VIPD will make all			illianze Audit I lan.	considered, and		
reasonable efforts to			By December 31, 2013,	credibility		
resolve material			implement audit tools to	determinations made,		
inconsistencies between			ensure staff are complying	if feasible.		
witness statements. The			with the policies (i.e., review	ii leasible.		
VIPD will train all of its			of sample of use of force	When evaluating		
supervisors on and officers			investigation files).) and	witness credibility,		
assigned to conduct use of			conduct use of force review	appropriate factors are		
force investigations in				considered and		
conducting use of force			on a quarterly basis.	documented.		
investigations, including			By June 30 December 31,	Supervisors are trained		
in the factors to consider			2013, in consultation with	on how to conduct,		
when evaluating			DOJ, develop and implement	review, and evaluate		
credibility.			a process for	use of force incidents,		
credibility.			identifying quarterly	including but not		
			thereafter, conduct audits to	limited to, what factors		
			identify personnel who	to consider when		
			continually fail to report uses	evaluating witness		
			of force and provide and	credibility.		
'			document discipline and/or	<u>credibility.</u>		
			remedial training			
Paragraph 36 –	3.2 Reportable Use of Force Response to Resistance	Training Initial	RefresherConduct refresher	In reportable use of	Head of Use	October 31,
Supervisors, or designated	Report Form (RRR) has been approved and signed	training on policies	training on policies ongoing,	force incidents, all	of Force	2013 <u>2015</u>
investigating officers or	off by the Commissioner.	completed with	through documented,	involved officers are	Working	2 013 2013
units, shall conduct a	on by the Commissioner.	refresher training	periodic in-service	identified in the	Group	
performance reviewan		on-going during in-	training.	investigating	Group	
investigation of all uses of		service training	uummg.	supervisor's reports.		
force or an injury		modules.	By November 30, 2012,	supervisor s reports.		
Torpe or un mjury		modules.	by 110 veinoer 30, 2012,			

resulting from a use of	Additional training	implementBy January 31,	In reportable use of
force by any officer under	for supervisors has	2014, improve tracking	force incidents, all
their command. <i>In a</i>	been completed.	system to ensure all staff are	witnesses, to the extent
performance review This		trained on policies (i.e., a	practicable, are
requirement does not		tracking system).	<u>identified in the</u>
apply to uses of force			investigating
<u>involving the lowest level</u>		Yearly review of policies.	supervisor's reports.
of force as defined in			In reportable use of
VIPD policy as approved		Conduct Use of Force	force incidents, the
by DOJ. In an		Review on quarterly basis	investigating
<u>investigation</u> , supervisors		commencing November 30,	supervisor ensured that
<u>or designated</u>		2012.	efforts were made to
<u>investigating officers or</u>			identify and interview
units, shall interview all		By June 30 October 31, 2013,	witnesses, and
witnesses to a use of force		in consultation with DOJ	documented these
or an injury resulting from		finalize Audit Plan.	efforts.
a use of force. Consistent			
with the requirements of		By December 31, 2013,	In reportable use of
the collective bargaining		implement audit tools to	force incidents that
agreement or other		ensure staff are complying	<u>resulted in injuries, the</u>
applicable law, VIPD		with the policies (i.e., review	investigating
supervisors <u>or designated</u>		of sample of use of force	supervisor documented
<u>investigating officers or</u>		investigation files).) and	the extent of the
units shall ensure that all		conduct use of force review	<u>injuries and any</u>
officer witnesses provide		on a quarterly basis.	medical treatment
a statement regarding the			rendered in a manner
incident. Supervisors <u>, or</u>		By June 30 December 31,	that comports with ¶
designated investigating		2013, in consultation with	36 of the Consent
officers or units, shall		DOJ, develop and implement	<u>Decree.</u>
ensure that all use of force		a process for	In reportable use of
reports for all levels of		identifyingquarterly	force incidents that
force identify all officers		thereafter, conduct audits to	resulted in injuries,
who were involved in the		identify personnel who	photographic evidence
<u> </u>	+	l .	\ <u></u> \

	T	T	11 0 11		I	
incident or were on the			continually fail to report uses	was collected and		
scene when it occurred.			of force and provide and	maintained in a		
Supervisors, or designated			document discipline and/or	manner that comports		
investigating officers or			remedial training	with ¶ 36 of the		
units, shall ensure that all				Consent Decree.		
reports for all levels of				In reportable use of		
force indicate whether an				force reviews, the		
injury occurred, whether						
medical care was				investigating		
provided, and whether the				supervisor provided a		
subject refused medical				finding on whether the		
treatment. Supervisors, or				use of force was		
designated investigating				justified under VIPD's		
officers or units, shall				use of force policies.		
ensure that all reports						
include contemporaneous						
photographs or videotapes						
taken of all injuries at the						
earliest practicable						
opportunity, both before						
and after any treatment,						
_						
including cleansing of						
wounds.						
					1 0	
Paragraph 37 – A Deputy	3.2 Reportable Use of Force Response to Resistance	Training Initial	Refresher Conduct refresher	Completed use of	Head of Use	October 31,
Chief will evaluate each	Report Form (RRR) has been approved and signed	training on policies	training on policies ongoing,	force case files	of Force	2013 <u>2015</u>
performance review	off by the Commissioner.	completed with	through documented,	contained signed	Working	
conducted <u>All</u>		refresher training	periodic in-service	documentation from	Group	
investigations into use of		on-going during in-	training.	the Chief and/or		
force shall be reviewed by		service training		Deputy Chief or		

1 000	1 1	D N 1 20 2012	1 1 1 1 1 1
supervisors, the Officer's	modules.	By November 30, 2012,	<u>designee indicating</u>
Commander and/or	Additional training	implementJanuary 31, 2014	that he/she reviewed
Director, or by a	for supervisors has	improve tracking system to	the completed
Commander and/or	been completed.	ensure all staff are trained on	<u>investigation and the</u>
<u>Director in the designated</u>		policies (i.e., a tracking	date of such review.
<u>investigative unit, who</u>		system). .	In completed use of
shall identify any			force investigations in
deficiencies in those		Yearly review of policies.	which the Chief and/or
reviews, and shall require			
supervisors, or designated		Conduct Use of Force	Deputy Chief or
investigative officers or		Review on quarterly basis	designee found
units, to correct any and		commencing November 30,	deficiencies in the
all deficiencies.		2012.	investigations, the
Supervisors, and			<u>deficiencies were</u>
designated investigative		By June 30 October 31, 2013,	documented and
officers or units, will be		in consultation with DOJ,	corrected; the
held accountable for the		implement audit toolsfinalize	corrections were
quality of their reviews.		Audit Plan.	documented; and
Appropriate non-		rudit Flair.	supplemental
disciplinary corrective		By December 31, 2013, and	<u>investigative were</u>
action and/or disciplinary		quarterly thereafter, conduct	reports prepared to
action will be taken when		audits to ensure staff are	document the
			additional investigative
a supervisor, or designated investigative officer or		complying with the policies	efforts, if required to
		(i.e., review of sample of use	correct the identified
unit, fails to conduct a		of force investigation files).)	deficiencies.
timely and thorough		and conduct use of force	In non-ontable was of
review, or neglects to		review on a quarterly basis	In reportable use of
recommend appropriate			force incidents, the
corrective action, or		By June 30, 2013, in	Chief and/or Deputy
neglects to properly		consultation with DOJ	<u>Chief or designee</u>
implement appropriate		develop and implement a	provided a written,
corrective action. As		process for identifying By	signed and dated
provided by VIPD policy		December 31, 2013, conduct	<u>finding on whether the</u>

	,	,		<u>, </u>
and approved by DOJ,			audits to identify personnel	use of force was
designated command staff			who continually fail to report	justified under VIPD's
shall further review the			uses of force and provide and	approved use of force
Commander and/or			document discipline and/or	policies and all other
Director's reviews			remedial training.	requirements of ¶¶
according to the level of			<u> </u>	31(a)-(g) of the
force involved.				Consent Decree.
=======================================				
				In reportable use of
				force incidents,
				supervisors are held
				accountable for the
				quality of their
				<u>reviews, and</u>
				documented non-
				disciplinary and/or
				disciplinary action has
				been taken when a
				supervisor or manager:
				fails to conduct a
				timely and thorough
				review; neglects to
				recommend
				appropriate corrective
				action; or neglects to
				properly implement
				appropriate corrective
				action.
				In use of force
				incidents where the
				<u>Commander's/Director</u>
				's or his designee's
				<u>review and evaluation</u>

				concluded that improper tactics were used, there is evidence that the involved sworn personnel received and successfully completed remedial training, and, if appropriate, were disciplined. In use of force incidents deemed unjustified by the Commander's/Director 's or designee's review and evaluation, the involved sworn personnel were disciplined, up to and including termination from VIPD if appropriate, and, if termination was not appropriate, at the very		
				least, received		
Davaguanh 20 The	2.2 Damantakla Han of Famos Damanas ta Danistanas	Tasinia aluitial	DefrechenConduct mefer-li	remedial training.	Hand of H	Oatabar 21
Paragraph 38 – The VIPD will investigate or	3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signed	Training Initial training on all	Refresher Conduct refresher training on policies ongoing,	Critical firearm discharges are	Head of Use of Force	October 31, 2013
review as appropriate all	off by the Commissioner.	policies completed	through documented,	investigated and	Working	2013 2013
critical firearm discharges.	on by the Commissioner.	with refresher	periodic in-service	documented.	Group	
The VIPD will ensure that		training on-going	training.		Group	
the investigation or review		during in-service	uanning.	Investigations or		
unchinvestigation or review		during in-service		reviews of critical		

	T	T 2 2 20 20 4 5	
accounts for all shots and	training modules.	By November 30, 2012,	<u>firearm discharges</u>
the locations of all officers		implementBy January 31,	accounted for all shots.
who discharged their	Additional training	2014, improve tracking	Investigations or
firearms. The VIPD will	for supervisors	system to ensure all staff are	
conduct all ballistic or	completed.	trained on policies (i.e., a	reviews of critical
crime scene analyses,	P	tracking system).	<u>firearm discharges</u>
including gunshot residue		araching system).	accounted for the
or bullet trajectory tests,		Yearly review of policies.	locations of all officers
		rearry review or policies.	who discharged their
as appropriate.			<u>firearms.</u>
		Conduct Use of Force	To increase at the second
		Review on quarterly basis	In investigations or
		commencing November 30,	reviews of critical
		2012.	<u>firearm discharges, the</u>
			VIPD conducted
		Execute any contract(s)	<u>ballistic crime scene</u>
		necessary to train supervisors	analyses, including
		or others responsible for	gunshot residue or
		conducting ballistic or crime	bullet trajectory tests,
		scene analyses by JanuaryBy	as appropriate.
		October 31, 2013. Conduct	
		the training by March 31,	Supervisors (or other
			personnel) have either:
		2013.	(a) attended and
			successfully completed
		By June 30, 2013, in	the initial in-service
		consultation with DOJ	training on ballistic
		<u>finalize Audit Plan.</u>	and crime scene
			analyses and
		VIPD shall maintain	demonstrated
		sufficient trained staff who	
		conduct adequate	proficiency through a
		ballistic/crime scene	proficiency test(s) and
		analysis.	passed the proficiency
		anarysis.	test(s); or (b) if
			supervisors (or other

			By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). and conduct use of force review on a quarterly basis. By June 30, 2013, in consultation with DOJ, develop and implement a process for identifying personnel By December 31, 2013 conduct audits to identify personnel who continually fail to report uses of force and provide and document discipline and/or remedial training	personnel) have not successfully completed the required training and passed the proficiency test(s), the supervisors (or other personnel) have entered and successfully completed a remedial program designed to ensure passage of the proficiency test(s); or Where supervisors (or other personnel) have not successfully completed training and passed the proficiency tests, the VIPD has initiated appropriate corrective action, including training, and disciplinary action against the sworn personnel.		
Paragraph 39 – VIPD shall complete development of a Use of Firearms policy that complies with applicable law and current professional standards.	3.4 Firearms – Approved and signed by Commissioner.	Training Initial training on- policy completed with refresher training on-going during in- service training modules.	Refresher training on policies ongoing, through documented, periodic inservice training. By November 30, 2012,	Obtained DOJ approval for Use of Firearms policy. Approved policy contains the elements required in Paragraph	Head of Training/ Head of Use of Force Working Group	October 31, 20132015

The policy shall prohibit officers from possessing or using unauthorized firearms or ammunition and shall inform officers that any such use may subject them to disciplinary action. The policy shall establish a single, uniform reporting system for all firearms discharges. The policy shall prohibit officers from obtaining service			implement system to ensure all staff are trained on policies (i.e., a tracking system). Yearly review of policies. Conduct Use of Force Review on quarterly basis commencing November 30, 2012. By June 30, 2013, in consultation with DOJ,	Approved policy is distributed to sworn personnel and applicable civilian employees.		
ammunition from any source except through official VIPD channels, and shall specify the			implement audit tools to ensure staff are complying with the policies (i.e., review of firearm discharge			
number of rounds VIPD authorizes its officers to			reporting). By June 30, 2013, in			
carry. The policy will continue to require that			consultation with DOJ,			
all discharges of firearms			develop and implement a			
by officers on or off-duty,			process for identifying			
including unintentional discharges, be reported			personnel who continually fail to report uses of force			
and investigated.			and provide and document			
and investigated.			discipline and/or remedial			
			training			
Paragraph 40 – The	3.8 Off-duty Official Action – Approved and signed	Training Initial	Yearly review of policies.	Refresher training on	Head of Use	October 31,
VIPD shall revise its	by Commissioner.	training on policy		policies ongoing,	of Force	2013 <u>2015</u>
policies regarding off-duty		completed with		through documented,	Working	

officers taking police action to: a provide that off-duty officers when outford the police action, about the training modules. Conduct Use of Force Review or quarterly best commencing November 30, 2012, circumstances, so that they may respond with appropriate personnel and resources to hardle the problem: b. provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer has otherwise impaired to the otherwise of policies. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., a rivew of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement approachs the identification of the policies (i.e., a rivew of sample of use of force investigation files).			 	
a provide that off-duty officers shall notify on duty VIPD or local law enjbrement officers before taking police action, absent exigent circumstances, so that they may respond with appropriate personnel and resources to handle the problem: b. provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety; blood tests. Service training modules. Conduct Use of Force Review on quarterly basic commencing November 30, 2012. By November 30, 2012. By November 30, 2012. implement resources to handle the problem: b. provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety; breathalyzer, and/or blood tests. By June 30, 2013, in consultation with DOJ develop and implement and the policies (i.e., review of sample of use of firee investigation files). By June 30, 2013, in consultation with DOJ develop and implement approces	officers taking police	refresher training	periodic in-service	Group
officers shall notify one dule VPD or local law enforcement officers before taking police action, absent exigent circumstances, so that they may respond with appropriate personnel and resources to handle the problem: b, provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests. modules. Conduct Use of Force Review on quarterly basic commencing November 30, 2012, implement system to ensure all staff are trained on policies (i.e., a tracking system). Yearly review of policies Field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in consultation with DOJ implement andit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement approcess	action to:	on-going during in-	training.	
officers shall notify one dule VPD or local law enforcement officers before taking police action, absent exigent circumstances, so that they may respond with appropriate personnel and resources to handle the problem: b, provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety. By Inne 30, 2012, in pelienter system to ensure all saff are trained on policies (i.e., a tracking system). Yearly review of policies. By June 30, 2013, in consultation with DOJ implement mudit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process	a. provide that off-duty	service training		
duly ITPD or local law enforcement officers before taking police action, absent exigent circlymistances, so that they may respond with appropriate personnel and resources to handle the problem: b. provide that, if it b. problem: b. provide that, if it b. policies (i.e., a tracking system). Corsumed alcohol or is otherwise impaired, the officer shall submit to field solving, breathalyzer, and/or blood tests. By November 30, 2012. By November 10, 2012, implement system to ensure all staff are trained on b. policies (i.e., a tracking system). Vearly review of policies. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement approcess	officers shall notify on-	modules.		
enforcement officers before taking police action, absent exigent circumstances, so that they may respond with appropriate personnel and resources to handle the problem; b. provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests. Review-on quarterly basis commencing November 30, 2012. System to ensure all staffare trained on policies (i.e., a tracking system) Vearly review of oficies shall submit to field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staffare complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process			Conduct Use of Force	
before taking police action, absent extigent action, absent extigent they may respond with appropriate personnel and resources to handle the problem; b. provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests. besie commencing November 30, 2012. By November 30, 2012. consumed all staff are trained on policies (i.e., a tracking system). Yearly review of policies. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of system). By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of system). By June 30, 2013, in consultation with DOJ develop and implement a process	1 4		Review on quarterly	
action, absent exigent circumstances, so that they may respond with appropriate personnel and resources to handle the problem; b, provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests.				
circumstances, so that they may respond with appropriate personnel and respurces to handle the problem; b, provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathdyzer, and/or blood tests. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process				
they may respond with appropriate personnel and resources to handle the problem; system to ensure all staff are trained on policies (i.e., a tracking system). p. provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in consultation with DOL, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOL develop and implement audit tools in consultation with DOL develop and implement approcess			1,6,6,11,6,1,5,1,5,1,5,1,5,1,5,1,5,1,5,1	
appropriate personnel and resources to handle the problem; but the problem; consumed all cohol or is consumed all submit to field sobriety; consumed the policies. Figure 1. The problems of the policies	The state of the s		Ry November 30	
resources to handle the problem: by provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety; breathalyzer, and/or blood tests. By June 30, 2013, in eonsultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in eonsultation with DOJ implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in eonsultation with DOJ develop and implement a process				
problem; b. provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in eonsultation with DOJ, implement audit tools to ensure staff are eomplying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in eonsultation with DOJ develop and implement a process			* ·	
b. provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process				
appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process				
consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in eonsultation with DOJ, implement audit tools to ensure staff are eomplying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in eonsultation files. By June 30, 2013, in eonsultation with DOJ develop and implement a process				
otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in eonsultation with DOJ, implement audit tools to ensure staff are eomplying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in eonsultation with DOJ develop and implement a process			system).	
officer shall submit to field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in eonsultation with DOJ, implement audit tools to ensure staff are eomplying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process			X7 1	
field sobriety, breathalyzer, and/or blood tests. By June 30, 2013, in eonsultation with DOJ, implement audit tools to ensure staff are eomplying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in eonsultation with DOJ develop and implement a process				
breathalyzer, and/or blood tests. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process	00		policies.	
blood tests. consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process				
implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process				
to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process	blood tests.		,	
eomplying with the policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process			implement audit tools	
policies (i.e., review of sample of use of force investigation files). By June 30, 2013, in consultation with DOJ develop and implement a process				
By June 30, 2013, in consultation with DOJ develop and implement a process				
By June 30, 2013, in consultation with DOJ develop and implement a process			policies (i.e., review of	
By June 30, 2013, in consultation with DOJ develop and implement a process			sample of use of force	
consultation with DOJ develop and implement a process			investigation files).	
consultation with DOJ develop and implement a process			,	
consultation with DOJ develop and implement a process			By June 30, 2013, in	
develop and implement a process			2	
implement a process				
			-	
			for identifying	

				personnel who continually fail to report uses of force and provide and document discipline and/or remedial training Obtained DOJ approval of use of force policy on off- duty officers taking police action. Policy contains all elements required by Paragraph 40. Approved policies are distributed to sworn personnel and applicable civilian employees.		
Paragraph 41 – The VIPD shall continue to provide an intermediate force device, which is between chemical spray and firearms on the force continuum, that can be carried by officers at all times while on-duty. The VIPD shall continue its	3.6 Electronic control Weapon – Approved and signed by Commissioner.	Training Initial training on policy completed with refresher training on-going during inservice training modules.	RefresherConduct refresher training on policies ongoing, through documented, periodic in-service training. By November 30, 2012, implementJanuary 31, 2014 improve tracking system to ensure all staff are trained on	Patrol and other applicable officers carry an intermediate force device at all times while on-duty. Sworn personnel have either: (a) attended and successfully completed the initial in-service training for each new	Head of Use of Force Working Group	October 31, 2013/2015

7. 7. 7	1: : (:	1 1 1
policy regarding the	policies (i.e., a tracking	or revised policy
intermediate force device,	system) and periodically test	<u>related to intermediate</u>
incorporate the	proficiency with the.	<u>force devices and</u>
intermediate force device		<u>demonstrated</u>
into the force continuum	Conduct refresher training on	proficiency through a
and train all officers in its	policies- <u>through</u>	proficiency test(s); or
use on an annual basis.	documented, periodic in-	(b) if sworn personnel
	service training, to test	have not successfully
	proficiencies.	completed the required
	<u> </u>	training and passed the
	Yearly review of policies.	proficiency test(s), the
	really review of policies.	sworn personnel have
	Conduct Inspections of	entered and
	personnel with report on	successfully completed
	quarterly basis commencing	a remedial program
	November 30, 2012.	
	November 30, 2012.	designed to ensure
	D. I. 200 (1. 21.2012)	passage of the
	By June 30 October 31 , 2013,	proficiency test(s) and
	in consultation with DOJ.	passed the proficiency
	<u>finalize Audit Plan.</u>	test(s); or
		Where sworn
	By December 31, 2013,	personnel have not
	implement audit tools to	successfully completed
	ensure staff are complying	training and passed the
	with the policies (i.e., review	
	of sample of use of force	proficiency tests, the
	investigation files).	VIPD has initiated
	in (estigation mes).	<u>appropriate corrective</u>
	By June 30, 2013, in	action, including
	consultation with DOJ.	training, and
	develop and implement a	disciplinary action
	process for	against the sworn
	<u>1</u>	personnel.
	<u>identifyingConduct</u>	

Public Information Paragraph 42 - The VIPD will develop and implement a program to inform persons that they may file complaints regarding the performance of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service TrainingInitial Officer and supervisor training on policies ongoing, through developed and implemented, periodic inservice sustained training. Head of CitizensCiti implemented a program to inform persons that they may file complaints supervisors on both districts. Officers will be completed by September 28 2012. By November 30, 2012, implement system to ensure all staff are trained on policies (i.e., a tracking system) and periodically test proficiency with the policies. In VIPD facilities, vehicles, and	CITIZEN COMPLAINT			inspections, with report on a quarterly basis, commencing on December 31, 2013, to ensure that officers carry intermediate force device(s) as appropriate and that their use of the device(s) comports with applicable law and VIPD policy. By December 31, 2013, and quarterly thereafter, conduct audits to identify personnel who continually fail to report uses of force and provide and document discipline and/or remedial training.	Sworn personnel display knowledge and proficiency on using intermediate force devices, as evidenced by compliance with the policy requirements.		
Paragraph 42 - The VIPD will develop and implement a program to implement a program to inform persons that they may file complaints regarding the performance of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service Paragraph 42 - The VIPD Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Officer and supervisor training completed for supervisors on both districts. Officers will be completed by September 28 2012. TrainingInitial Officer and supervisor training on policies ongoing, through documented, periodic inservice training. Refersher training on policies ongoing, through documented, periodic inservice training. Plead of CitizensCiti zens' complaint compliance file complaints regarding the program to inform persons that they may file complaints regarding the performance of any officer. Policy approved and signed by Commissioner. Policies ongoing, through developed and supervisor training on policies ongoing, through developed and supervisor training. Policies ongoing, through developed and supervisor training on policies ongoing, through developed and supervisor training. Policies ongoing, through developed and supervisor training. Policies ongoing, through developed and supervisor training on policies ongoing, through developed and supervisor training. Policies ongoing, through d							
will develop and implement a program to implement a program to inform persons that they may file complaints regarding the performance of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner. Officer and supervisor training completed for supervisors on both districts. Officers will be completed by September 28 2012. Officer and supervisor training completed for supervisors on both districts. Officers will be completed by September 28 2012. Officer and supervisor training completed for supervisors on both districts. Officers will be completed by September 28 2012. By November 30, 2012, implement system to ensure all staff are trained on policies (i.e., a tracking system) and periodically test proficiency with the policies. In VIPD facilities, vehicles, and	Public Information						
implement a program to inform persons that they may file complaints regarding the performance of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service Policy approved and signed by Commissioner. Supervisor training completed for supervisors on both districts. Officers will be completed by September 28 2012. Supervisor training completed for supervisors on both districts. Officers will be completed by September 28 2012. Supervisor training completed for supervisors on both districts. Officers will be completed by September 28 2012. By November 30, 2012, implement system to ensure all staff are trained on policies (i.e., a tracking system) and periodically test proficiency with the policies. In VIPD facilities, vehicles, and	0 1		Training Initial	<u> </u>	The VIPD has		
inform persons that they may file complaints regarding the performance of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service completed for supervisors on both districts. Officers will be completed by September 28 2012. service training. regarding the persons that they may file complaints regarding the performance of any officer. By November 30, 2012, implement system to ensure all staff are trained on policies (i.e., a tracking system) and periodically test proficiency with the policies. vehicles, and			Officer and			CitizensCiti	
may file complaints regarding the performance of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service supervisors on both districts. Officers will be completed by September 28 2012. Supervisors on both districts. Officers will be completed by September 30, 2012, implement system to ensure all staff are trained on policies (i.e., a tracking system) and periodically test proficiency with the policies. Vehicles, and		Policy approved and signed by Commissioner.		/ I			
regarding the performance of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service districts. Officers will be completed by September 28 2012. districts. Officers will be completed by November 30, 2012, implement system to ensure all staff are trained on policies (i.e., a tracking system) and periodically test proficiency with the policies. In VIPD facilities vehicles, and vehicle			1			_	
performance of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service Description of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service Description of any officer.				training.	*		
officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service by September 28 implement system to ensure all staff are trained on policies (i.e., a tracking system) and periodically test proficiency with the policies. by September 28 implement system to ensure all staff are trained on policies (i.e., a tracking system) and periodically test proficiency with the policies. In VIPD facilities, vehicles, and				D 31 1 20 2012			<u>required</u>
include distribution of complaint forms, fact sheets, informational posters, and public service 2012. all staff are trained on policies (i.e., a tracking system) and periodically test proficiency with the policies. In VIPD facilities, vehicles, and							
complaint forms, fact sheets, informational posters, and public service posters, and public service posters, and public service posters, and public service proficiency with the policies. posters, and public service	1 0		J 1			uivision	
sheets, informational posters, and public service System and periodically test proficiency with the policies. System and periodically test proficiency with the policies.	v		2012.		officel.		
posters, and public service proficiency with the policies. vehicles, and	1 0				In VIPD facilities		
	· ·						
announcements that	announcements that			proficiency with the policies:	governmental		

describe the citizen complaint process.			Yearly review of policies. Biweekly inspections by Zone Commanders to ensure that all complaint process materials are available in their Zones. Zone Commanders will provide a written report of their inspections.	properties such as VIPD district stations, libraries, the internet and upon request, to community groups and community centers, complaint information brochures and forms are available.		
Paragraph 43 – The VIPD will make complaint forms and informational materials available at government properties such as VIPD district stations, substations, and mobile substations, libraries, the Internet, and, upon request, to community groups and community groups and community centers. At each VIPD district station, substation, and mobile substation, the VIPD will permanently post a placard describing the complaint process and include the relevant phone numbers. These placards	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	TrainingInitial officer and supervisor training completed for supervisors on both districts. Officers will be completed by September 28, 2012.	RefresherConduct refresher training on policies ongoing, through documented, periodic in-service training. By November 30, 2012, implementJanuary 31, 2014 improve tracking system to ensure all staff are trained on policies (i.e., a tracking system). Yearly review of policies. Biweekly inspections Monthly inspections by Zone Commanders to ensure that all complaint process materials are available in	VIPD facilities, vehicles, and government properties, complaint information brochures and forms are available. Officers carry the informational brochures and complaint forms with them at all times while on-duty. In VIPD district stations, substation, and mobile stations, a placard is displayed describing the complaint process, including relevant	Head of CitizensCiti zens' Complaint Committee /Head of training division	October 31, 2013-2015

shall be displayed in both English and Spanish, and where deemed necessary, in French or French Patois, to account for diversity in the VI population. The VIPD will require all officers to carry informational brochures and complaint forms, in English and Spanish, and where deemed necessary, in French or French Patois, in their vehicles at all times while on duty. If a citizen objects to an officer's conduct, that officer will inform the citizen of his or her right to make a complaint. Officers will not discourage any person from making a complaint.			their Zones. Zone Commanders will provide a monthly written report of their inspections. Monthly inspections to ensure that informational materials are available at all required locations.	phone numbers. In incidents where a citizen complained about an officer's conduct, the officer informed, and did not discourage, the citizen about his/her ability to make a complaint.		
Means of Filing and Tracking Complaints						
Paragraph 44 -	Acceptance of Citizen Complaints/	Training Initial	RefresherConduct refresher	Obtained DOJ approval	Head of	0 . 1 . 21
Complaints may be filed in writing or verbally, in	Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	officer and supervisor training	training on policies ongoing, through documented,	for a complaint intake policy.	CitizensCiti zens'	October 31, 20132015
person or by mail,	1 oney approved and signed by Commissioner.	completed for	periodic in-service		Complaint	2013 2013
telephone (or TDD),		supervisors in both	training.	Approved policy is	Committee	
facsimile or electronic		districts. Officers	٠	distributed to sworn	/Head of	

mail. The duty officer at	training will be	By November 30, 2012,	personnel and	training	
the front desk of each	completed by	implement January 31, 2014,	applicable civilian	uaning	
district station will be	September 28,	improve tracking system to	employees.		
authorized to take	2012	ensure all staff are trained on			
	2012		Sworn personnel and		
complaints, including		policies (i.e., a tracking	applicable civilian		
third-party complaints,		system).	employees have either:		
which persons may file at		V 1 : C 1: :	(a) attended and		
any district station.		Yearly review of policies.	successfully completed		
Complaint intake officers			the initial in-service		
may describe facts that		Monthly Quarterly review of	training for each new		
bear upon a		IAU -and zone files.	or revised complaint		
complainant's demeanor			related policy and		
and physical condition but		By June 30 October 31, 2013,	demonstrated		
May not express opinions		in consultation with DOJ,	proficiency through a		
regarding his/her mental		implement finalize Audit	proficiency test(s); or		
competency or veracity.		<u>Plan.</u>	(b) if sworn personnel		
Each complaint will be			and applicable civilian		
resplyed in writing. Upon		By December 31, 2013,	employees have not		
receipt, each complaint		implement audit tools to	successfully completed		
will be assigned a unique		ensure staff are complying	the required training		
identifier, which will be		with the policies (i.e., review	and passed the		
provided to the		of sample of citizen	proficiency test, the		
complainant. Each		complaint investigation			
complaint will be tracked		files). Also ensure that	sworn personnel and		
according to the basis for		lapses in policy	applicable civilian		
the complaint (e.g.,		implementation are	employees have		
excessive force,		addressed by system of	entered and		
discourtesy, improper		documented discipline and/or	successfully completed		
search, etc.).		re-training.	a remedial program		
Sea ch, cic.j.		ic naming.	designed to ensure		
			passage of the		
		By June 30December 31,	proficiency test(s) and		
		2013, in consultation with	passed the proficiency		
		2015, in consultation with			

		DOL areata a	toot(s); or
		DOJ, create a periodic quarterly report that	test(s); or
		analyzes patterns of	Where sworn
		violations of VIPD policy.	personnel and
		Using the information	applicable civilian employees have not
		gathered in the report,	successfully completed
		evaluate areas for policy	training and passed the
		modification or appropriate	proficiency tests, the
		remedial action (e.g.,	VIPD has initiated
		training).	appropriate corrective
			action, including
			training, and
			disciplinary action
			against the sworn personnel and
			applicable civilian
			employees.
			Complaints are
			cumented
			and resolved in writing.
			Appropriate VIPD personnel properly
			respond to the
			inquiring/complaining
			person, as verified by
			the monitors and the
			VIPD audit unit.
			For complaints lodged
			and recorded, a file
			documents the actions

Paragraph 45- Copies of	Acceptance of Citizen Complaints/	Training Initial	RefresherConduct refresher	taken by VIPD in response to the complaint. Documented complaints are assigned a unique identifier and are retrievable by that identifier, the complainant's name, if it was provided, or the name of the accused officer, if known. Completed investigations into complaints comport with the provisions of the Consent Decree. Documented complaints do not include opinions of the intake officer about the mental competency or veracity of the complainant. Allegations filed at	Head of	
all allegations of misconduct against the VIPD filed with the Zone Commands will be	Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	training completed for supervisors onand officers in both districts.	training on policies ongoing, through documented, periodic in-service training.	Zone or unit facilities are forwarded to IAU within five business days.	CitizensCiti zens' Complaint Committee	October 31, 2013 2015

referred to Internal	Officers training		/Head of
Affairs Unit ("IAU")	will be completed	By November 30, 2012,	HAU
within five business days.	by September 28,	implement systemReview	
multiplice subtress days.	2012.	monthly completed cases in	
	2012.	IAPro to ensure all staff are	
		trained on policies (i.e., a	
		tracking system).	
		viaming system).	
		By Dec. 31, 2012, implement	
		tracking system to	
		documentcompliance with	
		the 5-day of requirement as	
		per policy.	
		Monthly review of IAU files	
		By June 30 <u>October 31</u> , 2013,	
		in consultation with DOJ	
		<u>finalize Audit Plan.</u>	
		By December 31, 2013,	
		implement audit tools to	
		ensure staff are complying	
		with the policies (i.e., review	
		of sample of citizen	
		complaint investigation	
		files). Also ensure that	
		lapses in policy	
		implementation are	
		addressed by system of	
		documented discipline and/or	
		re-training.	
Investigation of			

Complaints						
Paragraph 46 -	Acceptance of Citizen Complaints/	Training Initial	CompetencyContinue to	Sworn personnel have	Head of	October 31,
Complaints will be	Investigating Misconduct & Citizen Complaints	training completed	incorporate competency-	either: (a) attended and	CitizensCiti	2013 <u>2015</u>
evaluated based on a	Policy approved and signed by Commissioner.	for supervisors on	based training of officers and	successfully completed	zens'	
preponderance of the		both districts.	supervisors by November 30,	training on the	Complaint	
evidence standard, for			2012 .	preponderance of the	Committee	
which the Territory will				evidence standard and		
develop and implement			By November 30, 2012,	demonstrated		
appropriate training.			implement January 31, 2014,	proficiency through a		
			improve tracking system to	<pre>proficiency test(s); or</pre>		
			ensure all staff are trained on	(b) if sworn personnel		
			policies (i.e., a tracking	have not successfully		
			system) and periodically test	completed the required		
			supervisors' knowledge of	training and passed the		
			the preponderance of the	proficiency test(s), the		
			evidence standard.	sworn personnel have		
			Refresher	entered and		
			Conduct refresher training on	successfully completed		
			policies ongoing, through	<u>a remedial program</u>		
			documented, periodic in-	designed to ensure		
			service and roll	passage of the		
			call/commanders call	proficiency test(s) and		
			training. Incorporate	passed the proficiency		
			competency-based training	test(s); or		
			on policies into Police	Where sworn		
			Academy by Jan. 31, 2013.	personnel have not		
				successfully completed		
			Yearly review of policies.	training and passed the		
			D I 200 + 1 21 2012	proficiency tests, the		
			By June 30 October 31, 2013,	VIPD has initiated		
			in consultation with DOJ	appropriate corrective		
			<u>finalize Audit Plan.</u>	action, including		

			By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample investigatory files. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training. MonthlyQuarterly review of closed investigation files to ensure that the preponderance of evidence standard is being used. By June 30December 31, 2013, in consultation with DOJ, develop a process for identifyingand quarterly thereafter, identify Supervisors who are not correctly using the preponderance of the	training, and disciplinary action against the sworn personnel. All training on the preponderance of the evidence comports with the requirements of the Consent Decree, and is taught from curricula/lesson plans that: (a) identify training objectives; (b) incorporate, to the extent possible, adult learning techniques (e.g., class exercises); and (c) indicate that it has been reviewed by legal counsel. Completed investigations into complaints/allegations of misconduct include		
			correctly using the preponderance of the	complaints/allegations of misconduct include		
			evidence standard and provide and document discipline and/or remedial	an assessment of the evidence, and a finding that is based upon the		
			training as appropriate.	preponderance of evidence standard.		
Paragraph 47 - The VIPD will explicitly prohibit	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints	TrainingInitial training completed	Refresher training on policies ongoing, through	VIPD policy prohibits from investigating an	Head of CitizensCiti	October, 31,

from investigating an incident any officer who	Policy approved and signed by Commissioner.	for supervisors onin both districts.	documented, periodic in- service and roll call/commanders call	incident any officer who used force during	zens' Complaint	2013 <u>2015</u>
used force during the incident, whose conduct			training. Incorporate	the incident, whose conduct led to the	Committee	
led to the injury to a			competency-based training	injury to a person, or		
person, or who authorized			on policies into Police	who authorized the		
the conduct that led to			Academy by Jan. 31, 2013.	conduct that led to		
these reportable incidents.				these reportable		
			Yearly review of policies.	incidents.		
			By June 30, 2013, in			
			consultation with DOJ			
			implement audit tools to ensure staff are complying			
			with the policies (i.e., review			
			of sample investigatory files.			
			or sumple investigatory mes.			
			By June 30, 2013, in			
			consultation with DOJ,			
			develop a process for			
			identifying supervisors who			
			neglect their responsibilities			
			to investigate as required by			
			policy and provide and			
			document discipline and/or remedial training.			
			remediai daming.			
			Monthly review of IAU files			
			to ensure compliance			
Paragraph 48 - The VIPD			•	Obtained DOJ approval		
will investigate every	Acceptance of Citizen Complaints/	Training Initial	RefresherConduct refresher	of a policy and	Head of	October 31,
citizen complaint. The	Investigating Misconduct & Citizen Complaints	training completed	training on policies ongoing,	procedure for the	CitizensCiti	2013
VIPD will establish a	Policy approved and signed by Commissioner.	for supervisors	through documented,		zens'	<u>2015</u>

procedure regarding the imble of any complaint, including anonymous and confidential complaints, against a VIPD officer. This policy and these procedures will include instructions to an officer for laking a complaint and prampt delivery to a supervisor. By June 300ctober 31, 2013, in consultation with DOI, finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample investigatory files. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training. Paragraph 49 - The VIPD Acceptance of Citizen Complaints? Supervisors Initial By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample investigatory files. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training. Worth VQuarterty review of closed files at zone-level-and IAU. Paragraph 49 - The VIPD Acceptance of Citizen Complaints? Supervisors Initial Refresher/Conduct refresher Established a separate Committee to incorporate complements taken by VIPD in response to the occuments taken by VIPD in response to the complaints taken by VIPD in response to the document to incorporate complaints and applicable civilian applicable civilian applicable civilian microporate and applicable civilian applicable civilian applicable civilian applicable civilian microporate to incorporate complaints applicable civilian applicable civ	including anonymous and confidential complaints, against a VIPD officer. This policy and these procedures will include instructions to an officer for taking a complaint and prompt delivery to a supervisor.
--	---

			1	1	T	
will institute a centralized	Investigating Misconduct & Citizen Complaints	training <u>for</u>	training on policies ongoing,	IAPro database for the	CitizensCiti	2013 <u>2015</u>
numbering and tracking	Policy approved and signed by Commissioner.	<u>supervisors</u>	through documented,	STT/STJ and STX	zens'	
system for all complaints,		completed on both	periodic in-service and roll	Districts such that: (1)	Complaint	
and each complaint will		districts.	call/commanders call	each database will be	Committee	
receive a tracking number		Centralized	training.	accessible from each		
as quickly as possible.		numbering are has		district; (2) IAU agents		
The IAU will be		been provided by	By Commencing December	in each District will		
designated as the primary		central dispatch.	31, 2012, implement <u>2013,</u>	have access to their		
and centralized agency to			and on a tracking system	respective databases;		
determine whether the			forquarterly basis thereafter,	(3) the Director of		
investigation will be			utilizing data from IAPro,	IAU, Assistant		
assigned to zone (one of			produce a report that tracks	Director of IAU, and		
the seven zones located			<u>citizens'</u> complaints referred	EIP Coordinator will		
throughout the Virgin			to a zone and a tracking	have access to both		
Islands), retained by the			system for notifyingthe	databases; (4) each		
$IA\Psi$, or referred for			zones/bureaus, and identifies	complaint will receive		
possible criminal			whether any of complaints	a unique tracking		
investigation. If the IAU			involve excessive use of	number, with an STT		
refers a complaint to a			force. Also determine	extension for the St.		
zone, copies of all			whether the Police	Thomas/St. John		
documents, findings, and			Commissioner was notified	District and an STX		
recommendations should			of complaints alleging	extension for the St.		
be immediately forwarded			excessive use of force.	Croix District, so that		
to the IAU for tracking				no two complaints will		
and monitoring. For				have the same number		
complaints alleging the			Yearly review of policies.	within or between		
excessive use of force or				databases; (5)		
violation of a person's			By June 30 October 31, 2013,	information in each		
constitutional rights, the			in consultation with DOJ.	database will be		
Police Commissioner			finalize Audit Plan.	organized by District,		
should be notified no less				and can be sorted by		
than twenty-four hours			By December 31, 2013, and	officer; and (6) if an		
after receipt of a			<u>quarterly thereafter</u> ,	officer transfers from		

complaint.			implement audit tools to ensure staff are complying with the policies (i.e., review of sample citizen complaint investigation files). Also ensure that lapseslapse in policy implementation are addressed by system of documented discipline and/or re-training. Quarterly inspections by committee membersBy March 31, 2014, ensure that each IAPro database is	In complaints that the IAU refers to a Zone, copies of the completed file are forwarded to the IAU		
			eommittee membersBy March 31, 2014, ensure that	IAU refers to a Zone, copies of the completed file are		
Paragraph 50 - The VIPD	Acceptance of Citizen Complaints/	Training Initial	Competency-based training	the complaint.	Head of	October 31,

will adopt a single policy	Investigating Misconduct & Citizen Complaints	training completed	of all investigators by	of a policy concerning	<u>Citizens</u> Citi	2013 2015
concerning the	Policy approved and signed by Commissioner.	for supervisors on	November 30, 2012	the investigation of	zens'	
investigation of		both districts.		misconduct	Complaint	
misconduct complaints,			Refresher training on	complaints, consistent	Committee	
regardless of whether the			policies ongoing, through	with the requirements		
investigation is conducted			documented, periodic in-	of Paragraph 50.		
by the IAU or a zone.			service and roll			
			call/commanders call			
			training. Incorporate			
			competency-based training			
			on policies into Police			
			Academy by Jan. 31, 2013.			
			Yearly review of policies.			
			By November 30, 2012,			
			implement system to ensure			
			all staff are trained on			
			policies (i.e., a tracking			
			system).			
			Quarterly review of files in			
			IAU and zone			
			By June 30, 2013, in			
			consultation with DOJ,			
			implement audit tools to			
			ensure staff are complying			
			with the policies (i.e., review			
			of sample citizen complaint			
			investigation files). Also			
			ensure that lapses in policy			
			implementation are			

			addressed by system of documented discipline and/or re-training. By June 30, 2013, in consultation with DOJ, audit timeliness of completion of citizen complaint investigations.			
Paragraph 51 - The VIPD will establish policies and procedures and train all of its investigators on the factors to consider when evaluating complainant or witness credibility; examination and interrogation of accused officers and other witnesses; identifying misconduct even if it is not specifically named in the complaint; and using the preponderance of the evidence standard as the appropriate burden of proof. VIPD investigators will ensure that all officers on the scene of an incident provide a statement regarding the incident. The policy will	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Training Initial training completed for supervisors on both districts.	By November 30, 2012, implement January 31, 2014 improve tracking system to ensure all staff are trained on policies (i.e., a tracking system). Refresher Conduct refresher training on policies ongoing, through documented, periodic in-service and roll call/commanders call training. Yearly review of policies. Quarterly review of IAU and zone files. All statements will be recorded by January October	Policies are developed, implemented, and distributed to VIPD investigators. Investigators/su pervisors have either: (a) attended and successfully completed the initial in-service training concerning the components identified in \$1 of the Consent Decree and demonstrated proficiency through a proficiency test(s); or (b) if investigators/superviso rs have not successfully completed the required training	Head of CitizensCitizens' Complaint Committee	October 31, 20132015

require that all interviews	31, 2013. After January 31, and passed proficiency
be mechanically recorded	2013, bi-monthlyOn a test(s),
using an audio or video	quarterly basis conduct investigators/superviso
tape.	review to ensure rs have entered and
	statementthat statements are successfully completed
	being recorded. a remedial program
	designed to ensure
	By June 30 December 31, passage of the
	2013, in consultation with proficiency test(s) and
	DOJ implement audit tools to passed the proficiency
	ensure staff are complying test(s); or
	with the policies (i.e. review
	of comple investigatory
	files Also ensure that <u>livestigators/superviso</u>
	1in1i
	implementation are successfully completed
	addragged by gystem of uniting and passed the
	de aumented discipline and/or Dioliciency tests, the
	re-training. re-training. appropriate corrective
	action, including
	training, and
	<u>disciplinary action</u>
	against the
	investigators/superviso
	rs.
	Completed
	<u>investigations into</u>
	<u>complaints of</u>
	misconduct include a
	<u>documented</u>
	<u>assessment of the</u>
	evidence, and a finding

				that is based upon the		
				preponderance of		
				evidence standard.		
				In incidents giving rise		
				to allegations of		
				misconduct or use of force, all officers on		
				the scene provided a		
				statement regarding the		
				incident, in accordance		
				with VIPD policy.		
				<u>Interviews related to a</u>		
				complaint of		
				misconduct will be mechanically recorded		
				using an audio or video		
				tape.		
D 1 50 50		m		mi vypp i	** 1 0	
Paragraph 52 - The policy will require that the	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints	Training Initial	Competency based training of all investigators by	The VIPD policy formalizes a process	Head of CitizensCiti	October 31, 20132015
investigative findings	Policy approved and signed by Commissioner.	training completed for supervisors in	November 30, 2012	for review of all uses	zens'	2013 2013
include whether: 1) the	Toney approved and signed by commissioner.	both districts on	1101011001 30, 2012	of force that ensures	Complaint	
police action was in		policy.	By November 30, 2012,	the consideration of	Committee	
compliance with policy,			implement system to ensure	and documentation of		
training and legal			all staff are trained on	all of the findings		
standards, regardless of whether the complainant			policies (i.e., a tracking system).	identified in ¶ 52.		
suffered harm; 2) the			system).	-		
incident involved			Refresher training on			
misconduct by any officer;			policies ongoing, through			
3) the use of different			documented, periodic in-			
tactics should or could			service and roll			

have been employed; 4) the incident indicates a need for additional training, counseling or other non-disciplinary corrective measures; and 5) the incident suggests that the VIPD should revise its policies, training, or tactics.			call/commanders call training Yearly review of policies. Monthly review of zone and IAU files By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies (i.e., review of sample investigatory files. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.			
Paragraph 53 - The policy will provide clear guidance to all investigators regarding the procedures for handling criminal misconduct allegations, referring them to the Virgin Islands Attorney General's Office or other appropriate agency for possible criminal prosecution, and the entity	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Training Initial training completed for supervisors on both districts.	Competency-based training of all investigators by November 30, 2012 By November 30, 2012, implement system to ensure all staff are trained on policies (i.e., a tracking system). Refresher training on policies ongoing, through documented, periodic in-	VIPD has issued a policy that provides clear guidance on how to handle allegations of criminal misconduct by sworn personnel and applicable civilian employees and includes the elements of ¶ 53.	Head of CitizensCiti zens' Complaint Committee	October 31, 20132015

or individual who should make the determination of			service and roll call/commanders call			
whether the complaint			training			
should be investigated			training			
criminally. The policy			Yearly review of policies.			
will be revised to require						
the completion of an			Quarterly review			
administrative			commencing on November			
investigation, irrespective			30, 2012, of files in IAU and			
of the initiation or			zones to ensure compliance.			
outcome of criminal						
proceedings.			By June 30, 2013, in			
			consultation with DOJ,			
			implement audit tools to			
			ensure staff are complying			
			with the policies (i.e., review			
			of sample investigatory files.			
			Also ensure that lapses in			
			policy implementation are			
			addressed by system of			
			documented discipline and/or			
			re-training.			
Paragraph 54 - In each	Acceptance of Citizen Complaints/	Training Initial	<u>Competency</u> <u>Incorporate</u>	In completed	Head of	October 31,
investigation, the VIPD	Investigating Misconduct & Citizen Complaints	training completed	competency-based training	investigations, all	<u>Citizens</u> Citi	2013 <u>2015</u>
will consider all relevant	Policy approved and signed by Commissioner.	for supervisors on	of all investigators by	relevant and	zens'	
evidence including		each district.	November 30, 2012.	appropriate evidence	Complaint	
circumstantial, direct and			7 1 20 2012	identified in ¶ 54 of the	Committee	
physical evidence, as			By November 30, 2012,	Consent Decree has		
appropriate, and make			implementJanuary 31, 2014	been considered and		
credibility determinations,			improve tracking system to	documented.		
if feasible. There will be			ensure all staff are trained on	Completed		
no automatic preference			policies (i.e., a tracking	investigations reflect		
for an officer's statement			system). .			

over a non-officer's statement, nor will the VIPD completely disregard a witness' statement merely because the witness has some connection to the complainant. The VIPD will make efforts to resolve material inconsistencies between witness statements.			RefresherConduct refresher training on policies-ongoing, through documented, ongoing periodic in-service and roll call/commanders call training Yearly review of policies. Monthly review files at zone and IAU to ensure compliance By June 30October 31, 2013, in consultation with DOJ, implementfinalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample investigatory files-). Also ensure that lapses in policy implementation are addressed by system of documented disainline and/or	that a supervisor did not give an automatic preference for an officer's statement over a non-officer's statement. Completed investigations reflect that a supervisor has not disregarded a witness' statement because the witness has a connection to the complainant. VIPD investigators have made efforts to resolve material inconsistencies between witness statements and have been trained on ways to do this.		
			documented discipline and/or			
D 155 D :		m · · · · · · · · ·	re-training.	*	** 1 0	0.1.21
Paragraph 55 - During	Acceptance of Citizen Complaints/	Training Initial	<u>Competency</u> <u>Incorporate</u>	In investigations, there	Head of	October 31,
an investigation, all	Investigating Misconduct & Citizen Complaints	training completed	competency-based training	is documented	<u>CitizensCiti</u>	2013 2015
relevant police activity,	Policy approved and signed by Commissioner.	for supervisors on	of all investigators by	evidence that all	zens'	

including each use of	both districts.	November 30, 2012	misconduct revealed	Complaint
force (i.e., not just the type			by the investigation,	Committee
of force complained		By November 30, 2012,	whether part of the	
about) will be		implementJanuary 31, 2014	initial allegation or	
investigated. The		improve tracking system to	discovered during the	
investigation will also		ensure all staff are trained on	investigation, has been	
evaluate any searches or		policies (i.e., a tracking	reasonably	
seizures that occurred		system)	investigated and	
during the incident. The		· · ·	addressed.	
VIPD will not close an		RefresherConduct refresher		
investigation simply		training on policies ongoing,	In completed	
because the complaint is		through documented,	investigations, the	
withdrawn or the alleged		periodic in-service and roll	investigative reports	
victim is unwilling or		call/commanders call	include documentation	
unable to provide medical		training	that the supervisor has	
records or proof of injury			evaluated any searches	
or the complainant will		Yearly review of policies.	or seizures that	
not provide additional			occurred during the	
statements or written		Monthly review of files	incident.	
statements; rather, the		along with IAU agents		
investigating agency will		monthly to ensure	<u>In completed</u>	
continue its investigation		compliance by commanders	investigations, a	
as necessary to determine		or heads	supervisor has ensured	
whether the original			the continuation of	
allegation(s) can be		By June 30 October 31, 2013,	every investigation –	
resolved based on the		in consultation with DOJ.	even when the	
information, evidence, and		<u>finalize Audit Plan.</u>	complaint is	
investigatory procedures			withdrawn, or the	
and techniques available.		By December 31, 2013,	alleged victim is	
In each investigation, the		implement audit tools to	unwilling or unable to	
fact that a complainant		ensure staff are complying	provide medical	
pled guilty or was found		with the policies (i.e., review	records or proof of	
guilty of an offense will		of sample investigatory	<u>injury</u> , or the	

	_	 	, , , , , , , , , , , , , , , , , , ,
not be considered as		files.). Also ensure that	complainant will not
evidence of whether a		lapses in policy	provide additional
VIPD officer used or did		implementation are	statements or written
not use a type of force,		addressed by system of	statements – until the
nor will it justify		documented discipline and/or	
discontinuing the		re-training.	whether the original
investigation.		S. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.	allegation(s) can be
			resolved based on the
			information, evidence,
			and investigatory
			procedures and
			techniques available.
			<u>In completed</u>
			<u>investigations, a</u>
			supervisor has not
			considered the fact that
			a complainant pled
			guilty or was found
			guilty of an offense as
			evidence of whether a
			VIPD officer used or
			did not use a type of
			force, or as a
			justification for
			discontinuing the
			investigation.
			<u>In completed</u>
			<u>investigations, the</u>
			elements identified in
			paragraph 55 of the
			Consent Decree have
			been considered,

Paragraph 56 - The complainant will be periodically kept informed regarding the status of the investigation. Upon completion of the investigation, the	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Training Initial training completed for supervisors on both districts.	RefresherConduct refresher training on policies-ongoing, through documented, ongoing periodic in-service and roll call/commanders call training.	analyzed and documented. In investigations, the VIPD has kept complainants reasonably informed about the status of the investigation of their complaints.	Head of CitizensCiti zens' Complaint Committee	October 31, 20132015
complainant will be notified of its outcome, including an appropriate statement regarding whether any non-disciplinary corrective action or disciplinary action was taken.			By November 30, 2012, monthly December 31, 2013, and quarterly thereafter, conduct review of files to determine whether complainants are been being notified and implementation of timelines for notification the status and sample notification letter completion of the investigation, as required by Paragraph 56. By December 31, 2013, conduct quarterly audits to assess timeliness of completion of citizen complaint investigations.	In completed investigations, the VIPD notified complainants of the disposition of the investigation of their complaint, including by providing complainant with a statement about whether the VIPD took any non-disciplinary corrective or disciplinary action as an outcome of its investigation.		

Paragraph 57 - Each	Acceptance of Citizen Complaints/	Training Initial	CompetencyContinue	Investigations have	Head of	October 31,
allegation in an	Investigating Misconduct & Citizen Complaints	training completed	competency-based training	been resolved by	Citizens Citi	2013 2015
investigation will be	Policy approved and signed by Commissioner.	for supervisors on	of all investigators by	making one of the	zens'	
resolved by making one of		both districts.	November 30, 2012.	dispositions identified	Complaint	
the following dispositions:			, <u>-</u>	in Paragraph 57 of the	Committee	
"Unfounded," where the			By November 30, 2012,	Consent Decree.		
investigation determines,			implementJanuary 31, 2014			
by a preponderance of the			improve tracking system to			
evidence, that no facts to			ensure all staff are trained on			
support that the incident			policies (i.e., a tracking			
complained of actually			system).			
occurred;						
"Sustained," where the			RefresherContinue refresher			
investigation determines,			training on policies ongoing,			
by a preponderance of the			through documented,			
evidence, that the person's			ongoing periodic in-service			
allegation is supported by			and roll call/commanders			
sufficient evidence to			call training.			
determine that the incident						
occurred and the actions			Yearly review of policies.			
of the officer were						
improper;			Quarterly inspections of			
"Not Sustained," where			IAU and zone files			
the investigation						
determines, by a			By June 30 <u>October 31</u> , 2013,			
preponderance of the			in consultation with DOJ.			
evidence, that there are			<u>finalize Audit Plan.</u>			
insufficient facts to decide						
whether the alleged			By December 31, 2013,			
misconduct occurred; and			implement audit tools to			
"Exonerated," where the			ensure staff are complying			
investigation determines,			with the policies (i.e., review			
by a preponderance of the			of sample investigatory			

evidence, that the alleged conduct did occur but did not violate VIPD policies, procedures, or training.			files-). Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.			
Paragraph 58 – Unit commanders will evaluate each investigation of an incident under their command to identify underlying problems and training needs. Any such problems or need will be relayed in the form of a recommendation to the appropriate VIPD entity.	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Training Initial training completed training for supervisors on both districts.	CompetencyContinue to incorporate competency-based training of all investigators by November 30, 2012. By November 30, 2012, implementJanuary 31, 2014 improve tracking system to ensure all staff are trained on policies (i.e., a tracking system) RefresherConduct refresher training on policies ongoing, through documented, periodic in-service and roll call/commanders call	The VIPD has developed a policy that provides a process for the review of all completed allegations of misconduct and ensures the consideration of all of the elements identified in ¶¶ 52 and 58 of the Consent Decree. In completed investigations into allegations of misconduct, there is documentation indicating that a supervisor has	Head of CitizensCitizens' Complaint Committee	October 31, 20132015

		training	evaluated underlying	
			problems and training	
		Yearly review of policies.	needs, if any.	
		MonthlyQuarterly review of files incompleted IAU and zone files investigations. By June 30December 31, 2013, in consultation with DOJ implement audit tools to ensure staff are complying with the policies. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.	Any identified problems and/or training needs have been relayed to the appropriate VIPD entity. In cases where there is a determination that modification to or additional training is required, there is documented evidence that VIPD has implement additional training In cases where the	
			VIPD identified policy	
			or equipment	
			deficiencies, there is	
			documented evidence	
			that corrective	
			measures were	
MANAGEMENT AND			<u>implemented.</u>	
SUPERVISION				
A. Risk				
Manageme				
nt system				

D	D4:1	T:-: f Pl T :	T4 1 A CC- :	IAD 1	C D	111-6	0-4-121
Paragraph 59 - The VIPD	Parties have	Training for Blue Team is	Internal Affairs	IAPro, a computerized	See Paragraphs 60-68,	Head of	October 31,
will develop and	exchanged several	ongoing and will be	and MIS have	database, is currently being	below.	Managemen	2013 <u>2015</u>
implement a risk	drafts of the Risk	completed by January 31,	chosen a	used to assist in supervision		t and	
management system to	Management	2013. Officers are currently	computerized	and management for VIPD's	VIPD shall ensure that	Supervision	
include a new	System Early	using Blue Team.	database, IAPRO,	risk management system.	it regularly uses the	Committee	
computerized relational	Intervention		to assist in the		data in the RMS		
database or paper system	Program (EIP)		supervision and		system to promote		
for maintaining,	Policy-since May		management.		civil rights and best		
integrating, and retrieving	29, 2012, Data Input		Currently		police practices; to		
information necessary for	Plan, and Blue		Supervisors and		manage risk and		
supervision and	Team Protocol have		Commanders, etc.		liability; and to		
management of the VIPD.	been approved.		are in the process		evaluate the		
Priority will be given to			of completing all		performance of VIPD		
the VIPD obtaining any			the Use of Force		officers across all		
established program and			reports required for		ranks, units, and shifts.		
system. The VIPD will			bringing the				
regularly use this data to			Department up to				
promote civil rights and			date for 2012.				
best police practices; to			At least once per				
manage risk and liability;			month, the Deputy				
and to evaluate the			Chief during				
performance of VIPD			Commander Call,				
officers across all ranks,			will address				
units and shifts.			Decree compliance				
unus una snigis.			issues, including				
			timely completion				
			of use of force				
			reports				
			commencing				
			November 30,				
			2012 and on an				
			ongoing basis.				

1	T	1 1	Т	<u> </u>	1
		Working group			
		members will			
		conduct regular			
		reviews, but no			
		less frequently than			
		weekly,			
		commencing			
		November 30,			
		2012 to ensure that			
		all Blue Team			
		programs are			
		installed on all			
		Zone Command			
		computers and are			
		also fully			
		functioning.			
		<u> </u>			
		To ensure			
		compliance with			
		the Blue Team			
		protocols, and the			
		PDN process and			
		to increase usage,			
		working group			
		working group members will be			
		scheduling times to			
		observe roll calls			
		and to ensure that			
		these matters are			
		discussed via roll			
		calls. Blue Team			
		technical issues			
		will be resolved,			
		will be resolved,			

testing will be ongoing, and all districts will receive a round of training by January 31, 2013. By November 30, 2012, VIPD will Provide DOI with an action plan for achieving sufficient numbers of staff to input current and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the aground of the parties. By June 30, 2013, in consultation with DOI; implement audit tools to ensure staff are complying with the policies.				
ongoing, and all dishrips will receive a round of training by January 31, 2013. By November 30, 2012, VIPD will Provide DOJ with an action plan for achieving sufficient numbers of staff to input current and historic data or outlining how it intends to to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff to consultation with DOJ, implement audit tools to ensure staff the parties.		training will be		
receive a round of training by January 31, 2013. By November 30, 2012, VIPD will Provide DOJ with an action plan for achieving sufficient numbers of staff to input current and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agroument of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		ongoing, and all		
receive a round of training by January 31, 2013. By November 30, 2012, VIPD will Provide DOJ with an action plan for achieving sufficient numbers of staff to input current and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agroument of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		districts will		
training by January 31, 2013. By November 30, 2012, VIPD will Provide DOJ with an action plan for sufficient numbers of staff to input current and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include un implementation date subject to the agreement of the parties: By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
By November 30, 2012, VIPD will Provide DOJ with an action plan for sehieving sufficient numbers of staff to input current and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ. implement audit tools to ensure staff are complying with				
By November 30, 2012, VIPD will Provide DOJ with an action plant for achieving sufficient numbers of staff to input current and historice data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties: By June 30, 2013, in consultation with DOJ. implement audit tools to ensure staff are complying with		31 2013		
2012, VIPID will Provide DOJ with an action plan for achieving sufficient numbers of staff to input eurent and historie data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
2012, VIPID will Provide DOJ with an action plan for achieving sufficient numbers of staff to input eurent and historie data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		By November 30		
Provide DOJ with an action plan for achieving sufficient numbers of staff to input eurrent and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
an action plan for achieving sufficient numbers of staff to input eurrent and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
achieving sufficient numbers of staff to input current and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties: By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
sufficient numbers of staff to input current and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties: By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		achieving		
of staff to input current and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
eurrent and historie data or outfining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		ourrent and histori		
how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		use existing starr to	`	
include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		accomplish this		
implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		task. The plan WH		
date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
agreement of the parties. By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		implementation		
By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with				
By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with		agreement of the		
in consultation with DOJ, implement audit tools to ensure staff are complying with		parties.		
in consultation with DOJ, implement audit tools to ensure staff are complying with				
with DOJ, implement audit tools to ensure staff are complying with		By June 30, 2013,		
implement audit tools to ensure staff are complying with				
tools to ensure staff are complying with				
are complying with		implement audit		
are complying with the policies. This				
the policies. This		are complying wit		
		the policies. This		

	1 1			Г	1	1	
			ensures periodie				
			quality checks on				
			data entered. Also				
			ensure that lapses				
			in policy				
			implementation are				
			addressed by				
			system of				
			documented				
			discipline and/or				
			re-training.				
			Initial EIP and				
			Blue Team training				
			has been				
			completed.				
			Refresher training				
			will be completed				
			annually.				
Paragraph 60 – The new	Parties have exchange	ed several drafts of the Risk	Training for Initial	Internal Affairs and MIS	RRR forms are	Head of	October 31,
risk management system	_	Early Intervention Program	EIP and Blue Team	have chosen a computerized	completed for all uses	Managemen	2013 2015
will collect and record the		ay 29, 2012, Data Input Plan,	is ongoing and	database, IAPRO, to assist in	of force as required by	t and	
following information:		col have been approved.	training has been	the supervision and	VIPD policy. RRR	Supervision	
a. all uses of force;			completed.	management. Currently	forms are entered into	Committee	
b. canine bite ratios;			Refresher training	Supervisors and	the RMS with a		
c. the number of canisters			will be completed	Commanders, etc. are in the	reasonable level of		
of chemical spray used by			by January 31,	process of completing all the	accuracy and		
officers;			2013. Officers are	Use of Force reports required	completeness.		
d. all injuries to			currently using	for bringing the Department	<u>voniprovenoss.</u>		
prisoners;			Blue	up to date for 2012.	Canine deployments		
e. all instances in which			Teamannually.	Officers will continue to	are entered into RMS		
force is used and a subject			_ 3wiii wiii j .	enter use of force reports via	with a reasonable level		
is charged with "resisting				Blue Team.	of accuracy and		
arrest," "assault on a				Diac Tourn.	or accuracy and		
arrest, assuutt on a			1		1		

pol	ice officer,"	
"di	sorderly conduct," or	
"ol	struction of	
offi	cial business;"	
f. a	ll critical firearm	
U	charges, both on-duty	
	l off-duty;	
	ll complaints (and	
_	ir dispositions);	
h. c	ıll criminal	
pro	ceedings initiated, as	
wei	l as all civil or	
adr	ninistrative claims filed	
wit	h, and all civil lawsuits	
ser	ved upon, the Territory	
and	l its officers, or agents,	
res	ulting from VIPD	
оре	rations or the actions	
of l	YIPD personnel;	
i. a	ll vehicle pursuits;	
j. a	ll incidents involving	
the	pointing of a firearm	
(if a	any such reporting is	
req	uired); and	
k. a	ll disciplinary action	
tak	en against officers.	

Working

Canine policy has been revised to capture canine deployments. By December 31, 2013, VIPD will begin to collect canine deployments and will enter this data into IAPro to be able to document bite ratios.

VIPD has requested from the VIAG civil and administrative claims (h) involving VIPD officers acting in their official capacities. VIPD will input data in the RMS received from VIDOJ by December 31, 2013.

All other categories of data listed in paragraph 60 are being collected and entered into the RMS.

Input of historical data is ongoing. This requires allocation of sufficient staff to input this data.

By October 31, 2013, in consultation with DOJ, finalize Audit Plan.

completeness.

Canine deployments
resulting in a bite are
entered into RMS with
a reasonable level of
accuracy and
completeness.

RMS provides statistical analyses of canine bite ratio or the data necessary to compute such ratio.

Canisters of chemical spray issued to officers will be entered into RMS, including the date of issuance and date of expirations of the chemical spray, with a reasonable level of accuracy and completeness.

In consultation with
the Use of Force
Working Group, the
VIPD has developed a
process to track the
amount of OC spray
used by officers.

Injuries to prisoners

will be entered into RMS with a reasonable By December 31, 2013 and quarterly thereafter, working level of accuracy and group members will conduct completeness. bi-monthly review Instances in which commencing November 30, force is used and a 2012 to to ensure compliance subject is charged with with A through K-"resisting arrest," "assault on a police Blue Team technical issues officer," "disorderly will be resolved, training will conduct," or be ongoing, and all districts "obstruction of official will receive a round of business," are entered training by January 31, 2013. into RMS with a reasonable level of By November 30, 2012, accuracy and VIPD will Provide DOJ with completeness. an action plan for achieving sufficient numbers of staff to Firearm discharges, input current and historic whether on or off-duty. data or outlining how it are entered into RMS intends to use existing staff with a reasonable level to accomplish this task. The of accuracy and plan will include an completeness. implementation date subject to the agreement of the Complaints are entered parties. into RMS with a reasonable level of By June 30, 2013, in accuracy and consultation with DOJ, and completeness. implement audit tools to Dispositions of such ensure that staff are complaints are entered complying with the policies.

	This ensures periodic quality	into RMS with a
	checks on data entered.	<u>reasonable level of</u>
	Also This also ensure that	accuracy and
	lapses in policy	completeness.
	implementation are	<u></u>
	addressed by <u>a_system</u> of	Criminal proceedings
	documented discipline and/or	initiated, civil or
	re-training.	administrative claims
		filed, and civil lawsuits
		served against the
		<u>Territory</u> , the VIPD,
		and its Officers
		resulting from VIPD
		operations will be
		entered in RMS with a
		reasonable level of
		accuracy and
		<u>completeness.</u>

		Vehicle pursuits are
		entered into RMS with
		a reasonable level of
		accuracy and
		<u>completeness.</u>
		Incidents involving the
		pointing of a firearm at
		a human being are
		entered into RMS with
		a reasonable level of
		accuracy and
		<u>completeness</u>

				In instances in which the VIPD has taken disciplinary action against officers, this information is entered in RMS with a reasonable level of accuracy and completeness.		
Paragraph 61 – The new risk management system will include, for the incidents included in the database, appropriate identifying information for each involved officer (e.g., name, badge number, shift and supervisor) and civilian (e.g., race, ethnicity or national origin, if available).	Parties have exchanged several drafts of the Risk Management System Early Intervention Program (EIP) Policy-since May 29, 2012. Data Input Plan, and Blue Team Protocol have been approved.	Training for Initial EIP and Blue Team, PDN Usage, IAPRO is ongoing and training has been completed. Refresher training will be completed by January 31, 2013. Officers are currently using Blue Team. annually.	All officers have been assigned a PDN. _Working group members will conduct bi- monthlyquarterly review commencing November 30, 2012 and report the results of their review by December 31, 2013, and quarterly thereafter to ensure compliance with A through K. Working group members	VIPD has established a uniform method of identifying sworn personnel and applicable civilian employees to ensure accurate identification and tracking of all employee conduct. In incidents included in the database, the name and unique identifier for each involved officer has	Head of Managemen t and Supervision Committee	October 31, 20132015

T		
	will be scheduling times to	been entered with a
	observe roll calls and to	<u>reasonable level of</u>
	ensure that these	accuracy and
	mattersofficers are discussed	<u>completeness.</u>
	via roll calls and	In incidents included
	commanders calls.	in the database, the
		appropriate identifying
	Blue Team technical issues	information (e.g.,
	will be resolved, training will	name, ethnicity or
	be ongoing, and all districts	national original), if
	will receive a round of	available, for each
	training by January 31, 2013.	involved civilian has
		been entered with a
	By November 30, 2012,	reasonable level of
	VIPD will Provide DOJ with	accuracy and
	an action plan for achieving	completeness.
	sufficient including	
	appropriate identifying	<u>In incidents included</u>
	<u>information</u> in the risk	in the database, the
	management system,	shift and assignment
	including utilizing PDN	for each on-duty
	numbers of staff to input	supervisor has been
	current and historic data or	entered with a
	outlining how it intends to	<u>reasonable level of</u>
	use existing staff to	accuracy and
	accomplish this task. The	<u>completeness.</u>
	plan will include an	
	implementation date subject	
	to the agreement of the	
	parties. , as required by	
	Paragraph 61.	
	l	

			By June 30October 31, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, 2013, implement audit tools to ensure staff are complying with the policies and appropriate identifying information for each officer and civilian are included in the database. This ensures periodic quality checks on data entered. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.			
Paragraph 62 – Within 120 days of the implementation of the new risk management system, or later with the agreement of DOJ, the VIPD will prepare, for the review and approval of DOJ, a plan for including appropriate fields and values of new and historical data into the	Parties have exchanged several drafts of the Risk Management System Early Intervention Program (EIP) Policy since May 29, 2012. Data Input Plan, and Blue Team Protocol have been approved.	Training for Initial EIP and Blue Team, PDN Usage, IAPRO is ongoing and training has been completed. Refresher training will be completed by January 31, 2013. Officers are currently using Blue Team.		Data Input Plan and RMS protocol/policy has been resubmitted and is awaiting approval from Department of Justice VIPD has received DOJ's approval for its Data Input Plan. The Data Input Plan	Head of Managemen t and Supervision Committee	October 31, 2013/2015

		11				
risk management system		annually.		contains the elements		
(the "Data Input Plan").				required in Paragraph		
The Data Input Plan will				<u>62.</u>		
identify the data to be						
included and the means						
for inputting such data						
(direct entry or						
otherwise), the						
specific fields of						
information to be						
included, the past time						
periods for which						
information is to be						
included, the deadlines for						
inputting the data, and the						
responsibility for the input						
of the data. The Data						
Input Plan will include						
historical data that is up-						
to-date and complete in						
the risk management						
system. The VIPD and						
DOJ will together seek to						
ensure that the protocol						
receives final review and						
approval within 30 days						
after it is presented for						
approval.						
Paragraph 63 – The	Parties have exchanged several drafts of the Risk	Training for Initial	Blue Team technical issues	VIIPD has received	Head of	October 31,
VIPD will, within 120	Management System Early Intervention Program	EIP and Blue	will be resolved, training will	approval from DOJ,	Manageme	2013 2015
days, prepare for the	(EIP) Policy since May 29, 2012, Data Input Plan,	Team , PDN Usage,	be ongoing, and all districts	and implemented a	nt and	
review and approval of	and Blue Team Protocol have been approved.	IAPRO is ongoing	will receive a round of	protocol for using the	Supervision	
DOJ, and thereafter		and training has	training by JanuaryBy		Committee	

implement, a protocol for using the risk management system. The VIPD will submit for the review and approval of DOJ all proposed modifications to the protocol prior to implementing such modifications.	been completed. Refresher training will be completed by January 31, 2013. Officers are currently using Blue Team. annually.	October 31, 2013- By November 30, 2012, VIPD will Provide DOJ with an action plan for achieving sufficient numbers of staff to input current and historic data or outlining how it intends to use existing staff to accomplish this task. The plan will include an implementation date subject to the agreement of the parties. By June 30, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies. This ensures periodic quality checks on data entered. Also ensure that lapses in policy implementation are	RMS. The VIPD has audited the RMS and confirmed that its use reflects the requirements of the protocol. VIPD submits to DOJ for review and approval all proposed modifications to the protocol before implementation.	
		checks on data entered. Also ensure that lapses in policy implementation are addressed by system of		
		documented discipline and/or re-training. Data Input Plan and RMS protocol/policy has been		

				resubmitted and is awaiting approval from Department of Justice			
Paragraph 64 – The	Parties have	Training for Blue Team,	Data Input		The VIPD has	•	October
protocol for using the risk	exchanged several	PDN Usage, IAPRO is	Plan Initial EIP		received DOJ approval		31,
management system will	drafts of the Risk	ongoing and will be	and RMS		of a protocol with the		2013 2015
include the following	Management	completed by January 31,	protocol/policy		components identified	Head of	
provisions and elements:	System Early	2013. Officers are currently	has been		in ¶64 of the Consent	Management	
a. The protocol is	Intervention	using Blue Team.	resubmitted and		Decree.	and	
comprised of the following	Program (EIP)		is awaiting			Supervision	
components: data storage,	Policy since May		approval from		_	Committee	
data	29, 2012 , Data Input		Department of				
retrieval, reporting, data	Plan, and Blue		Justice				
analysis, pattern	Team Protocol have						
identification, supervisory	been approved.		Working group				
assessment, supervisory			members will				
intervention,			conduct bi-monthly				
documentation and audit.			review				
b. The protocol will			commencing				
require the automated			November 30,				
system to analyze the data			2012 to ensure				
according to the following			compliance with A				
criteria: i) number of			through K.				
incidents for each data							
category by individual			Blue Team				
officer and by all officers			technical issues				
in a unit; ii) average level			will be resolved,				
of activity for each data			training will be				
category by individual			ongoing, and all				
officer and by all officers			districts will				
in a unit; and iii)			receive a round				
identification of patterns			of has been				

	 T			
of activity for each data		completed.		
category by individual		Refresher training		
officer and by all officers		by January 31,		
in a unit.		2013.		
c. The protocol will				
require the system to		By November 30,		
generate reports on a		2012, VIPD will		
monthly basis		Provide DOJ with		
describing the data and		an action plan for		
data analysis and		achieving		
identifying individual and		sufficient numbers		
unit patterns.		of staff to input		
d. The protocol will		current and historic		
require that VIPD deputy		data or outlining		
chiefs, managers, and		how it intends to		
supervisors will review,		use existing staff to		
on a regular basis but not		accomplish this		
less than quarterly, system		task. The plan will		
reports, and will evaluate		include an		
individual officer,		implementation		
supervisor, and unit		date subject to the		
activity.		agreement of the		
e. The protocol will		parties.		
require that VIPD deputy				
chiefs, managers, and		By June 30, 2013,		
supervisors		in consultation		
initiate intervention for		with DOJ		
ind <mark>i</mark> vidual officers,		implement audit		
supervisors and for units		tools to ensure staff		
based on		are complying with		
appropriate activity and		the policies. Also		
pattern assessment of the		ensure that lapses		
information contained in		in policy		

the		implementation are		
risk management system.		addressed by		
f. The protocol will		system of		
require that intervention		documented		
options include discussion		discipline and/or		
by deputy chiefs,		re-training.		
managers, supervisors,		will be completed		
and officers; counseling;		annually.		
training; and supervised,				
monitored, and				
documented action plans				
and strategies designed to				
modify activity. All				
interventions will be				
documented in writing				
and entered into the				
automated system				
(appropriate intervention				
options will be employed				
based on the evaluation				
described in subsection				
(e) above).				
g. The protocol will				
specify that actions taken				
as a result of information				
from the risk management				
system be based on all				
relevant and appropriate				
information, including the				
nature of the officer's				
assignment, crime trends				
and crime problems, and				
not solely on the number				

or percentages of				
incidents in any category				
of information recorded in				
the risk management				
system.				
h. The protocol will				
require that VIPD deputy				
chiefs, managers, and				
supervisors. will promptly				
review the risk				
management system				
records of all officers				
recently transferred to				
their sections and units.				
i. The protocol will				
require that VIPD deputy				
chiefs, managers, and				
supervisors be evaluated				
on their ability to use the				
risk management system				
to enhance				
effectiveness and reduce				
risk.				
j. The protocol will				
require that the system be				
managed and				
administered by the				
Internal Affairs Unit of the				
VIPD. The IAU of the				
VIPD will conduct				
quarterly				
audits of the system to				
ensure action is taken				

			I	I		
according to the process						
described						
above.						
k. The protocol will						
require regular reviews,						
at no less than quarterly						
intervals, by appropriate						
managers of all relevant						
risk management system						
information to						
evaluate officer						
performance territory-						
wide, and to evaluate and						
make appropriate						
comparisons regarding						
the performance of all						
VIPD units in order to						
identify any significant						
patterns or series of						
incidents.						
Paragraph 65 – The	Parties have exchanged several drafts of the Risk	<u>Initial EIP and</u>	Data Input Plan and RMS	The information	Head of	October
VIPD will maintain all	Management System Early Intervention Program	Blue Team	protocol/policy has been	required by ¶ 65 is	Management	31,
personally identifiable	(EIP) Policy-since May 29, 2012, Data Input Plan,	Training for Blue	resubmitted and is awaiting	entered and	and	2013 2015
information about an	and Blue Team Protocol have been approved.	Team, PDN Usage,	approval from Department of	<u>appropriately</u>	Supervision	
officer included in the risk		IAPRO is ongoing	Justice.	maintained with a	Committee	
management system		and has been		reasonable level of		
during the officer's		completed.	Quarterly review	accuracy and		
employment with the		Refresher training	commencing November 30,	completeness.		
VIPD for at least five		will be completed	2012 will be conducted By			
years. Information		by January 31,	October 31, 2013, in	Complete the test of a		
necessary for aggregate		2013. Officers are	consultation with DOJ,	beta version of RMS as		
statistical analysis will be		currently using	finalize Audit Plan.			

	 			<u> </u>	
maintained indefinitely in	Blue Team.		described in ¶ 64(d).		
the risk management	annually.	Conduct weekly inspections	Provide DOJ and the		
system. On an ongoing		to ensure compliance.	monitors with the		
basis, the VIPD will enter			opportunity to		
information into the risk		that all Blue Team technical	participate in the beta		
management system in a		issues will be resolved,	version testing.		
timely, accurate, and		training will be ongoing, and			
complete manner, and		all districts will receive a	Resolve all server		
maintain the data in a		round of training by January	issues that impeded		
secure and confidential		31, 2013. programs are	RMS from being fully		
manner.		installed on all Zone	operational and		
		Command computers and are	implemented.		
		also fully functioning.	*		
			Install all hardware		
		By November 30, 2012,	related to RMS and		
		VIPD will Provide DOJ with	ensure that it is fully		
		an action plan for achieving	<u>functional.</u>		
		sufficient numbers of staff to	Ensure that Blue Team		
		input current and historic	is operational at all		
		data or outlining how it	required locations.		
		intends to use existing staff	Supervisors and		
		to accomplish this task. The	managers have		
		plan will include an	received initial training		
		implementation date subject	on RMS.		
		to the agreement of the	OII KIVIS.		
		parties.			
		D I 20D 1 21			
		By June 30 December 31,			
		2013, in consultation with			
		DOJ-implement audit			
		toolsquarterly audits to			
		ensure that information is			
		timely and accurately entered			

			in the RMS and that staff are complying with the policies. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training. Working group members will be scheduling times to observe roll calls and to ensure that these matters are discussed via roll calls and commanders' calls. Input of historical data is ongoing and requires adequate numbers of staff for data entry.			
Paragraph 66 - The new risk management system will be purchased off the shelf and customized by VIPD. Alternatively, the new risk management system may be developed and implemented according to the following schedule: a. Within 150 days of the	Parties have exchanged several drafts of the Risk Management System Early Intervention Program (EIP) Policy since May 29, 2012. Data Input Plan, and Blue Team Protocol have been approved.	TrainingInitial training for Blue Team, PDN Usage, IAPRO is ongoingusage, and RMS has been completed. Refresher training for Blue Team and RMS will be completed by	IAPRO database is being utilized and the Blue Team system is continuously progressing toward completion. The installation of the program was completed on 3/23/10 at the Internal Affairs Bureau on St. Thomas.	Complete the test of a beta version of RMS as described in ¶ 64(d). Provide DOJ and the monitors with the opportunity to participate in the beta version testing.	Head of Management and Supervision Committee	October 31, 20132015

00 . 1 . 0.1.			
effective date of this	January 31, 2013.	Working group members	
Agreement, subject to the	Officers are	will conduct bi-monthlya-c	
review and approval of	currently using	has been completed.	
DOJ, the VIPD will issue	Blue Team.		
a Request for Proposal		d. By December 31, 2013	
(RFP).	Ensure allocation	<u>complete</u> review	
b. Within 270 days of the	of sufficient staff	commencing November 30,	
issuance of the RFP, or	to input historical	2012 to ensure determine	
later with the agreement	and current data	compliance with a through g.	
of DOJ, the VIPD will	into	d and e.	
select the contractor to	IAProannually.		
create the risk			
management system.		Blue Team technical issues	
c. Within 150 days of the		will be resolved, training will	
effective date of this		be ongoing, and all districts	
Agreement, the VIPD will		will receive a round of	
submit the protocol for		training by January 31,	
using the risk		2013.	
management system to			
DOJ for review and		By November 30, 2012,	
approval. The VIPD will		VIPD will Provide DOJ with	
share drafts of this		an action plan for achieving	
document with DOJ and		sufficient numbers of staff to	
the Monitor (a position		input current and historic	
described in Section VII)		data or outlining how it	
to allow DOJ and the		intends to use existing staff	
Monitor to become		to accomplish this task. The	
familiar with the		plan will include an	
document as it develops		implementation date subject	
and to provide informal		to the agreement of the	
comments on it. The VIPD		parties.	
and DOJ will together			
seek to ensure that the		By June 30, 2013, in	

protocol receives final		consultation with DOJ		
approval within 30 days		implement audit tools to		
after it is presented for		ensure staff are complying		
review and approval.		with the policies. Also		
d. Within 14 months of		ensure that lapses in policy		
selecting the contractor,		implementation are		
the VIPD will have ready		addressed by system of		
for testing a beta version		documented discipline and/or		
of the risk management		re-training.		
system consisting of: i)		Ensure sufficient staff to		
server hardware and		enter current and historical		
operating systems		data into IAPro.		
installed, configured and				
integrated with the				
VIPD's existing				
automated systems; ii)				
necessary data base				
software installed and				
configured; iii) data				
structures created,				
including interfaces to				
source data; and iv) the				
use of force information				
system completed,				
including historic data.				
DOJ and the Monitor will				
have the opportunity to				
participate in testing the				
beta version using use of				
force data and test data				
created specifically for				
purposes of checking the				
risk management system.				

e. The risk management system computer program and computer hardware will be operational and fully implemented within 20 months of the selection of the risk management system contractor. Paragraph 67 – Prior to implementation of the new risk management system, the VIPD will continue to use existing databases and resources to the fullest extent possible, to identify patterns of conduct by VIPD officers or groups of officers.	Parties have exchanged several drafts of the Risk Management System Early Intervention Program (EIP) Policy-since May 29, 2012. Data Input Plan, and Blue Team Protocol.	Training for Initial EIP and Blue Team, PDN Usage, IAPRO is ongoing and training has been completed. Refresher training will be completed by January 31, 2013. Officers are currently using Blue Team. annually.	Before implementation of the new risk management system existing data bases and resources were used. VIPD will maintain documentation of how it identified and addressed patterns of officer conduct based on existing databases and resources and provide this documentation on a quarterly basis to the Monitor, starting in the 3 rd quarter of 2012. N/A	N/A	Head of Management and Supervision Committee	October 31, 20132015
Paragraph 68 – Following the initial implementation of the risk management system, and as experience and the availability of new technology may warrant,	Parties have exchanged several drafts of the Risk Management System Early Intervention Program (EIP) Policy since May 29, 2012 has been approved.	To be determined as the need arises.	To be determined as the need arises.	VIPD receives approval from DOJ for all modifications to RMS prior to implementation.	Head of Management and Supervision Committee	October 31, 2013 2015

the VIPD may propose to add, subtract, or modify data tables and fields, modify the list of documents scanned or electronically attached, and add, subtract, or modify standardized reports and queries. The VIPD will submit all such proposals for review and approval by DOJ before implementation. Oversight						
Paragraph 69 – The VIPD will develop a protocol for conducting audits. The protocol will be used by each officer or supervisor charged with conducting audits. The protocol will establish a regular and fixed schedule to ensure that such audits occur with sufficient frequency, and cover all VIPD zones.	Audit Policy will be completed by November 30, 2012has been approved. Awaiting signature of Commissioner, as of September 26, 2013.	Training All initial audit-related training will be completed by April 30October 31, 2013.	Finalize Audit Protocol and submit to DOJ by November 30, 2013. Auditors to attend training re: conducting audits by April 30, 2013. Train staff regarding By October 31, 2013, in consultation with DOJ, finalize Audit Plan By October 31, 2013, complete all audit-related training. Thereafter, conduct refresher training as necessary.	The VIPD has developed an audit protocol that includes a regular and fixed schedule for conducting audits to ensure that they occur sufficiently, frequently and cover all VIPD zones. The VIPD creates an audit capacity and identifies staff to carry out the protocol. Officers or supervisors charged with conducting audits have either: (a) attended and	Head of Management and Supervision Committee	October 31, 2013 2015

Audit Protocol by June successfully completed 30report⁷ due December 31, the initial in-service 2013 and quarterly training on the audit thereafter. protocol and demonstrated Audit will commence June proficiency through a proficiency test(s); or 30, 2013 (b) if the officers or By June 30, 2013, VIPD will supervisors charged implement systems to with conducting audits By December 31, 2013 have not successfully VIPD will implement audit completed the required tools to ensure staff are training and passed the complying with all policies proficiency test(s), the and conduct use of force officers or supervisors review on a quarterly basis. have entered and successfully completed This includes periodic a remedial program quality checks on data designed to ensure entered. passage of the proficiency test(s) and By December 31, 2013, ensure that lapses in policy passed the proficiency implementation are test(s); or addressed by system of Where officers or documented discipline and/or supervisors have not re-training. successfully completed training and passed the By December 31, 2013, proficiency tests, the conduct audits to ensure VIPD has initiated compliance with the appropriate corrective requirements for paragraph action, including

⁷ An audit report is a comprehensive report of the results of VIPD's audit.

	64, regarding the RMS	training, and
	protocol.	disciplinary action
	protocor.	against the officers or
	D D	
	By December 31, 2013,	supervisors.
	VIPD will begin to conduct	
	quarterly reviews to ensure	
	that historical data required	<u>In instances when an</u>
	by the Data Input Plan is	audit is conducted,
	being entered into the RMS.	each officer or
	being entered into the revis.	supervisor charged
	Owent 1 1 0 1 1	with conducting the
	Quarterly review of closed	
	IAU files to ensure	audit uses the protocol
	compliance with	with a reasonable level
	investigation requirements.	of accuracy,
		completeness and
		timeliness.
		<u>*************************************</u>
		After conducting an
		audit, VIPD analyzes
		the results, identifies
		<u>corrective or other</u>
		action necessary as a
		result of the findings of
		the audit, and
		implements such
		action.
		The historical data
		required by the Data
		Input Plan is up-to-
		date with a reasonable
		level of accuracy and
		<u>completeness.</u>

			IAU conducts audits of		
			the RMS Protocol on a		
			quarterly basis with a		
			reasonable level of		
			accuracy and completeness.		
			completeness.		
			The Police		
			Commissioner's		
			Office, with IAU		
			assistance, has		
			convened, at least		
			quarterly, a meeting of		
			senior managers, and		
			all other personnel the Commissioner deems		
			necessary, to review all		
			RMS data to evaluate		
			officer performance		
			territory-wide and		
			make appropriate		
			comparisons regarding		
			performance of all		
			VIPD Units to identify any significant patterns		
			or series of incidents.		
D: : ::			or series or merdents.		
Discipline Paragraph 70 The VIDD	Disciplinary Dalicy and Matrix provinged by a base	A my additional	Davisians to	Head of	October
Paragraph 70 - The VIPD will develop a disciplinary	Disciplinary <u>Policy and Matrix previouslyhas been</u> approved. <u>However, further revision needed.</u>	Any additional training will be	Revisions to Disciplinary will be	Management	31,
matrix to take into	Revisions will be forwarded to USDOJ by	completed by	forwarded to USDOJ	and	2013 2015
account an officer's	November 1, 2012.	February 15, 2013.	by November 1, 2012.	Supervision	20132015

violations of different		Committee
rules, rather than just	Competency-based	
repeated violations of the	training of all staff by	
same rule. The VIPD will	Feb. 15, 2013 and	
further revise this matrix	ongoing documented	
to increase the penalties	refresher training	
for uses of excessive force,	through in-services	
improper searches and	and roll	
seizures, discrimination,	call/commanders call.	
or dishonesty, to reflect		
the seriousness of those	By June 30, 2013, in	
infractions. The revised	consultation with DOJ,	
disciplinary matrix will	implement audit tools	
provide the VIPD with the	to ensure staff are	
discretion to impose any	complying with the	
appropriate punishment	policies. Also ensure	
when the VIPD believes	that lapses in policy	
the officer's misconduct	implementation are	
exhibits a lack of fitness	addressed by system	
for duty. This revised	of documented	
matrix will be subject to	discipline and/or re-	
the review and approval	training.	
of DOJ.	Obtained DOJ	
	approval of a	
	<u>disciplinary matrix</u>	
	that: (a) accounts for	
	an officer's violations	
	of different rules,	
	rather than just	
	repeated violations of	
	the same rule; (b) is	
	revised to increase the	
	penalties for uses of	

				excessive force, improper searches and seizures, discrimination, or dishonesty, to reflect the seriousness of those infractions; and, (c) provides the VIPD with the discretion to impose any		
				appropriate punishment when the VIPD believes the officer's misconduct exhibits a lack of fitness for duty. Adopted a disciplinary policy that guides the use of the disciplinary matrix.		
Paragraph 71 - The VIPD will extend its statute of limitations for instituting disciplinary action from 50 days to 90 days. Paragraph 71 - VIPD policy will identify clear time periods by which the various steps of a complaint adjudication process should be	Disciplinary Policy and Matrix previously has been approved. However, further revision needed. Revisions will be forwarded to USDOJ by November 1, 2012. Awaiting signature of Commissioner, as of September 26, 2013.	Any additional Initial training on Disciplinary policy and matrix will be completed by February 15 December 31, 2013.	Disciplinary Matrix previously approved. However, further revision needed. Revisions will be forwarded to USDOJ by November 1, 2012. Competency-based training of all staff by February 15December 31, 2013 and ongoing documented	VIPD has developed a policy that establishes clear time periods by which the various steps of a complaint adjudication process should be completed, from complaint receipt to the imposition of discipline, if any. These established time	Head of Management and Supervision Committee	October 31, 2013 2015

completed, from complaint receipt to the imposition of discipline, if any. Absent exigent circumstances, extensions will not be granted without the Police Commissioner's written approval and notice to the complainant. In the limited circumstances when an extension is necessary, appropriate tolling provisions will be outlined in the policy.			refresher training through inservices and roll call/commanders call. By June 30December 31, 2013, in consultation with DOJ, implement audit toolsquarterly audits to ensure staff are complying with the policies, including (but not limited to) review for inclusion of written Police Commissioner extension approval in investigatory files. Also ensure that lapses in policy implementation are addressed	periods are not violated except for in exigent circumstances and with the Police Commissioner's written approval for tolling and notice to the complainant.		
			by system of documented discipline and/or re-training.			
			alsorptime and of to training.			
Paragraph 72 - Absent	Disciplinary Policy and Matrix previously has been	Any	Disciplinary Matrix	In cases where the	Head of	October
exceptional	approved. However, further revision needed.	additional Initial	previously approved.	matrix calls for	Management	31,
circumstances, the VIPD	Revisions will be forwarded to USDOJ by	training <u>on</u>	However, further revision	discipline, discipline is	and	2013 2015
will not take only non-	November 1, 2012 Awaiting signature of	<u>Disciplinary policy</u>	needed. Revisions will be	imposed.	Supervision	
disciplinary corrective	Commissioner, as of September 26, 2013.	and matrix will be	forwarded to USDOJ by	In cases where	Committee	
action in cases in which		completed by	November 1, 2012	discipline is imposed,		
the disciplinary matrix		February		there is evidence that		
indicates the imposition of		15 <u>December 31</u> ,	Competency-based training	the VIPD has also		
discipline. The VIPD will		2013.	of all staff by February	considered non-		
not fail to consider			15 December 31, 2013 and	disciplinary corrective		
whether non-disciplinary corrective action is			ongoing documented	action.		
			refresher training through in- services and roll			
required in a case because			services and foll			

discipline has been imposed on the officer.			call/commanders call. By June 30December 31, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.			
TRAINING						
Manageme nt Oversight						
Paragraph 73 – The VIPD will continue to coordinate and review all use of force policy and training to ensure quality, consistency, and compliance with applicable law and VIPD policy. The VIPD will conduct regular subsequent reviews, at least semi-annually.	N/A	N/A	VIPD has hired a training consultant to coordinate and review all use of force policies and All lesson plans. All Lesson Plans for the InService Training has inservice training have been completed and were forwarded to the VIAG and approved by the Director of Training. On an ongoing basis, continue to consult with counsel to ensure compliance with Territorial law.	Training Director VIPD has coordinated and reviewed all use of force policies at least annually and the Training Division has reviewed, at least semi-annually, all training to ensure quality, consistency, and compliance with applicable law and VIPD policy. The Director of Training provides written approval for all changes to previously	Training Director	October 31, 2013201 5

Policy completed by October approved use of force
31, 2013. <u>training and provides a</u>
semi-annual report
Training on Disciplinary regarding any such
Matrix and Protocol and changes and required
Monitors' subject matter
experts by November 30,
2012.
Auditors to attend outside
training re: conducting
auditscompleted by April 30,
2013.
Train staff regarding Audit
Protocol by June
30December 31, 2013.
By June 30, 2013, VIPD will
implement systems to ensure
that lapses in policy
implementation are addressed
by system of documented
discipline and/or re-training.
Conduct yearly in-service
training.
<u> </u>
After each training identify
After each training, identify
<u>individuals who did not</u>
attend training and forward
<u>information to Chief's</u>

	1		0.000 01: 00 0.000 :11			
			Office. Chief's Office will			
			investigate reason for no			
			show and, where necessary			
			impose disciplinary action			
			and/or re-schedule training.			
Paragraph 74 – The					Training	
Director of Training,	See paragraph 31 above.	Investigating use	Instructor Development	Training Director or	Director	October
either directly or through		of force training	Course/Train the Trainer is	Designee		31,
his/her designee(s),		for all supervisors	scheduled for October 15-19.	_ 55-8		2013 2015
consistent with applicable		in both districts	2012 (STX), October 8-12.			2013 2010
law and VIPD policy will:		was held during the	2012 (STT), Second of 12,			
a. ensure the quality of all		month of July	completed by October 19,			
use of force training;		2012.	2012.			
0.		2012.	2012.			
b. develop and implement		40hrs in service	Albra VIDD in consultation			
use of force training			40hrs VIPD in consultation			
curricula;		training was done	with VIAG shall ensure			
c. select and train VIPD		in 2011 and now	through review of lesson			
officer trainers;		ongoing in 2012.	plans and instructional			
d. develop, implement,			material that proper police			
approve, and oversee all		All Use of Force	practices are taught.			
in-service training;		Trainings is are		The Director of		
e. in conjunction with the		evaluated at the	In-Service Training was	Training and/or his/her		
Chiefs, develop,		end of each	completed in 2011 <u>2013</u> . <u>In</u>	staff reviews and		
implement, approve, and		training session by	service training will be	approves all use of		
oversee a patrol division		the officers filling	completed by December 31,	force training		
roll call protocol designed		out an evaluation	2014.	The Director of		
to effectively inform		sheet. Those sheets				
officers of relevant		are then to be	The Training Bureau will	Training and/or his/her		
changes in policies and		reviewed by the	continue its 40hrs In-Service	staff obtains legal		
procedures;		Director and/or	Training in both districts for	review of all use of		
f. establish procedures for		Designee.	supervisor and officers which	force training		
evaluating all training		32-6	will start on June 25, 2012	curricula.		
curricula and procedures;		All evaluation	and end September 21, 2012.	The Director of		

and	sheets are filed		Training and/or his/her
g. conduct regular needs	away in a binder	The Director of Training will	staff have developed
assessments to ensure that	after the	develop and implement a	and implemented use
use of force training is	<u>Trainingtraining</u>	tracking system to track	of force training
responsive to the	Director and\or	training attendance, by	curricula (including
knowledge, skills, and	Designee review	November 30, 2012 and In-	lesson plans).
abilities of the officers	the sheet.	service training will be	
being trained.		conducted annually. VIPD	The Director of
	In-Service	shall periodically test for	Training and/or his/her
	Training still	proficiency on the policies.	staff have developed a
	continues and is		process to continually
	ongoing. In-	By June 30, 2013, VIPD will	select and evaluate
	Service Training	implement systems to ensure	VIPD officer trainers.
	Schedule 2012 is	that lapses in policy	The training staff has
	completed.	implementation are addressed	received appropriate
		by system of documented	training and
		discipline and/or re-training.	<u>certification in the</u>
	All <u>class</u>		subject matter(s) that
	evaluations are	Competency	they are assigned to
	presently being	By January 31, 2014,	teach.
	reviewed by the	improve the tracking system	
	Training Director	to track training attendance.	The Director of
	or his Designee		Training and/or his/her
	and placed in a	After each training, identify	staff have reviewed
	binder at the	individuals who did not	and provided written
	Training Bureau ir		approval of <i>all</i>
	both districts. A	information Chief's Office.	curricula, course
	copy of the binder	Chief's Office will	schedules and lesson
	was made for	investigate reason for no	plans.
	training records	show and, where necessary,	
	and all forms will	impose disciplinary action	The Director of
	be forwarded to th	and/or re-schedule training.	Training and/or his/her
	Braining Bureau		staff have created and

once it is	Training will continue to	maintained a training
completed.	incorporate competency-	record system that
	based training of officers and	<u>captures attendance</u>
Instructors were	supervisors on remaining	records, instructor and
selected and VIPD	policies by Jan 31, 2013.	student evaluations,
has been		and test results.
training trained	By November 30, 2012,	The Training Director
supervisors and	implementJanuary 31, 2014,	and/or his/her staff, in
officers in the	improve tracking system to	
areas of:	ensure all staff are trained on	conjunction with the
- The Use of	policies (i.e., a tracking	Chiefs and Deputy
Force Policy	system).	Chiefs, have created a
- Response to		process for the
Resistance	RefresherContinue refresher	development,
Report	training on policies ongoing,	implementation and
- The	through documented,	approval of all Roll
Citizens Citize	periodic in-service and roll	Call training curricula.
ns' Complaint	call training. Incorporate	The Training Director
Process	can training. Incorporate	and/or his/her staff, in
- OC spray	Continue to incorporate	conjunction with the
- impactImpact	competency-based training	Chiefs and Deputy
weapon .	on policies into Police	Chiefs, have
weapon .	Academy by Jan. 31, 2013.	developed,
Individuals are	7 icademy by sun. 51, 2015.	implemented and
presently being	Yearly review of policies. <u>to</u>	approved <i>all</i> Roll Call
selected and a	determine training needs.	training curricula.
criteria for	determine training needs.	
selection of	Dy June 200 atalan 21 2012	The Training Director
	By June 30 October 31, 2013,	and/or his/her staff
trainers has been	in consultation with DOJ,	have maintained
completed.	finalize Audit Plan.	written documentation
		of this process.
A new Roll Call	By December 31, 2013,	
Policy was issued.	implement audit tools to	For the conducted

		. 1 1	C	
		ensurereview and analyze use	Consent Decree	
	 Arrest policy 	of force incident reports to	related training	
	<u>- Firearms</u>	identify trends, training	sessions, evaluation	
	<u>policy</u>	deficiencies, staff are	review forms were	
	 Off duty 	complyingcompliance/lack of	collected from class	
	<u>policy</u>	<u>compliance</u> with the policies.	participants. The	
	<u>- EIP</u>	Also ensure that lapses in	Director of Training	
	- Vehicle	policy implementation are	and his/her staff will	
	Pursuit Policy	addressed by system of	review these	
	- Spike Strip	documented discipline and/or	evaluation forms.	
	Policy	re-training., and additional		
	- Tactical	needs.	The Director of	
	<u>Operations</u>		Training and/or his/her	
	Policy		staff semi-annually	
	- Sniper		will review use of	
	Operation		force incidents to	
	Policy		identify patterns and	
	- Reporting,		trends that will	
	Investigating		influence training	
	and Review		needs. The chiefs or	
	of Use of		deputy chiefs and the	
	Force		Director of IAU must	
			take part in the review.	
	The Chief's Office			
	haswill continue to		The Director of	
	maintain a Roll		Training and/or his/her	
	Call Binder in the		staff have developed,	
	St. Croix District		reviewed and	
	and the same in the		implemented all use of	
	St. Thomas		force training curricula	
	District. A copy of		(including lesson	
	all roll call		plans).	
	trainings that are		pimilo).	
	trainings that are			

being conducted in	
the zones and	
bureaus will beare	
kept in that binder	
in the Chief's	
Office.	
An evaluation	
form was done	
titled "TRAINING	
DIVISION	
COURSE	
EVALUATION"	
for the purpose of	
evaluating all	
trainings	
conducted.	
At the end of each	
<u>class participants</u>	
are required to	
complete	
evaluation form.	
The Training	
Bureau shall	
ereatewill continue	
to use a	
comprehensive	
bank of questions,	
to create different	
post-training	
evaluations for	

		each training class. At the end of each training, an evaluation will be done to evaluate participants.the effectiveness of training.				
Paragraph 75 – The VIPD will continue to provide training consistent with VIPD policy, law, and proper police practices, and will ensure that only mandated objectives and approved lesson plans are taught by instructors. The VIPD will make best efforts to train each work shift as a team in their use of force training.	N/A	VIPD has hired a training consultant to in consultation with VIAG shall ensure through lesson plans and instructional material. that proper police practices are taught. Consultant also reviews all use All Lesson Plans for the in-service training have been completed and	On an ongoing basis, continue to consult with counsel and/or VIAG to ensure compliance with Territorial law. Finalize Audit Protocol and submit to DOJ and the Monitors' subject mater experts by November 30, 2012. By November 30, 2012, implement January 31, 2014 improve tracking system to ensure all staff are trained on policies (i.e., a tracking system).	raining DirectorThe VIPD has delivered training that is consistent with the content of approved lesson plans. The Director of Training and/or his/her staff has developed a plan to provide, to the extent possible, training for each work shift as a team on use of force and implements that plan.	Training Director	October 31, 20132015

	C 1 - 1 :		C	\neg
	were forwarded to		Sworn personnel have	
	the VIAG and	Auditors to attend. Conduct	either: (a) attended and	
	approved by the	annual competency-based	successfully	
	Director of force	training re: conducting audits	completed the initial	
	lesson plans. VIPD	by April 30, 2013.	<u>in-service training</u>	
	shall work to		each policy/protocol	
	develop internal	Train staff regarding Audit	and demonstrated	
	capacity to ensure	Protocol by June 30, 2013.	proficiency through a	
	that proper police		proficiency test(s); or	
	practices are	Refresher training of officers	(b) if sworn personnel	
	taught Training.	and supervisors on policies	have not successfully	
		ongoing. Continue to	completed the required	
	Roll Call	incorporate competency-	training and passed the	
	Training call	based training on policies	proficiency test(s), the	
	training is	into Police Academy.	sworn personnel have	
	currently being		entered and	
	done and	Competency-based training	successfully	
	documented in all	of all staff by December 31,	completed a remedial	
	zones and are	2013. Also continue	program designed to	
	documented.	competency-based training of	ensure passage of the	
		all investigators.	proficiency test(s) and	
	Initial training on		passed the proficiency	
	Disciplinary policy	Conduct refresher training on	test(s); or	
	and matrix will be	policies, through	Where sworn	
	completed by	documented, periodic in-	personnel have not	
	December 31,	service and roll call training.	successfully	
	<u>2013</u> .	Incorporate	completed training and	
			passed the proficiency	
		Continue to incorporate	tests, the VIPD has	
		competency-based training		
		on policies into the Police	initiated appropriate	
		Academy by Jan. 31, 2013.	corrective action,	
			including training, and	
		l.		

			Yearly review of policies to determine training needs. By June 30, 2013, VIPD will implement systems to ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training. By December 31, 2013, where warranted, provide and	disciplinary action against the sworn personnel. Sworn personnel displayed knowledge and proficiency in the requirements each policy, as evidenced by compliance with the policy/protocol requirements. All training must comport with the		
			document remedial training for personnel who have been identified as personnel who continually fail to report uses of force.	requirements of the Consent Decree and be taught from curricula/lesson plans that identify training objectives; (b) incorporate, to the extent possible, adult learning techniques (e.g., class exercises); and (d) indicate that it has been reviewed by legal counsel, as appropriate.		
Paragraph 76 – The VIPD shall continue to keep adequate records of lesson plans and other	N/A	All files are labeled in both districts and placed in	By November 30, 2012, implement January 31, 2014 improve tracking system to ensure all staff are trained on	The VIPD has established a central, commonly accessible	Training Director	October 31, 2013

training materials, such that the most current training documents are maintained in a central, commonly accessible file, and are clearly dated.		alphabetical order. Files can also be accessed by dates in the data base. Currently all folders Training files are being updated in both districts on a continuous basis.	policies (i.e., a tracking system). By November 30, 2012 and on ongoing basis, provide Provide Monitors' subject matter experts with training curricula and schedules at least 15 days in advance of training, but preferably 30 days in advance.	repository for lesson plans and training materials. Training Director/Headmaterial s are clearly dated. Training records are maintained in a central, commonly accessible repository. Lesson plans contain all of Administrative Officers		
				e required signatures of review and approval.		
Paragraph 77 – The VIPD shall continue to maintain training records regarding every VIPD officer that reliably indicate the training each officer has received. The training records shall, at a minimum, include the course description and duration, curriculum, and	N/A	Currently allAll trainings that are being conducted by VIPD are being documented by a sign in sheet. If the course that the officer is being trained and maintained in is a certification course	By November 30, 2012, implement January 31, 2014 improve tracking system to ensure all staff are trained on policies (i.e., Training files are updated on a tracking system).	TrainingThe Director/Head of AdministrativeTrainin g and/or his/her staff has maintained current and substantially complete training records for VIPD Officers	Training Director	October 31, 20132015

Timeline Table/ Action Plan

instructor for each officer.	a copydata base. Copy of the certificate issued is placed in thateach officer's file.	continuous basis as offices are trained.			
	The training academy has a copy of all lesson plans and certification in each instructor's folder.				
	Files can also be accessed by dates in the Data Base.				
Paragraph 78 – The Training Director, in consultation with the Attorney General's Office, will review all use of force training and use of force policies on a regular basis to ensure compliance with applicable laws and VIPD policy.	All use of force policies and lesson plans have been reviewed approved by DOJVIAG and have also been reviewed approved by the training consultant and the training director Training Director.	On an ongoing basis, VIPD will continue to consult with VI AG to ensure that all use of force training and use of force policies are in compliance with applicable laws and VIPD policy.	y November 30, 2012, The Training Director and on an ongoing basis, VIPD shall consult/or his/her staff, in consultation with VI AG to ensure thatthe Attorney General's Office, has reviewed all use of force training and use of	Training Director	October 31, 2013 2015
			force_related policies are in-and training curricula/lessons plans		

		regularly (i.e., a	least
		semi-annually)	
		ensure compliar	
		with applicable	
1			
		and VIPD policy	/ and
		there is docume	<u>ntation</u>
		of this review.	
		Force-related tra	ining
		<u>curricula/lesson</u>	
		adequately income	<u>porate</u>
		critical thinking	
		decision-making	
		instruction, appl	<u>icable</u>
		law(s) and VIPI	
		policy.	
		<u> </u>	
		The VIPD follo	
		process by which	h the
		Attorney General	al's
		Office reviews a	unv
		additions, chang	res
		and/or modifica	tions
		regarding use of	
		training or police	
		ensure compliar	
		with any applica	<u>ıble</u>
		<u>laws.</u>	
		Force-related po	licies
		and training	
		curricula/lesson	nlans
		have received at	
		nave received a	ICASI

				1
		annual review by the		
		Attorney General's		
		Office and those		
		reviews are		
		documented in		
		writing.		
Paragraph 79 – The	Numerous use of		Training	
VIPD will continue to	force training has	Training Director/	Director	October
provide all recruits,	been done since	Training Coordinator		31,
officers, supervisors, and	2011 to present.			2013 2015
managers with annual				
training on use of force.	The Training			
Such training will include	Bureau has			
and address the following	purchased a new			
topics:	state of the art			
a. the VIPD's use of force	Training			
model, as described in this	Lab training			
Agreement;	simulator from Ti			
b. proper use of force	Training Corp.			
decision-making;	This training tool			
c. the VIPD's use of force	will assist the			
reporting requirements;	officers in critical			
d. the Fourth Amendment	decision making			
and other constitutional	scenarios. VIPD			
requirements;	will begin using			
e. examples of scenarios	the training lab by			
faced by VIPD officers	November 30,			
that illustrate proper use	2012.			
of force decision-making;				
f. interactive exercises	The training			
that emphasize proper use	simulator will be			
of force decision-making;	used for training.			
g. de-escalation				

techniques that encourage	Training will	
officers to make arrests	also continue to	At least annually, the
without using force, and	teach officer	Training Director
instruction that	survival scenarios	and/or his/her staff
disengagement, area	in the areas of	develop a training
containment, surveillance,	Defensive Spray,	schedule and curricula
waiting out a subject,	Expandable Baton	for all use of force
summoning	and Defensive	related policies that
reinforcements, calling in	Tactics. These	incorporates and
specialized units, or	types of training	addresses all of the
delaying arrest may be the	will check the	components identified
appropriate response to a	judgments and	in ¶ 79(a)-(i).
situation even when the	performances of	
use of force would be	each officer.	At least annually, the
	each officer.	<u>Training Director</u>
legally justified; h. threat assessment;	In Carriag Training	and/or his/her staff
	In-Service Training that covers the 4 th	implement that
i. appropriate training on	Amendments	training schedule and
conflict management.		curricula for all use of
	applications and other	<u>force related policies</u>
		based on ¶ 79(a)-(i).
	Constitutional	Sworn personnel have
	Rights have been	(a) attended and
	conducted.	successfully
	Scenarios are	completed the initial
	being used as a	in-service training for
	training tool.	each new or revised
		use of force policy that
	Instructors have	includes and addresses
	been trained in the	the issues in paragraph
	utilization of the	79(a)-(i) and
	Training	demonstrated
	 Lab training	proficiency through a

<u>simulator</u> .	proficiency test(s); or
	(b) if sworn personnel
De-escalation	in each of the
techniques are	categories of recruits,
being used as	officers, supervisors
training tools.	and managers have
	not successfully
Training in all	completed the required
areas current and	training and passed the
ongoing.	proficiency test(s), the
	sworn personnel have
VIPD will conduct	entered and
in-service training	successfully
annually	completed a remedial
	program designed to
	ensure passage of the
	proficiency test(s) and
	passed the proficiency
	test(s); or
	Where sworn
	personnel have not
	successfully
	completed training and
	passed the proficiency
	tests, the VIPD has
	initiated appropriate
	corrective action,
	including training, and
	disciplinary action
	against the sworn
	personnel. Where
	train-the-trainer or
	specific force tool
I I	<u> </u>

Paragraph 80 – The VIPD will continue to provide training to all its officers on the VIPD citizen complaint process. The VIPD will develop a protocol for all its officers	Numerous trainingtrainings dealing with the citizen complaint process hashave been done since	Competency VIPD will continue to utilize competency-based training of officers and supervisors-on remaining policies by Jan.	certifications are required, recruits, officers, supervisors and managers have those certifications. The VIPD has developed policies or protocols related to the citizen complaint process, which address	Training Director	October 31, 2013
on appropriate conduct and responses in handling citizens' complaints and will train officers in the protocol.	2011 to present conducted.	By January 31, 2013 By November 30, 2012, implement2014 improve tracking system to ensure all staff are trained on policies (i.e., a tracking system). RefresherConduct refresher training on policies-ongoing, through ongoing documented, periodic inservice and roll call training. Incorporate competency-based training on policies into Police Academy by Jan. 31, 2013.	appropriate conduct and response in handling citizen complaints. Sworn personnel have (a) attended and successfully completed the initial in-service training for each new or revised complaint process related policy and demonstrated proficiency through a proficiency test(s); or (b) if sworn personnel		
		Yearly review of policies-to determine training needs	have not successfully completed the required training and passed the proficiency		

		By June 30, 2013, in consultation with DOJ, implement audit tools to ensure staff are complying with the policies. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.	test(s), the sworn personnel have entered and successfully completed a remedial program designed to ensure passage of the proficiency test(s) and passed the proficiency test(s); or where sworn personnel have not successfully completed training and passed the proficiency tests, the VIPD has initiated appropriate corrective action, including training, and disciplinary action against the sworn personnel.		
Paragraph 81 – The VIPD will provide training on appropriate burdens of proof to all supervisors, as well as the factors to consider when evaluating complainant or witness credibility (to ensure that their recommendations	Supervisors have been trained on the preponderance of evidence standard. By December 31, 2013, conduct annual refresher training on preponderance of	Preponderance of evidenceCompetency-based training done of supervisors on 1/13/11, 10/27/11, 2/10/11, 3/3/11. Training engoingpolicy will continue. Preponderance of Evidence	Competency based training of supervisors on remaining policies (i.e., Investigating Misconduct and Citizen Complaints Policy) by Jan 31, 2013	Training Director /Training Coordinator	October 31, 2013201 5

	41	1 Wita C 1:1:1:4-D	By November 30,	
regarding dispositions are	the evidence	and Witness CredibilityBy		
unbiased, uniform, and	standard.	January 31, 2014 improve	2012, implement	
legally appropriate). The		tracking system to ensure all	system to ensure all	
VIPD will also continue to		staff are trained on policies.	staff are trained on	
provide training to			policies (i.e., a	
supervisors on leadership		Conduct refresher training	tracking system).	
and command		was conducted on policies		
accountability, including		through documented,	Refresher training on	
techniques designed to		periodic in both districts in	policies ongoing,	
promote proper police		2011.	through documented,	
practices. This training			periodic in-service and	
will be provided to all		The new prom otees were	roll call training.	
officers promoted to		trained in this a rea in both	Ton can training.	
supervisory rank within		districts.	Yearly review of	
90 days of assuming		districts.	policies.	
		Navy magnetices completed	poncies.	
supervisory		New promotees completed	1 20 2012 :	
responsibilities, and will		<u> </u>	y June 30, 2013, in	
be made part of annual in-		roll call training as part of	consultation with DOJ,	
service training.		their contract and pursuant to	implement audit tools	
		Consent Decree.	to ensure staff are	
			complying with the	
		Yearly review of policies to	policies. Also ensure	
		<u>determine training needs.</u>	that lapses in policy	
			implementation are	
			addressed by system	
			of documented	
			discipline and/or re-	
			training.	
			Supervisors have (a)	
			attended and	
			successfully	
			completed the initial	
			<u>in-service annual</u>	

	<u>training incorporating</u>	
	the requirements of ¶¶	
	78-81 and	
	<u>demonstrated</u>	
	proficiency through a	
	proficiency test(s); or	
	(b) if VIPD	
	supervisors have not	
	successfully	
	<u>completed the required</u>	
	training and passed the	
	proficiency test(s), the	
	sworn supervisor has	
	entered and	
	successfully	
	<u>completed a remedial</u>	
	program designed to	
	ensure passage of the	
	proficiency test(s) and	
	passed the proficiency	
	test(s); or	
	Where supervisors	
	have not successfully	
	completed training and	
	passed the proficiency	
	tests, the VIPD has	
	<u>initiated appropriate</u>	
	corrective action,	
	including training, and	
	<u>disciplinary action</u>	
	against the	
	supervisors.	
	<u> </u>	

		Newly promoted
		supervisors have
		attended and
		successfully
		completed the initial
		training within 90 days
		<u>of assuming</u>
		supervisory
		responsibility
		<u>incorporating the</u>
		requirements of ¶ 78-
		81 and demonstrated
		proficiency through a
		proficiency test(s); or
		(b) if newly promoted
		supervisors have not
		successfully
		completed the required
		training within 90 days
		<u>of assuming</u>
		supervisory
		responsibility and
		passed the proficiency
		test(s), the newly
		<u>promoted supervisor</u>
		has entered and
		successfully
		completed a remedial
		program designed to
		ensure passage of the
		proficiency test(s) and
		passed the proficiency

	<u>te</u>	est(s); or		
	W. W.	Where newly		
		promoted supervisors		
		ave not successfully		
	<u>cc</u>	ompleted training and		
		passed the proficiency		
		ests, the VIPD has		
		nitiated appropriate		
		orrective action,		
		ncluding training, and		
		lisciplinary action		
		gainst the newly		
	<u>DI</u>	promoted supervisor.		
Paragraph 100 - The		. Use of Force	See above for	<u>Octob</u>
Territory of the Virgin		olicies (paragraph	person/group/	<u>er 31,</u>
Islands and the VIPD shall	3	<u>1):</u>	unit	<u>2015</u>
implement each and every provision of this Agreement			responsible for	
as that term is defined in		For subsection a:	each	
Paragraph 30 of this		Definitions of all force	substantive	
Agreement.		erms are consistent vith the Consent	<u>paragraph</u>	
		Decree, applicable		
		aw, and generally		
		ccepted police		
		oractices.		
	Fo	For subsection b:		
		Definition of "force"		
		comports with ¶ 21 of		
	<u>th</u>	he Consent Decree.		
	<u>F</u>	For subsection c: In		

	use of force incidents,
	there is documented
	evidence that, as
	appropriate, Officers
	disengaged, contained
	the area, conducted
	surveillance, waited
	out the subject, and/or
	called in specialized
	units.
	For subsection d: In
	use of force incidents,
	there is documented
	evidence that, when
	feasible, an individual
	was advised that
	he/she is allowed to
	submit to arrest before
	force is used.
	For subsection e: See
	¶ 31.
	For subsection f: In
	use of force incidents,
	the use of force review
	concludes that
	sufficient less lethal
	alternatives were used
	where appropriate
	based on the totality of
	circumstances.
	<u></u>

Patrol and other
applicable officers
carry less lethal
alternatives et all times
<u>alternatives at all times</u>
while on duty.
For subsection g: In
use of force incidents,
choke holds and
similar carotid holds
were not used, except
where deadly force
<u>was authorized.</u>
<u>In use of force</u>
incidents where the
use of force review
concluded that use of
al al a l a l l a l a a a a i i i i a a
<u>choke holds or similar</u>
<u>carotid holds were not</u>
<u>authorized, VIPD took</u>
<u>corrective and/or</u>
<u>disciplinary action</u>
against the officer who
used the choke hold or
other carotid hold.
other carotta nota.
TAND : 11 / 1
<u>VIPD immediately</u>
<u>implements any policy</u>
<u>revisions, once</u>
<u>approved.</u>
2. Firearms policy
(naregraph 20)
(paragraph 39):

Sworn personnel do
not possess or use
<u>unauthorized firearms</u>
or ammunition.
In cases where an
officer is found to be
in possession of
unauthorized firearms
or ammunition, there
is evidence that an
investigation was
conducted and
<u>appropriate corrective</u>
action was taken
which includes
bringing the officer's
<u>conduct into</u>
compliance with the
VIPD firearms policy.
<u>Firearm discharges are</u>
documented on an
RRR.
Service ammunition
obtained and used by
officers is obtained
through official VIPD
channels.
3. Off-duty policy
(Paragraph 40): In
reported incidents
<u>involving off-duty</u>

			officers taking police
			action, the off-duty
			officer's conduct
			comports with
			policies regarding off-
			duty officers telving
			duty officers taking
			police action and ¶¶
			31(a)-(g) of the
			Consent Decree.
			Consent Decree.
			Off-duty officers
			notified on-duty sworn
			personnel or local
			enforcement officers
			before taking police
			actions, except in
			exigent circumstances.
			In incidents where an
			off-duty officer taking
			police action appeared
			to have consumed
			alcohol, the off-duty
			officer submitted to
			<u>field sobriety</u> ,
			breathalyzer, and/or
			blood tests.
			Completed
			<u>investigations into</u>
			complaints of
			misconduct are in
			compliance with the
			provisions of the
	\		

	Consent Decree.
	4. Investigations
	(Paragraph 47): In
	reportable use of
	force incidents, the
	investigating
	supervisor had no
	involvement in the
	incident (i.e., he /she was not involved in
	the use of force
	incident, his/her
	conduct did not lead
	to an injury, and
	he/she did not
	authorize conduct
	leading to the use of
	force incident).
	5. Investigative
	findings
	(Paragraph 52): Use
	of force investigations
	<u>include documented</u>
	findings of all of the
	considerations
	required by ¶ 52.
	C A11
	6. Allegations of
	Comminal misconduct
	(Paragraph 53): In investigations
	involving criminal
	mvorving criminal

	investigations that are
	referred to the
	Attorney General's
	Office or other
	appropriate agency,
	the VIPD has
	documentation that it
	has completed, to the
	extent possible, its
	own administrative
	investigation.
	7. Elements of RMS
	Protocol (Paragraph
	64): The VIPD has
	implemented a
	protocol for using the
	RMS that includes the
	components identified
	in ¶ 64(a) of the
	Consent Decree.
	The VIPD has
	<u>implemented a</u>
	protocol that includes
	an automated system
	to analyze the data
	according to the
	criteria identified in ¶
	64(b) of the Consent
	Decree.
	Reports are generated
	and distributed to

		 ,
		appropriate sworn
		personnel (e.g., Chiefs,
		Deputy Chiefs, and
		supervisors) on a
		monthly basis.
		Reviews conducted by
		the Deputy Chiefs,
		managers, and
		supervisors comport
		with the RMS
		protocol.
		Deputy Chiefs,
		managers and
		supervisors have
		<u>initiated intervention</u>
		<u>in instances based on</u>
		activity and pattern
		assessment contained
		in the RMS. The chief
		or designee will also
		have overall
		responsibility for
		ensuring that
		<u>interventions are</u>
		<u>initiated as</u>
		appropriate.
		Interventions, as
		exemplified in
		paragraph 64 of the
		Consent Decree,
		comport with the RMS
	ļ	Comport with the Kivis

	<u>protocol</u>
	Interventions are
	based on all relevant
	and appropriate
	information, including
	the nature of the
	officer's assignment,
	<u>crime trends and crime</u>
	problems, and not
	solely on the number
	or percentages of incidents in any
	category of
	information recorded
	in the risk
	management system.
	In instances when
	officers are transferred
	to a new section or
	unit, Deputy Chiefs,
	managers and
	supervisors for the
	relevant section or unit
	have promptly
	reviewed the RMS
	records of such
	officers.
	The VIPD has
	established a protocol
	for evaluating whether
	deputy chiefs,
	managers and

		supervisors are able to use the RMS system to enhance effectiveness and risk.
		This evaluation protocol is followed with a reasonable level of accuracy and
		The RMS is managed and administered by
		8. Disciplinary matrix (paragraph 70):
		Disciplinary penalty decisions are consistent with the penalties set forth in the matrix.

VIRGIN ISLANDS POLICE DEPARTMENT CONSENT DECREE ACTION PLAN OCTOBER 1, 2013

CONSENT DECREE PARAGRAPH	POLICY	TRAINING	ACTION/ REVIEW/AUDIT	REQUIREMENTS FOR SUBSTANTIAL COMPLIANCE	PERSON/ GROUP/ UNIT RESPONSI- BLE	SUBSTAN- TIAL COM- PLIANCE DEALINE
USE OF FORCE POLICIES						
Paragraph 31- The VIPD will review and revise its use of force policies as necessary to: a. define terms clearly; b. define force as that term is defined in this Agreement; c. incorporate a use of force model that teaches disengagement, area containment, surveillance, waiting out a subject, summoning reinforcements or calling in specialized units as appropriate responses to a situation; d. advise that, whenever possible, individuals should be allowed to submit to arrest before force is used; e. reinforce that the use of	Use of Force Policies approved and signed off by Commissioner includes: 3.1 Use of Force 3.2 Reporting, Investigating and Review of Force 3.4 Firearms Policy 3.5 Impact Weapons 3.6 Electronic Control Weapon 3.7 OC Spray 3.8 Off-Duty Policy 3.9 Vehicle Pursuit Policy 3.10 Spike Strip 3.11 Canine Operations 3.12 Tactical Operations 3.13 Sniper Operations Training has been	Initial training has been completed on the use of force policies as provided in this paragraph. Refresher training is also on-going during in-service training modules.	Yearly review of policies.	Obtained DOJ approval for all use of force policies that require DOJ approval. Approved policies are distributed to sworn personnel and applicable civilian employees. 1	Head of Use of Force Working Group	October 31, 2015

¹ For paragraphs 31, 39, 40, 47, 50, 52, 53, 62, 64, and 70, training requirements will be measured under paragraph 75; and audit and implementation requirements will be measured under paragraph 100.

excessive force will subject officers to discipline, possible criminal prosecution, and/or civil liability; f. ensure that sufficient less lethal alternatives are available to all patrol officers; and g. explicitly prohibit the use of	completed on the foregoing policies.					
choke holds and similar carotid holds except where deadly force is authorized. Once the DOJ has reviewed and approved these policies, the VIPD shall immediately implement any revisions.						
EVALUATION, DOCUMENTATION, AND REVIEW OF USE OF FORCE						
Paragraph 32 – The VIPD will require all uses of force to be documented in writing. The use of force report form will indicate each and every type of force that was used, and require the evaluation of each type of force. Use of force reports will include a narrative description	3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signed off by the Commissioner.	Initial officer and supervisor training on policies completed with refresher training on- going during in-service training modules.	Yearly review of policies. By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Ensure that the Virgin Islands' Attorney General's Office, VIPD's counsel, ² the Training Working	Use of force incidents have been documented in an RRR and investigated by a supervisor. RRRs will include each of the requirements identified in ¶ 32 of the Consent Decree.	Head of Use of Force Working Group	October 31, 2015

²This requirement applies only insofar as the position of VIPD counsel is filled.

C/1 / 1' /	
of the events preceding the use	Group, and the Use of Force In use of force incidents,
of force, written by a supervisor	Working Group review all use of there is evidence that
or by the designated	force policies. corrective action was taken
investigative unit. Use of force	against the sworn personnel
reports also will include the	Conduct refresher training on whose use of force
officer(s)' narrative description	policies through documented, documentation failed to
of events and the officer(s)'	periodic in-service and roll meet the requirements of the
statement. Except in cases of	call/commanders call training. Consent Decree.
use of force involving the	
lowest level of force as defined	Continue to incorporate Uses of force comply with
in VIPD policy as approved by	competency-based ³ training on applicable law.
DOJ, the officer's statement	policies into Police Academy.
shall be audio- or videotaped.	Penere me remeria
Shan of addice of viacomped.	By October 31, 2013, in
	consultation with DOJ, finalize
	Audit Plan. ⁴
	Audit I idii.
	By December 31, 2013, implement
	audit tools to ensure staff are
	complying with the policies (i.e.,
	review of sample of 1As and arrest
	reports to ensure RRRs are
	completed) and conduct use of
	force review on a quarterly basis.
	By December 31, 2013 ensure that
	audits audit the timeliness of
	completion of use of force
	investigations.

³ "Competency-based training" means the provision of knowledge and skills sufficient to enable the trained person to demonstrate compliance with specified performance standards.

⁴ The Audit Plan is a document describing at a high level how VIPD will conduct audits for the general areas of the Consent Decree.

Paragraph 33 - Officers shall notify their supervisors following any use of force or upon the receipt of an allegation of excessive force. Except in uses of force involving the lowest level of force as defined in VIPD policy as approved by DOJ, supervisors will respond to the scene, examine the subject for injury, interview the subject for complaints of pain, and ensure that the subject received needed medical attention.	3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signed off by the Commissioner.	Initial training on policies completed with refresher training ongoing during in-service training modules. Additional training for supervisors has been completed.	By December 31, 2013, and quarterly thereafter, conduct audits to identify personnel who continually fail to report uses of force or otherwise fail to follow the policy and provide and document discipline and/or remedial training. Conduct refresher training on policies through documented, periodic in-service and roll call/commanders call training. Continue to incorporate competency-based training on policies into Police Academy. Yearly review of policies. By January 31, 2014, improve tracking system to ensure all staff are trained on policies. By June 30, 2014, VIPD will provide USDOJ with a comprehensive report regarding: (1) the actions it has taken to obtain appropriate number of supervisory personnel to carry out the mandates of the Consent Decree, and (2) any additional steps necessary to ensure a sufficient number of supervisors.	The officer using force notified his/her supervisor as required by VIPD policy. Where a supervisor was notified of the use of force by an officer, he/she responded to the scene in a reasonable amount of time, as required by VIPD policy. In incidents where the supervisor responded to the scene, he/she conducted a complete investigation, including examining the subject for injury, interviewing the subject for complaints of pain, and ensuring that the subject received any needed medical attention. All training must comport with the requirements of the	Head of Use of Force Working Group	October 31, 2015
--	--	--	--	---	------------------------------------	------------------

⁵ This requirement applies to Consent-Decree related training.

			By February 1, 2014, VIPD will provide USDOJ with an interim report addressing the above issues. By October 31, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of 1As, arrest reports and RRRs) and conduct use of force review on a quarterly basis. By December 31, 2013, and quarterly thereafter, conduct audits to identify personnel who continually fail to report uses of force and provide and document discipline and/or remedial training.	Consent Decree, and be taught from curricula/lesson plans that: (a) identify training objectives; (b) incorporate, to the extent possible, adult learning techniques (e.g., class exercises); and (c) indicate that it has been reviewed by legal counsel, as appropriate. ⁵		
Paragraph 34 – Supervisors, or designated investigating officers or units, will review, evaluate, and document each use of force, and will complete the narrative description section of the use of force report. The narrative description will include a precise description of the facts and circumstances that either justify or fail to justify the officer's conduct. As part of this review, the supervisor or	3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signed off by the Commissioner.	Initial training on policies completed with refresher training ongoing during in-service training modules. Additional training for supervisors has been completed.	By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Conduct refresher training on policies, through documented, ongoing periodic in-service and roll call/commanders call training. Continue to incorporate competency-based training on policies into Police Academy.	In reportable use of force incidents, the investigating supervisor had no involvement in the incident (<i>i.e.</i> , he/she was not involved in the use of force incident, his/her conduct did not lead to an injury, and he/she did not authorize or participate in conduct leading to the use of force incident).	Head of Use of Force Working Group	October 31, 2015

· · · · · · · · · · · · · · · · · · ·	
designated investigating	Yearly review of policies. In reportable use of force
officer/unit will evaluate the	incidents, the supervisor
basis for the use of force, and	By June 31, 2014, VIPD will completed his/her review
determine whether the officer's	provide USDOJ with a and evaluation according to
actions were within VIPD	comprehensive report regarding: VIPD's use of force policies
policy. An officer who used	(1) the actions it has taken to obtain and all other requirements
force during the incident, whose	appropriate number of supervisory of ¶ 31 of the Consent
conduct led to an injury, or who	personnel to carry out the mandates Decree.
authorized conduct leading to	of the Consent Decree and (2) any In reportable use of force
the use of force or allegation of	additional steps necessary to ensure incidents, the supervisor
excessive force, or who was	a sufficient number of supervisors. Incidents, the supervisor completes the supervisor's
present during the incident, will	
not be eligible to review or	By February 1, 2014, VIPD will narrative description of the RRR in a manner that
investigate the incident.	provide USDOJ with an interim comports with the
	report addressing the above issues.
	Consent Decree.
	By October 31, 2013, in
	consultation with DOJ, finalize
	Audit Plan.
	By December 1, 2013, implement
	audit tools to ensure staff are
	complying with the policies (i.e.,
	review of sample of 1As, arrest
	reports and RRRs) and conduct use
	of force reviews on a quarterly
	basis.
	By December 31, 2013, and
	quarterly thereafter, conduct audits
	to identify supervisors who neglect
	their responsibilities to investigate
	as required by policy and provide

			and document discipline and/or remedial training.			
Paragraph 35 – The parties agree that it is improper interview procedure during use of force investigations to ask officers or other witnesses leading questions that improperly suggest legal justifications for the officer's conduct when such questions are contrary to appropriate law enforcement techniques. In each review/investigation, the VIPD will consider all relevant evidence including circumstantial, direct and physical evidence, as appropriate, and make credibility determinations, if feasible. The VIPD will make all reasonable efforts to resolve material inconsistencies between witness statements. The VIPD will train all of its supervisors and officers assigned to conduct use of force investigations in conducting use of force investigations, including in the factors to consider when evaluating credibility.	3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signed off by the Commissioner.	Initial training on policies completed with refresher training ongoing during in-service training modules. Additional training for supervisors has been completed.	Conduct refresher training on policies through documented, periodic in-service training. By January 31, 2014, improve tracking system to ensure all staff are trained on policies. Yearly review of policies. By October 31, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files) and conduct use of force review on a quarterly basis. By December 31, 2013, and quarterly thereafter, conduct audits to identify personnel who continually fail to report uses of force and provide and document discipline and/or remedial training	In interviews conducted during use of force reviews, leading questions were avoided. In investigations where material inconsistencies are present between witness statements, reasonable efforts are made to resolve the inconsistencies. In the use of force reviews, all relevant evidence, including circumstantial, direct and physical evidence is documented and appropriately considered, and credibility determinations made, if feasible. When evaluating witness credibility, appropriate factors are considered and documented. Supervisors are trained on how to conduct, review, and evaluate use of force incidents, including but not limited to, what factors to consider when evaluating	Head of Use of Force Working Group	October 31, 2015

				witness credibility.		
Paragraph 36 – Supervisors, or	3.2 Reportable Use of	Initial training on	Conduct refresher training on	In reportable use of force	Head of Use of	October 31,
designated investigating officers	Force Response to	policies completed with	policies through documented,	incidents, all involved	Force Working	2015
or units, shall conduct an	Resistance Report Form	refresher training on-	periodic in-service training.	officers are identified in the	Group	
investigation of all uses of force	(RRR) has been	going during in-service		investigating supervisor's		
or injury resulting from a use of	approved and signed off	training modules.	By January 31, 2014, improve	reports.		
force by any officer under their	by the Commissioner.	Additional training for	tracking system to ensure all staff	In reportable use of force		
command. This requirement		supervisors has been	are trained on policies (i.e., a	incidents, all witnesses, to		
does not apply to uses of force		completed.	tracking system).	the extent practicable, are		
involving the lowest level of				identified in the		
force as defined in VIPD policy			Yearly review of policies.	investigating supervisor's		
as approved by DOJ. In an				reports.		
investigation, supervisors or			By October 31, 2013, in			
designated investigating officers			consultation with DOJ finalize	In reportable use of force		
or units, shall interview all			Audit Plan.	incidents, the investigating		
witnesses to a use of force or an				supervisor ensured that		
injury resulting from a use of			By December 31, 2013, implement	efforts were made to		
force. Consistent with the			audit tools to ensure staff are	identify and interview		
requirements of the collective			complying with the policies (i.e.,	witnesses, and documented		
bargaining agreement or other			review of sample of use of force	these efforts.		
applicable law, VIPD			investigation files) and conduct use	In reportable use of force		
supervisors or designated			of force review on a quarterly basis.	incidents that resulted in		
investigating officers or units				injuries, the investigating		
shall ensure that all officer			By December 31, 2013, and	supervisor documented the		
witnesses provide a statement			quarterly thereafter, conduct audits	extent of the injuries and		
regarding the incident.			to identify personnel who	any medical treatment		
Supervisors, or designated			continually fail to report uses of	rendered in a manner that		
investigating officers or units,			force and provide and document	comports with ¶ 36 of the		
shall ensure that all use of force			discipline and/or remedial training	Consent Decree.		
reports for all levels of force				In reportable use of force		
identify all officers who were				incidents that resulted in		
involved in the incident or were				injuries, photographic		
on the scene when it occurred.				mjaries, priotograpine		

Supervisors, or designated investigating officers or units, shall ensure that all reports for all levels of force indicate whether an injury occurred, whether medical care was provided, and whether the subject refused medical treatment. Supervisors, or designated investigating officers or units, shall ensure that all reports include contemporaneous photographs or videotapes taken of all injuries at the earliest practicable opportunity, both before and after any treatment,				evidence was collected and maintained in a manner that comports with ¶ 36 of the Consent Decree. In reportable use of force reviews, the investigating supervisor provided a finding on whether the use of force was justified under VIPD's use of force policies.		
including cleansing of wounds. Paragraph 37 – All investigations into use of force shall be reviewed by the Officer's Commander and/or Director, or by a Commander and/or Director in the designated investigative unit, who shall identify any deficiencies in those reviews, and shall require supervisors, or designated investigative officers or units, to correct any and all deficiencies. Supervisors, and designated investigative officers or units, will be held	3.2 Reportable Use of Force Response to Resistance Report Form (RRR) has been approved and signed off by the Commissioner.	Initial training on policies completed with refresher training ongoing during in-service training modules. Additional training for supervisors has been completed.	Conduct refresher training on policies through documented, periodic in-service training. By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Yearly review of policies. By October 31, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, and	Completed use of force case files contained signed documentation from the Chief and/or Deputy Chief or designee indicating that he/she reviewed the completed investigation and the date of such review. In completed use of force investigations in which the Chief and/or Deputy Chief or designee found deficiencies in the investigations, the	Head of Use of Force Working Group	October 31, 2015

accountable for the quality of their reviews. Appropriate non- disciplinary corrective action and/or disciplinary action will	quarterly thereafter, conduct audits to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files) deficiencies were documented and corrections were documented; and	
be taken when a supervisor, or designated investigative officer or unit, fails to conduct a timely and thorough review, or neglects to recommend appropriate corrective action, or neglects to properly implement appropriate corrective action. As provided by VIPD policy and approved by DOJ, designated command staff shall further review the Commander and/or Director's reviews according to the level of force involved.	and conduct use of force review on a quarterly basis By December 31, 2013, conduct audits to identify personnel who continually fail to report uses of force and provide and document discipline and/or remedial training. In reportable use of for incidents, the Chief an Deputy Chief or design provided a written, sig and dated finding on whether the use of force justified under VIPD's approved use of force policies and all other requirements of ¶¶ 31(to all strains and the strains
	of the Consent Decree In reportable use of for incidents, supervisors a held accountable for the quality of their reviews documented non-disciplinary and/or disciplinary action has taken when a supervisor manager: fails to conditimely and thorough respect to recommend.	been or or act a view;

				appropriate corrective		
				action; or neglects to		
				properly implement		
				appropriate corrective		
				action.		
				In use of force incidents		
				where the		
				Commander's/Director's or		
				his designee's review and		
				evaluation concluded that		
				improper tactics were used,		
				there is evidence that the		
				involved sworn personnel		
				received and successfully		
				completed remedial		
				training, and, if appropriate,		
				were disciplined.		
				In use of force incidents		
				deemed unjustified by the		
				Commander's/Director's or		
				designee's review and		
				evaluation, the involved		
				sworn personnel were		
				disciplined, up to and		
				including termination from		
				VIPD if appropriate, and, if		
				termination was not		
				appropriate, at the very		
				least, received remedial		
				training.		
Paragraph 38 – The VIPD will	3.2 Reportable Use of	Initial training on all	Conduct refresher training on	Critical firearm discharges	Head of Use of	October 31,
investigate all critical firearm	Force Response to	policies completed with	policies through documented,	are investigated and	Force Working	2015

discharges. The VIPD will	Resistance Report Form	refresher training on-	periodic in-service training.	documented.	Group	
ensure that the investigation accounts for all shots and locations of all officers who discharged their firearms. The VIPD will conduct all ballistic or crime scene analyses, including gunshot residue or bullet trajectory tests, as appropriate.	(RRR) has been approved and signed off by the Commissioner.	going during in-service training modules. Additional training for supervisors completed.	By January 31, 2014, improve tracking system to ensure all staff are trained on policies (i.e., a tracking system). Yearly review of policies. By October 31, 2013, in consultation with DOJ finalize Audit Plan. VIPD shall maintain sufficient trained staff who conduct adequate ballistic/crime scene analysis. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files) and conduct use of force review on a quarterly basis. By December 31, 2013 conduct audits to identify personnel who continually fail to report uses of force and provide and document discipline and/or remedial training	Investigations or reviews of critical firearm discharges accounted for all shots. Investigations or reviews of critical firearm discharges accounted for the locations of all officers who discharged their firearms. In investigations or reviews of critical firearm discharges, the VIPD conducted ballistic crime scene analyses, including gunshot residue or bullet trajectory tests, as appropriate. Supervisors (or other personnel) have either: (a) attended and successfully completed the initial inservice training on ballistic and crime scene analyses and demonstrated proficiency through a proficiency test(s) and passed the proficiency test(s) and passed the proficiency test(s) and passed the proficiency tompleted the required training and		

complete development of a Use	3.4 Firearms – Approved and signed by Commissioner.	Initial training on policy completed with refresher training ongoing during in-service training modules.	Yearly review of policies.	passed the proficiency test(s), the supervisors (or other personnel) have entered and successfully completed a remedial program designed to ensure passage of the proficiency test(s); or Where supervisors (or other personnel) have not successfully completed training and passed the proficiency tests, the VIPD has initiated appropriate corrective action, including training, and disciplinary action against the sworn personnel. Obtained DOJ approval for Use of Firearms policy. Approved policy contains the elements required in Paragraph 39. Approved policy is distributed to sworn personnel and applicable civilian employees.	Head of Use of Force Working Group	October 31, 2015
-------------------------------	---	--	----------------------------	---	--	------------------

discharges. The policy shall prohibit officers from obtaining service ammunition from any source except through official VIPD channels, and shall specify the number of rounds VIPD authorizes its officers to carry. The policy will continue to require that all discharges of firearms by officers on or offduty, including unintentional discharges, be reported and investigated.						
Paragraph 40 – The VIPD shall revise its policies regarding off-duty officers taking police action to: a. provide that off-duty officers shall notify on-duty VIPD or local law enforcement officers before taking police action, absent exigent circumstances, so that they may respond with appropriate personnel and resources to handle the problem; b. provide that, if it appears the officer has consumed alcohol or is otherwise impaired, the officer shall submit to field sobriety, breathalyzer, and/or	3.8 Off-duty Official Action – Approved and signed by Commissioner.	Initial training on policy completed with refresher training ongoing during in-service training modules.	Yearly review of policies.	Obtained DOJ approval of use of force policy on off-duty officers taking police action. Policy contains all elements required by Paragraph 40. Approved policies are distributed to sworn personnel and applicable civilian employees.	Head of Use of Force Working Group	October 31, 2015

blood tests.						
Paragraph 41 – The VIPD shall continue to provide an intermediate force device, which is between chemical spray and firearms on the force continuum, that can be carried by officers at all times while onduty. The VIPD shall continue its policy regarding the intermediate force device, incorporate the intermediate force continuum and train all officers in its use on an annual basis.	3.6 Electronic control Weapon – Approved and signed by Commissioner.	Initial training on policy completed with refresher training ongoing during in-service training modules.	Conduct refresher training on policies through documented, periodic in-service training. By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Conduct refresher training on policies through documented, periodic in-service training, to test proficiencies. Yearly review of policies. By October 31, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of use of force investigation files).	Patrol and other applicable officers carry an intermediate force device at all times while on-duty. Sworn personnel have either: (a) attended and successfully completed the initial in-service training for each new or revised policy related to intermediate force devices and demonstrated proficiency through a proficiency test(s); or (b) if sworn personnel have not successfully completed the required training and passed the proficiency test(s), the sworn personnel have entered and successfully completed a remedial program designed to ensure passage of the proficiency test(s) and passed the proficiency test(s); or	Head of Use of Force Working Group	October 31, 2015
			Conduct inspections, with report on a quarterly basis, commencing on December 31, 2013, to ensure that officers carry intermediate force device(s) as appropriate and that their use of the device(s) comports with applicable law and VIPD	Where sworn personnel have not successfully completed training and passed the proficiency tests, the VIPD has initiated appropriate corrective action, including training,		

CITIZEN COMPLAINT PROCESS			policy. By December 31, 2013, and quarterly thereafter, conduct audits to identify personnel who continually fail to report uses of force and provide and document discipline and/or remedial training.	and disciplinary action against the sworn personnel. Sworn personnel display knowledge and proficiency on using intermediate force devices, as evidenced by compliance with the policy requirements.		
Public Information						
Paragraph 42 - The VIPD will develop and implement a program to inform persons that they may file complaints regarding the performance of any officer. This program will include distribution of complaint forms, fact sheets, informational posters, and public service announcements that describe the citizen complaint process.	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial Officer and supervisor training completed on both districts.	Yearly review of policies.	The VIPD has developed and implemented a program to inform persons that they may file complaints regarding the performance of any officer. In VIPD facilities, vehicles, and governmental properties such as VIPD district stations, libraries, the internet and upon request, to community groups and community centers, complaint information brochures and forms are available.	Head of Citizens' complaint committee	In Compliance; sustained compliance required
Paragraph 43 – The VIPD will	Acceptance of Citizen	Initial officer and	Conduct refresher training on	VIPD facilities, vehicles,	Head of	
make complaint forms and	Complaints/	supervisor training	policies, through documented,	and government properties,	Citizens'	
informational materials available at government	Investigating Misconduct & Citizen	completed on both districts.	periodic in-service training.	complaint information brochures and forms are	Complaint Committee	October 31,
avanable at government	1VIISCOIIUUCI & CITIZCII	districts.	uaning.	orochares and forms are	Committee	October 51,

properties such as VIPD district	Complaints Policy		available.	2015
stations, substations, mobile	approved and signed by	By January 31, 2014 improve		2013
substations, libraries, the	Commissioner.	tracking system to ensure all staff	Officers carry the	
Internet, and, upon request, to	Commissioner.	are trained on policies.	informational brochures and	
community groups and		are trained on poneies.	complaint forms with them	
community groups and community centers. At each		Yearly review of policies.	at all times while on-duty.	
VIPD district station, substation,		rearry review or policies.	In VIPD district stations,	
and mobile substation, the VIPD		Monthly inspections by Zone	substation, and mobile	
will permanently post a placard		Commanders to ensure that all	stations, a placard is	
describing the complaint		complaint process materials are	displayed describing the	
process and include the relevant		available in their Zones. Zone	complaint process,	
phone numbers. These placards		Commanders will provide a	including relevant phone	
shall be displayed in both		monthly written report of their	numbers.	
English and Spanish, and where		inspections.	In incidents where a citizen	
deemed necessary, in French or		1	complained about an	
French Patois, to account for		Monthly inspections to ensure that	officer's conduct, the officer	
diversity in the VI population.		informational materials are	informed, and did not	
The VIPD will require all		available at all required locations.	discourage, the citizen about	
officers to carry informational			his/her ability to make a	
brochures and complaint forms,			complaint.	
in English and Spanish, and			complaint.	
where deemed necessary, in				
French or French Patois, in their				
vehicles at all times while on				
duty. If a citizen objects to an				
officer's conduct, that officer				
will inform the citizen of his or				
her right to make a complaint.				
Officers will not discourage any				
person from making a				
complaint.				
Means of Filing and Tracking				
Complaints				

Danagraph AA Canadainta Aasa	contanno of Citizan	Initial officer and	Conduct refresher training on	Obtained DOI ammaval for a	Head of	<u> </u>
	eptance of Citizen		Conduct refresher training on	Obtained DOJ approval for a	Head of Citizens'	October 31,
• •	nplaints/	supervisor training	policies, through documented,	complaint intake policy.		,
	estigating	completed in both	periodic in-service training.	Approved policy is	Complaint	2015
1 / / /	conduct & Citizen	districts.	D I 21 2014 :	distributed to sworn	Committee	
	nplaints Policy		By January 31, 2014, improve	personnel and applicable		
	roved and signed by		tracking system to ensure all staff	civilian employees.		
	nmissioner.		are trained on policies.	Sworn personnel and		
authorized to take complaints,			X 1	<u> </u>		
including third-party			Yearly review of policies.	applicable civilian		
complaints, which persons may			C + 1 · CYAY	employees have either: (a)		
file at any district station.			Quarterly review of IAU and zone	attended and successfully		
Complaint intake officers may			files.	completed the initial in-		
describe facts that bear upon a			D 0 4 1 21 2012 :	service training for each		
complainant's demeanor and			By October 31, 2013, in	new or revised complaint		
physical condition but May not			consultation with DOJ finalize	related policy and		
express opinions regarding			Audit Plan.	demonstrated proficiency		
his/her mental competency or				through a proficiency		
veracity. Each complaint will			By December 31, 2013, implement	test(s); or (b) if sworn		
be resolved in writing. Upon			audit tools to ensure staff are	personnel and applicable		
receipt, each complaint will be			complying with the policies (i.e.,	civilian employees have not		
assigned a unique identifier,			review of sample of citizen	successfully completed the		
which will be provided to the			complaint investigation files).	required training and passed		
complainant. Each complaint			Also ensure that lapses in policy	the proficiency test, the		
will be tracked according to the			implementation are addressed by	sworn personnel and		
basis for the complaint (e.g.,			system of documented discipline	applicable civilian		
excessive force, discourtesy,			and/or re-training.	employees have entered and		
improper search, etc.).				successfully completed a		
			By December 31, 2013, create a	remedial program designed		
			quarterly report that analyzes	to ensure passage of the		
			patterns of violations of VIPD	proficiency test(s) and		
			policy. Using the information	passed the proficiency		
			gathered in the report, evaluate	test(s); or		
			areas for policy modification or	Where sworn personnel and		

appropriate remedial action (e.g.,	applicable civilian	
training).	employees have not	
	successfully completed	
	training and passed the	
	proficiency tests, the VIPD	
	has initiated appropriate	
	corrective action, including	
	training, and disciplinary	
	action against the sworn	
	personnel and applicable	
	civilian employees.	
	Complaints are documented	
	and resolved in writing.	
	Appropriate VIPD personnel	
	properly respond to the	
	inquiring/complaining	
	person, as verified by the	
	monitors and the VIPD	
	audit unit.	
	For complaints lodged and	
	recorded, a file documents	
	the actions taken by VIPD	
	in response to the	
	complaint.	
	Documented complaints	
	are assigned a unique	
	identifier and are retrievable	
	by that identifier, the	
	complainant's name, if it	
	was provided, or the name	

				of the accused officer, if known. Completed investigations into complaints comport with the provisions of the Consent Decree. Documented complaints do not include opinions of the intake officer about the mental competency or veracity of the complainant.		
Paragraph 45- Copies of all allegations of misconduct against the VIPD filed with the Zone Commands will be referred to Internal Affairs Unit ("IAU") within five business days.	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial training completed for supervisors and officers in both districts.	Conduct refresher training on policies through documented, periodic in-service training. Review monthly completed cases in IAPro to ensure compliance with the 5 day of requirement as per policy. By October 31, 2013, in consultation with DOJ finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample of citizen complaint investigation files). Also ensure that lapses in policy implementation are addressed by	Allegations filed at Zone or unit facilities are forwarded to IAU within five business days.	Head of Citizens' Complaint Committee	October 31, 2015

			system of documented discipline and/or re-training.			
Investigation of Complaints			and/or re-training.			
Investigation of Complaints Paragraph 46 - Complaints will be evaluated based on a preponderance of the evidence standard, for which the Territory will develop and implement appropriate training.	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial training completed for supervisors on both districts.	Continue to incorporate competency-based training of officers and supervisors. By January 31, 2014, improve tracking system to ensure all staff are trained on policies and periodically test supervisors' knowledge of the preponderance of the evidence standard. Conduct refresher training on policies through documented, periodic in-service and roll call/commanders call training. Yearly review of policies. By October 31, 2013, in consultation with DOJ finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample investigatory files. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.	Sworn personnel have either: (a) attended and successfully completed training on the preponderance of the evidence standard and demonstrated proficiency through a proficiency test(s); or (b) if sworn personnel have not successfully completed the required training and passed the proficiency test(s), the sworn personnel have entered and successfully completed a remedial program designed to ensure passage of the proficiency test(s) and passed the proficiency test(s); or Where sworn personnel have not successfully completed training and passed the proficiency tests, the VIPD has initiated appropriate corrective action, including training, and disciplinary action against the sworn personnel.	Head of Citizens' Complaint Committee	October 31, 2015

Paragraph 47 - The VIPD will explicitly prohibit from investigating an incident any officer, who used force during	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen	Initial training completed for supervisors in both districts.	Quarterly review of closed investigation files to ensure that the preponderance of evidence standard is being used. By December 31, 2013, and quarterly thereafter, identify Supervisors who are not correctly using the preponderance of the evidence provide and document discipline and/or remedial training as appropriate. Yearly review of policies.	All training on the preponderance of the evidence comports with the requirements of the Consent Decree, and is taught from curricula/lesson plans that: (a) identify training objectives; (b) incorporate, to the extent possible, adult learning techniques (e.g., class exercises); and (c) indicate that it has been reviewed by legal counsel. Completed investigations into complaints/allegations of misconduct include an assessment of the evidence, and a finding that is based upon the preponderance of evidence standard. VIPD policy prohibits from investigating an incident any officer who used force during the incident whose	Head of Citizens' Complaint Committee	October, 31, 2015
officer who used force during the incident, whose conduct led to the injury to a person, or who authorized the conduct that led to these reportable incidents.	Complaints Policy approved and signed by Commissioner.	districts.		during the incident, whose conduct led to the injury to a person, or who authorized the conduct that led to these reportable incidents.	Committee	
Paragraph 48 - The VIPD will investigate every citizen complaint. The VIPD will establish a clear policy and	Acceptance of Citizen Complaints/ Investigating	Initial training completed for supervisors and	Conduct refresher training on policies through documented, periodic in-service and roll	Obtained DOJ approval of a policy and procedure for the intake of complaints. For complaints lodged and	Head of Citizens' Complaint	October 31, 2015

procedure regarding the intake of any complaint, including anonymous and confidential complaints, against a VIPD officer. This policy and these procedures will include instructions to an officer for taking a complaint and prompt delivery to a supervisor.	Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Supervisors in both districts.	Continue to incorporate competency-based training on policies into Police Academy. Yearly review of policies. By October 31, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample investigatory files. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training. Quarterly review of closed files at IAU.	recorded, a file documents the actions taken by VIPD in response to the complaint. Sworn personnel and applicable civilian employees have been trained and demonstrated the required proficiency on the complaint intake policy and comports with the Consent Decree, including ¶¶ 44 and 48. Documented complaints are promptly delivered to a supervisor. Applicable VIPD personnel properly respond to the inquiring/complaining person, as verified by the monitors and VIPD.	Committee	
Paragraph 49 - The VIPD will institute a centralized numbering and tracking system for all complaints, and each complaint will receive a tracking number as quickly as possible. The IAU will be designated as the primary and centralized agency to determine whether the investigation will be	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial training for supervisors completed on both districts. Centralized numbering has been provided by central dispatch.	Conduct refresher training on policies through documented, periodic in-service and roll call/commanders call training. Commencing December 31, 2013, and on a quarterly basis thereafter, utilizing data from IAPro, produce a report that tracks citizens' complaints referred to the	Established a separate IAPro database for the STT/STJ and STX Districts such that: (1) each database will be accessible from each district; (2) IAU agents in each District will have access to their respective databases; (3) the Director of IAU, Assistant Director	Head of Citizens' Complaint Committee	October 31, 2015

assigned to zone (one of the
seven zones located throughout
the Virgin Islands), retained by
the IAU, or referred for possible
criminal investigation. If the
IAU refers a complaint to a
zone, copies of all documents,
findings, and recommendations
should be immediately
forwarded to the IAU for
tracking and monitoring. For
complaints alleging the
excessive use of force or
violation of a person's
constitutional rights, the Police
Commissioner should be
notified no less than twenty-four
hours after receipt of a
complaint.
-

zones/bureaus, and identifies whether any of complaints involve excessive use of force. Also determine whether the Police Commissioner was notified of complaints alleging excessive use of force.

Yearly review of policies.

By October 31, 2013, in consultation with DOJ, finalize Audit Plan.

By December 31, 2013, and quarterly thereafter, implement audit tools to ensure staff are complying with the policies (i.e., review of sample citizen complaint investigation files.). Also ensure that lapse in policy implementation are addressed by system of documented discipline and/or retraining.

By March 31, 2014, ensure that each IAPro database is accessible from all districts.

of IAU, and EIP Coordinator will have access to both databases; (4) each complaint will receive a unique tracking number, with an STT extension for the St. Thomas/St. John District and an STX extension for the St. Croix District, so that no two complaints will have the same number within or between databases; (5) information in each database will be organized by District, and can be sorted by officer; and (6) if an officer transfers from one District to another, his/her information will be transferred to the new District's database.

Allegations brought to the attention of the VIPD are assigned a unique identifier.

In complaints that the IAU refers to a Zone, copies of the completed file are forwarded to the IAU within the time frame specified by VIPD policy.

Evidence exists that IAU

				adequately tracked and monitored the complaint. Complaints alleging excessive use of force or a civil rights violation are reported to the Police Commissioner within 24 hours of receiving the complaint.		
Paragraph 50 - The VIPD will adopt a single policy concerning the investigation of misconduct complaints, regardless of whether the investigation is conducted by the IAU or a zone.	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial training completed for supervisors on both districts.	Yearly review of policies.	Obtained DOJ approval of a policy concerning the investigation of misconduct complaints, consistent with the requirements of Paragraph 50.	Head of Citizens' Complaint Committee	October 31, 2015
Paragraph 51 - The VIPD will establish policies and procedures and train all of its investigators on the factors to consider when evaluating complainant or witness credibility; examination and interrogation of accused officers and other witnesses; identifying misconduct even if it is not specifically named in the complaint; and using the preponderance of the evidence standard as the appropriate burden of proof. VIPD	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial training completed for supervisors on both districts.	By January 31, 2014 improve tracking system to ensure all staff are trained on policies Conduct refresher training on policies through documented, periodic in-service and roll call/commanders call training. Yearly review of policies. All statements will be recorded by October 31, 2013. On a quarterly basis conduct review to ensure that statements are being recorded.	Policies are developed, implemented, and distributed to VIPD investigators. Investigators/supervisors have either: (a) attended and successfully completed the initial in-service training concerning the components identified in ¶ 51 of the Consent Decree and demonstrated proficiency through a proficiency test(s); or (b) if investigators/supervisors	Head of Citizens' Complaint Committee	October 31, 2015

investigators will ensure that all officers on the scene of an incident provide a statement regarding the incident. The policy will require that all interviews be mechanically recorded using an audio or video tape.	By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample investigatory files). Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training. have not successfully completed the required training and passed proficiency test(s), investigators/supervisors have entered and successfully completed a remedial program designed to ensure passage of the proficiency test(s) and passed the proficiency test(s); or
	Where investigators/supervisors have not successfully completed training and passed the proficiency tests, the VIPD has initiated appropriate corrective action, including training, and disciplinary action against the investigators/supervisors.
	Completed investigations into complaints of misconduct include a documented assessment of the evidence, and a finding that is based upon the preponderance of evidence standard. In incidents giving rise to

				allegations of misconduct or use of force, all officers on the scene provided a statement regarding the incident, in accordance with VIPD policy. Interviews related to a complaint of misconduct will be mechanically recorded using an audio or video tape.		
Paragraph 52 - The policy will require that the investigative findings include whether: 1) the police action was in compliance with policy, training and legal standards, regardless of whether the complainant suffered harm; 2) the incident involved misconduct by any officer; 3) the use of different tactics should or could have been employed; 4) the incident indicates a need for additional training, counseling or other non-disciplinary corrective measures; and 5) the incident suggests that the VIPD should revise its policies, training, or tactics.	Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial training completed for supervisors in both districts on policy.	Yearly review of policies.	The VIPD policy formalizes a process for review of all uses of force that ensures the consideration of and documentation of all of the findings identified in ¶ 52.	Head of Citizens' Complaint Committee	October 31, 2015
Paragraph 53 - The policy will	Acceptance of Citizen	Initial training	Yearly review of policies.	VIPD has issued a policy	Head of	October 31,

provide clear guidance to all investigators regarding the procedures for handling criminal misconduct allegations, referring them to the Virgin Islands Attorney General's Office or other appropriate agency for possible criminal prosecution, and the entity or individual who should make the determination of whether the complaint should be investigated criminally. The policy will be revised to require the completion of an administrative investigation, irrespective of the initiation or outcome of criminal proceedings.	Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	completed for supervisors on both districts.		that provides clear guidance on how to handle allegations of criminal misconduct by sworn personnel and applicable civilian employees and includes the elements of ¶ 53.	Citizens' Complaint Committee	2015
Paragraph 54 - In each investigation, the VIPD will consider all relevant evidence including circumstantial, direct and physical evidence, as appropriate, and make credibility determinations, if feasible. There will be no automatic preference for an officer's statement over a non-officer's statement, nor will the VIPD completely disregard a witness' statement merely because the witness has some	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial training completed for supervisors on each district.	Incorporate competency-based training of all investigators. By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Conduct refresher training on policies, through documented, ongoing periodic in-service and roll call/commanders call training Yearly review of policies.	In completed investigations, all relevant and appropriate evidence identified in ¶ 54 of the Consent Decree has been considered and documented. Completed investigations reflect that a supervisor did not give an automatic preference for an officer's statement over a non-officer's statement. Completed investigations	Head of Citizens' Complaint Committee	October 31, 2015

connection to the complainant. The VIPD will make efforts to resolve material inconsistencies between witness statements.			By October 31, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies (i.e., review of sample investigatory files). Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.	reflect that a supervisor has not disregarded a witness' statement because the witness has a connection to the complainant. VIPD investigators have made efforts to resolve material inconsistencies between witness statements and have been trained on ways to do this.		
Paragraph 55 - During an investigation, all relevant police activity, including each use of force (i.e., not just the type of force complained about) will be investigated. The investigation will also evaluate any searches or seizures that occurred during the incident. The VIPD will not close an investigation simply because the complaint is withdrawn or the alleged victim is unwilling or unable to provide medical records or proof of injury or the complainant will not provide additional statements or written statements; rather, the investigating agency will continue its investigation as	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial training completed for supervisors on both districts.	Incorporate competency-based training of all investigators by November 30, 2012 By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Conduct refresher training on policies through documented, periodic in-service and roll call/commanders call training Yearly review of policies. By October 31, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, implement	In investigations, there is documented evidence that all misconduct revealed by the investigation, whether part of the initial allegation or discovered during the investigation, has been reasonably investigated and addressed. In completed investigations, the investigative reports include documentation that the supervisor has evaluated any searches or seizures that occurred during the incident. In completed investigations, a supervisor has ensured the	Head of Citizens' Complaint Committee	October 31, 2015

necessary to determine whether	audit tools to ensure staff are	continuation of every
the original allegation(s) can be	complying with the policies (i.e.,	investigation – even when
resolved based on the	review of sample investigatory	the complaint is withdrawn,
information, evidence, and	files). Also ensure that lapses in	or the alleged victim is
investigatory procedures and	policy implementation are	unwilling or unable to
techniques available. In each	addressed by system of documented	provide medical records or
investigation, the fact that a	discipline and/or re-training.	proof of injury, or the
complainant pled guilty or was		complainant will not
found guilty of an offense will		provide additional
not be considered as evidence of		statements or written
whether a VIPD officer used or		statements – until the VIPD
did not use a type of force, nor		has determined whether the
will it justify discontinuing the		original allegation(s) can be
investigation.		resolved based on the
		information, evidence, and
		investigatory procedures
		and techniques available.
		In completed investigations,
		a supervisor has not
		considered the fact that a
		complainant pled guilty or
		was found guilty of an
		offense as evidence of
		whether a VIPD officer
		used or did not use a type of
		force, or as a justification
		for discontinuing the
		investigation.
		In completed investigations,
		the elements identified in
		paragraph 55 of the Consent
		Decree have been

				considered, analyzed and documented.		
Paragraph 56 - The complainant will be periodically kept informed regarding the status of the investigation. Upon completion of the investigation, the complainant will be notified of its outcome, including an appropriate statement regarding whether any non-disciplinary corrective action or disciplinary action was taken.	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner.	Initial training completed for supervisors on both districts.	Conduct refresher training on policies, through documented, ongoing periodic in-service and roll call/commanders call training. By December 31, 2013, and quarterly thereafter, conduct review of files to determine whether complainants are being notified of the status and completion of the investigation, as required by Paragraph 56. By December 31, 2013, conduct quarterly audits to assess timeliness of completion of citizen complaint investigations.	In investigations, the VIPD has kept complainants reasonably informed about the status of the investigation of their complaints. In completed investigations, the VIPD notified complainants of the disposition of the investigation of their complaint, including by providing complainant with a statement about whether the VIPD took any non-disciplinary corrective or disciplinary action as an outcome of its investigation.	Citizens' Complaint Committee	October 31, 2015

Paragraph 57 - Each allegation in an investigation will be resolved by making one of the following dispositions: "Unfounded," where the investigation determines, by a preponderance of the evidence, that no facts to support that the incident complained of actually occurred; "Sustained," where the investigation determines, by a preponderance of the evidence, that the person's allegation is supported by sufficient evidence to determine that the incident occurred and the actions of the officer were improper; "Not Sustained," where the investigation determines, by a preponderance of the evidence, that there are insufficient facts to decide whether the alleged misconduct occurred; and "Exonerated," where the investigation determines, by a preponderance of the evidence, that the alleged conduct did occur but did not violate VIPD policies, procedures, or training. Paragraph 58 – Unit	Acceptance of Citizen Complaints/ Investigating Misconduct & Citizen Complaints Policy approved and signed by Commissioner. Acceptance of Citizen	Initial training completed for supervisors on both districts. Initial training	1	Investigations have been resolved by making one of the dispositions identified in Paragraph 57 of the Consent Decree. The VIPD has developed a	Citizens' Complaint Committee Head of	October 31, 2015
commanders will evaluate each	Complaints/	completed training for	competency-based training of all	policy that provides a	Citizens'	2015

in a diameter in the	I		:		C1-: '	
investigation of an incident	Investigating	supervisors on both	investigators.	process for the review of all	Complaint	
under their command to identify	Misconduct & Citizen	districts.		completed allegations of	Committee	
underlying problems and	Complaints Policy		By January 31, 2014 improve	misconduct and ensures the		
training needs. Any such	approved and signed by		tracking system to ensure all staff	consideration of all of the		
problems or need will be	Commissioner.		are trained on policies.	elements identified in ¶¶ 52		
relayed in the form of a				and 58 of the Consent		
recommendation to the			Conduct refresher training on	Decree.		
appropriate VIPD entity.			policies through documented,	In completed investigations		
			periodic in-service and roll	into allegations of		
			call/commanders call training	misconduct, there is		
				documentation indicating		
			Yearly review of policies.	that a supervisor has		
				-		
			Quarterly review of completed IAU	evaluated underlying		
			investigations.	problems and training		
				needs, if any.		
			By December 31, 2013, implement	Any identified problems		
			audit tools to ensure staff are	and/or training needs have		
			complying with the policies. Also	been relayed to the		
			ensure that lapses in policy	appropriate VIPD entity.		
			implementation are addressed by	I		
			system of documented discipline	In cases where there is a		
			and/or re-training.	determination that		
			and/of te training.	modification to or additional		
				training is required, there is		
				documented evidence that		
				VIPD has implement		
				additional training		
				In cases where the VIPD		
				identified policy or		
				equipment deficiencies,		
				there is documented		
				evidence that corrective		

MANAGEMENT AND SUPERVISION A. Risk Management system Paragraph 59 - The VIPD will develop and implement a risk management system to include a new computerized relational database or paper system for maintaining, integrating, and retrieving information necessary for supervision and management of the VIPD. Priority will be given to the VIPD obtaining any established program and system. The VIPD will regularly use this data to promote civil rights and best police practices; to manage risk and liability; and to evaluate the performance of VIPD officers across all ranks, units and shifts.	Risk Management System Early Intervention Program (EIP) Policy, Data Input Plan, and Blue Team Protocol have been approved.	Initial EIP and Blue Team training has been completed. Refresher training will be completed annually.	IAPro, a computerized database, is currently being used to assist in supervision and management for VIPD's risk management system.	measures were implemented. See Paragraphs 60-68, below. VIPD shall ensure that it regularly uses the data in the RMS system to promote civil rights and best police practices; to manage risk and liability; and to evaluate the performance of VIPD officers across all ranks, units, and shifts.	Head of Management and Supervision Committee	October 31, 2015
Paragraph 60 – The new risk management system will collect and record the following information: a. all uses of force; b. canine bite ratios; c. the number of canisters of	Risk Management System Early Intervention Program (EIP) Policy, Data Input Plan, and Blue Team Protocol have been approved.	Initial EIP and Blue Team training has been completed. Refresher training will be completed annually.	Internal Affairs and MIS have chosen a computerized database, IAPRO, to assist in the supervision and management. Canine policy has been revised to capture canine deployments. By	RRR forms are completed for all uses of force as required by VIPD policy. RRR forms are entered into the RMS with a reasonable level of accuracy and completeness.	Head of Management and Supervision Committee	October 31, 2015

chemical spray used by officers; d. all injuries to prisoners; e. all instances in which force is used and a subject is charged with "resisting arrest," "assault on a police officer," "disorderly conduct," or "obstruction of official business;" f. all critical firearm discharges, both on-duty and off-duty; g. all complaints (and their dispositions); h. all criminal proceedings initiated, as well as all civil or administrative claims filed with, and all civil lawsuits served upon, the Territory and its officers, or agents, resulting from VIPD operations or the actions of VIPD personnel; i. all vehicle pursuits; j. all incidents involving the pointing of a firearm (if any such reporting is required); and k. all disciplinary action taken against officers.

December 31, 2013, VIPD will begin to collect canine deployments and will enter this data into IAPro to be able to document bite ratios.

VIPD has requested from the VIAG civil and administrative claims (h) involving VIPD officers acting in their official capacities. VIPD will input data in the RMS received from VIDOJ by December 31, 2013.

All other categories of data listed in paragraph 60 are being collected and entered into the RMS. Input of historical data is ongoing. This requires allocation of sufficient staff to input this data.

By October 31, 2013, in consultation with DOJ, finalize Audit Plan.

By December 31, 2013 and quarterly thereafter, working group members will conduct review to ensure compliance with A through K and implement audit tools to ensure that staff are complying with the policies. This ensures periodic quality checks on data entered. This also ensure that lapses in

Canine deployments are entered into RMS with a reasonable level of accuracy and completeness.

Canine deployments resulting in a bite are entered into RMS with a reasonable level of accuracy and completeness.

RMS provides statistical analyses of canine bite ratio or the data necessary to compute such ratio.

Canisters of chemical spray issued to officers will be entered into RMS, including the date of issuance and date of expirations of the chemical spray, with a reasonable level of accuracy and completeness.

In consultation with the Use of Force Working Group, the VIPD has developed a process to track the amount of OC spray used by officers.

Injuries to prisoners will be entered into RMS with a

and completeness. Firearm discharges, whether on or off-duty, are entered into RMS with a reasonable level of accuracy and completeness. Complaints are entered into RMS with a reasonable level of accuracy and completeness. Dispositions of such complaints are entered into RMS with a reasonable level of accuracy and completeness. Dispositions of such complaints are entered into RMS with a reasonable level of accuracy and completeness. Criminal proceedings initiated, civil or administrative claims filed,

	1		Т	
		and civil lawsuits served		
		against the Territory, the		
		VIPD, and its Officers		
		resulting from VIPD		
		operations will be entered in		
		RMS with a reasonable		
		level of accuracy and		
		completeness.		
		Vehicle pursuits are entered		
		into RMS with a reasonable		
		level of accuracy and		
		completeness.		
		Incidents involving the		
		pointing of a firearm at a		
		human being are entered		
		into RMS with a reasonable		
		level of accuracy and		
		completeness		
		In instances in which the		
		VIPD has taken disciplinary		
		action against officers, this		
		information is entered in		
		RMS with a reasonable		
		level of accuracy and		
		completeness.		
		•		

Paragraph 61 – The new risk management system will include, for the incidents included in the database, appropriate identifying information for each involved officer (e.g., name, badge number, shift and supervisor) and civilian (e.g., race, ethnicity or national origin, if available).	Risk Management System Early Intervention Program (EIP) Policy, Data Input Plan, and Blue Team Protocol have been approved.	Initial EIP and Blue Team training has been completed. Refresher training will be completed annually.	All officers have been assigned a PDN. Working group members will conduct quarterly review and report the results of their review by December 31, 2013, and quarterly thereafter to ensure officers are including appropriate identifying information in the risk management system, including utilizing PDN numbers, as required by Paragraph 61. By October 31, 2013, in	VIPD has established a uniform method of identifying sworn personnel and applicable civilian employees to ensure accurate identification and tracking of all employee conduct. In_incidents included in the database, the name and unique identifier for each involved officer has been entered with a reasonable	Head of Management and Supervision Committee	October 31, 2015
			consultation with DOJ, finalize Audit Plan. By December 31, 2013, 2013, implement audit tools to ensure staff are complying with the policies and appropriate identifying information for each officer and civilian are included in the database. This ensures periodic quality checks on data entered. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.	level of accuracy and completeness. In incidents included in the database, the appropriate identifying information (e.g., name, ethnicity or national original), if available, for each involved civilian has been entered with a reasonable level of accuracy and completeness. In incidents included in the database, the shift and assignment for each on-duty supervisor has been entered		

Paragraph 62 – Within 120 days of the implementation of the new risk management system, or later with the agreement of DOJ, the VIPD will prepare, for the review and approval of DOJ, a plan for including appropriate fields and values of new and historical data into the risk management system (the "Data Input Plan will identify the data to be included and the means for inputting such data (direct entry or otherwise), the specific fields of information to be included, the past time periods for which information is to be included, the data, and the responsibility for the input of				with a reasonable level of accuracy and completeness.		
the data. The Data Input Plan will include historical data that is up-to-date and complete in the risk management system. The VIPD and DOJ will together seek to ensure that the protocol receives final review and approval within 30 days	days of the implementation of the new risk management system, or later with the agreement of DOJ, the VIPD will prepare, for the review and approval of DOJ, a plan for including appropriate fields and values of new and historical data into the risk management system (the "Data Input Plan"). The Data Input Plan will identify the data to be included and the means for inputting such data (direct entry or otherwise), the specific fields of information to be included, the past time periods for which information is to be included, the deadlines for inputting the data, and the responsibility for the input of the data. The Data Input Plan will include historical data that is up-to-date and complete in the risk management system. The VIPD and DOJ will together seek to ensure that the protocol receives final review	System Early Intervention Program (EIP) Policy, Data Input Plan, and Blue Team Protocol have been	Team training has been completed. Refresher training will be	approval for its Data Input Plan. The Data Input Plan contains the elements	Management and Supervision	,

annroval						
approval. Paragraph 63 – The VIPD will, within 120 days, prepare for the review and approval of DOJ, and thereafter implement, a protocol for using the risk management system. The VIPD will submit for the review and approval of DOJ all proposed modifications to the protocol prior to implementing such modifications.	Risk Management System Early Intervention Program (EIP) Policy, Data Input Plan, and Blue Team Protocol have been approved.	Initial EIP and Blue Team training has been completed. Refresher training will be completed annually.	By October 31, 2013, in consultation with DOJ, finalize Audit Plan. By December 31, 2013, implement audit tools to ensure staff are complying with the policies. This ensures periodic quality checks on data entered. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.	VIIPD has received approval from DOJ, and implemented a protocol for using the RMS. The VIPD has audited the RMS and confirmed that its use reflects the requirements of the protocol. VIPD submits to DOJ for review and approval all proposed modifications to the protocol before implementation.		October 31, 2015
Paragraph 64 – The protocol for using the risk management system will include the following provisions and elements: a. The protocol is comprised of the following components: data storage, data retrieval, reporting, data analysis, pattern identification, supervisory assessment, supervisory intervention, documentation and audit. b. The protocol will require the automated system to analyze the data according to the following criteria: i) number of incidents	Risk Management System Early Intervention Program (EIP) Policy, Data Input Plan, and Blue Team Protocol have been approved.	Initial EIP and Blue Team training has been completed. Refresher training will be completed annually.		The VIPD has received DOJ approval of a protocol with the components identified in ¶64 of the Consent Decree.	Head of Management and Supervision Committee	October 31, 2015

for each data category by	1			
individual officer and by all	1			
officers in a unit; ii) average	1			
level of activity for each data	1			
category by individual officer	1			
and by all officers in a unit; and	1			
iii) identification of patterns of	1			
activity for each data category				
by individual officer and by all	1			
officers in a unit.				
c. The protocol will require the				
system to generate reports on a				
monthly basis				
describing the data and data				
analysis and identifying				
individual and unit patterns.				
d. The protocol will require that				
VIPD deputy chiefs, managers,	1			
and supervisors will review, on				
a regular basis but not less than				
quarterly, system reports, and				
will evaluate individual officer,				
supervisor, and unit activity.				
e. The protocol will require that				
VIPD deputy chiefs, managers,				
and supervisors	1			
initiate intervention for				
individual officers, supervisors				
and for units based on	1			
appropriate activity and pattern				
assessment of the information				
contained in the				
risk management system.				

		, , , , , , , , , , , , , , , , , , ,	
f. The protocol will require that			
intervention options include			
discussion by deputy chiefs,			
managers, supervisors, and			
officers; counseling; training;			
and supervised, monitored, and			
documented action plans and			
strategies designed to modify			
activity. All interventions will be			
documented in writing and			
entered into the automated			
system (appropriate			
intervention options will be			
employed based on the			
evaluation described in			
subsection (e) above).			
g. The protocol will specify that			
actions taken as a result of			
information from the risk			
management system be based on			
all relevant and appropriate			
information, including the			
nature of the officer's			
assignment, crime trends and			
crime problems, and not solely			
on the number or percentages of			
incidents in any category of			
information recorded in the risk			
management system.			
h. The protocol will require that			
VIPD deputy chiefs, managers,			
and supervisors. will promptly			
review the risk management			

system records of all officers				
recently transferred to their				
sections and units.				
i. The protocol will require that				
VIPD deputy chiefs, managers,				
and supervisors be evaluated on				
their ability to use the risk				
management system to enhance				
effectiveness and reduce risk.				
j. The protocol will require that				
the system be managed and				
administered by the				
Internal Affairs Unit of the				
VIPD. The IAU of the VIPD will				
conduct quarterly				
audits of the system to ensure				
action is taken according to the				
process described				
above.				
k. The protocol will require				
regular reviews, at no less than				
quarterly intervals, by				
appropriate managers of all				
relevant risk management				
system information to				
evaluate officer performance				
territory-wide, and to evaluate				
and make appropriate				
comparisons regarding the				
performance of all VIPD units				
in order to identify any				
significant patterns or series of				
incidents.	1			

Paragraph 65 – The VIPD will maintain all personally identifiable information about an officer included in the risk management system during the officer's employment with the VIPD for at least five years. Information necessary for aggregate statistical analysis will be maintained indefinitely in the risk management system. On an ongoing basis, the VIPD will enter information into the risk management system in a timely, accurate, and complete manner, and maintain the data in a secure and confidential manner.	Risk Management System Early Intervention Program (EIP) Policy, Data Input Plan, and Blue Team Protocol have been approved.	Initial EIP and Blue Team Training has been completed. Refresher training will be completed annually.	By October 31, 2013, in consultation with DOJ, finalize Audit Plan. Conduct weekly inspections to ensure that all Blue Team programs are installed on all Zone Command computers and are also fully functioning. By December 31, 2013, implement quarterly audits to ensure that information is timely and accurately entered in the RMS and that staff are complying with the policies. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training. Working group members will be scheduling times to observe roll calls and to ensure that these matters are discussed via roll calls and commanders' calls. Input of historical data is ongoing and requires adequate numbers of staff for data entry.	The information required by ¶ 65 is entered and appropriately maintained with a reasonable level of accuracy and completeness. Complete the test of a beta version of RMS as described in ¶ 64(d). Provide DOJ and the monitors with the opportunity to participate in the beta version testing. Resolve all server issues that impeded RMS from being fully operational and implemented. Install all hardware related to RMS and ensure that it is fully functional. Ensure that Blue Team is operational at all required locations. Supervisors and managers have received initial training on RMS.	Head of Management and Supervision Committee	October 31, 2015

	T				T	T
Paragraph 66 - The new risk	Risk Management	Initial training for Blue	a-c has been completed.	Complete the test of a beta	Head of	October 31,
management system will be	System Early	Team, PDN usage, and		version of RMS as	Management and	2015
purchased off the shelf and	Intervention Program	RMS has been	d. By December 31, 2013 complete	described in ¶ 64(d).	Supervision	
customized by VIPD.	(EIP) Policy, Data Input	completed. Refresher	review to determine compliance		Committee	
Alternatively, the new risk	Plan, and Blue Team	training for Blue Team	with d and e.	Provide DOJ and the		
management system may be	Protocol have been	and RMS will be		monitors with the		
developed and implemented	approved.	completed annually.	Ensure sufficient staff to enter	opportunity to participate in		
according to the following			current and historical data into	the beta version testing.		
schedule:			IAPro.			
a. Within 150 days of the						
effective date of this Agreement,						
subject to the review and						
approval of DOJ, the VIPD will						
issue a Request for Proposal						
(RFP).						
b. Within 270 days of the						
issuance of the RFP, or later						
with the agreement of DOJ, the						
VIPD will select the contractor						
to create the risk management						
system.						
c. Within 150 days of the						
effective date of this Agreement,						
the VIPD will submit the						
protocol for using the risk						
management system to DOJ for						
review and approval. The VIPD						
will share drafts of this						
document with DOJ and the						
Monitor (a position described in						
Section VII) to allow DOJ and						
the Monitor to become familiar						
with the document as it develops						

and to provide informal			
comments on it. The VIPD and			
DOJ will together seek to			
ensure that the protocol			
receives final approval within			
30 days after it is presented for			
review and approval.			
d. Within 14 months of selecting			
the contractor, the VIPD will			
have ready for testing a beta			
version of the risk management			
system consisting of: i) server			
hardware and operating systems			
installed, configured and			
integrated with the VIPD's			
existing automated systems; ii)			
necessary data base software			
installed and configured; iii)			
data structures created,			
including interfaces to source			
data; and iv) the use of force			
information system completed,			
including historic data. DOJ			
and the Monitor will have the			
opportunity to participate in			
testing the beta version using			
use of force data and test data			
created specifically for purposes			
of checking the risk			
management system.			
e. The risk management system			
computer program and			
computer hardware will be			

operational and fully						<u> </u>
implemented within 20 months						
of the selection of the risk						
management system contractor.						
Paragraph 67 – Prior to	Risk Management	Initial EIP and Blue	N/A	N/A	Head of	October 31,
implementation of the new risk	System Early	Team training has been	1771	1771	Management and	2015
management system, the VIPD	Intervention Program	completed. Refresher			Supervision	2010
will continue to use existing	(EIP) Policy, Data Input	training will be			Committee	
databases and resources to the	Plan, and Blue Team	completed annually.				
fullest extent possible, to	Protocol.	Compressed annually.				
identify patterns of conduct by						
VIPD officers or groups of						
officers.						
Paragraph 68 – Following the	Risk Management	To be determined as	To be determined as the need	VIPD receives approval	Head of	October 31,
initial implementation of the	System Early	the need arises.	arises.	from DOJ for all	Management and	2015
risk management system, and as	Intervention Program			modifications to RMS prior	Supervision	
experience and the availability	has been approved.			to implementation.	Committee	
of new technology may warrant,						
the VIPD may propose to add,						
subtract, or modify data tables						
and fields, modify the list of						
documents scanned or						
electronically attached, and						
add, subtract, or modify						
standardized reports and						
queries. The VIPD will submit						
all such proposals for review						
and approval by DOJ before						
implementation.						
Oversight						

Paragraph 69 – The VIPD will	Audit Policy has been	All initial audit-related	By October 31, 2013, in	The VIPD has developed an	Head of	October 31,
develop a protocol for	approved. Awaiting	training will be	consultation with DOJ, finalize	audit protocol that includes	Management and	2015
conducting audits. The protocol	signature of	completed by October	Audit Plan	a regular and fixed schedule	Supervision	
will be used by each officer or	Commissioner, as of	31, 2013.		for conducting audits to	Committee	
supervisor charged with	September 26, 2013.		By October 31, 2013, complete all	ensure that they occur		
conducting audits. The protocol			audit-related training. Thereafter,	sufficiently, frequently and		
will establish a regular and			conduct refresher training as	cover all VIPD zones.		
fixed schedule to ensure that			necessary.	The VIPD creates an audit		
such audits occur with sufficient				capacity and identifies staff		
frequency, and cover all VIPD			Audit report ⁶ due December 31,	to carry out the protocol.		
zones.			2013 and quarterly thereafter.	, i		
				Officers or supervisors		
			By December 31, 2013 VIPD will	charged with conducting		
			implement audit tools to ensure	audits have either: (a)		
			staff are complying with all policies	attended and successfully		
			and conduct use of force review on	completed the initial in-		
			a quarterly basis. This includes	service training on the audit		
			periodic quality checks on data	protocol and demonstrated		
			entered.	proficiency through a		
				proficiency test(s); or (b) if		
			By December 31, 2013, ensure that	the officers or supervisors		
			lapses in policy implementation are	charged with conducting		
			addressed by system of documented	audits have not successfully		
			discipline and/or re-training.	completed the required		
				training and passed the		
			By December 31, 2013, conduct	proficiency test(s), the		
			audits to ensure compliance with	officers or supervisors have		
			the requirements for paragraph 64,	entered and successfully		
			regarding the RMS protocol.	completed a remedial		
				program designed to ensure		
			By December 31, 2013, VIPD will	passage of the proficiency		

⁶ An audit report is a comprehensive report of the results of VIPD's audit.

begin to conduct quarte to ensure that historical required by the Data Inpleing entered into the R Quarterly review of clofiles to ensure compliar investigation requirement	data proficiency test(s); or put Plan is Where officers or supervisors have not successfully completed training and passed the proficiency tests, the VIPD
	In instances when an audit is conducted, each officer or supervisor charged with conducting the audit uses the protocol with a reasonable level of accuracy, completeness and timeliness.
	After conducting an audit, VIPD analyzes the results, identifies corrective or other action necessary as a result of the findings of the audit, and implements such action. The historical data required by the Data Input Plan is

		IAU con RMS Propuraterly reasonal and com The Polit Office, whas converged the performance of the performan	nducts audits of the rotocol on a ly basis with a lible level of accuracy impleteness. lice Commissioner's with IAU assistance, evened, at least ly, a meeting of managers, and all ersonnel the ssioner deems lary, to review all lata to evaluate performance by-wide and make rate comparisons ing performance of all Jnits to identify any ant patterns or series		
Discipline			1001	XX 1 0	
Paragraph 70 - The VIPD will	Disciplinary Policy and		ed DOJ approval of a	Head of	October 31,
develop a disciplinary matrix to	Matrix has been		nary matrix that: (a) ts for an officer's	Management and Supervision	2015
take into account an officer's	approved.		ons of different rules,	Committee	
violations of different rules,			,	Committee	
rather than just repeated			han just repeated ons of the same rule;		
violations of the same rule. The		Violation	ons of the same fule;		

VIPD will further revise this matrix to increase the penalties for uses of excessive force, improper searches and seizures, discrimination, or dishonesty, to reflect the seriousness of those infractions. The revised disciplinary matrix will provide the VIPD with the discretion to impose any appropriate punishment when the VIPD believes the officer's misconduct exhibits a lack of fitness for duty. This revised matrix will be subject to the review and approval of DOJ.				(b) is revised to increase the penalties for uses of excessive force, improper searches and seizures, discrimination, or dishonesty, to reflect the seriousness of those infractions; and, (c) provides the VIPD with the discretion to impose any appropriate punishment when the VIPD believes the officer's misconduct exhibits a lack of fitness for duty. Adopted a disciplinary policy that guides the use of the disciplinary matrix.		
Paragraph 71 - VIPD policy will identify clear time periods by which the various steps of a complaint adjudication process should be completed, from complaint receipt to the imposition of discipline, if any. Absent exigent circumstances, extensions will not be granted without the Police Commissioner's written approval and notice to the complainant. In the limited	Disciplinary Policy and Matrix has been approved. Awaiting signature of Commissioner, as of September 26, 2013.	Initial training on Disciplinary policy and matrix will be completed by December 31, 2013.	Competency-based training of all staff by December 31, 2013 and ongoing documented refresher training through in-services and roll call/commanders call. By December 31, 2013, implement quarterly audits to ensure staff are complying with the policies, including (but not limited to) review for inclusion of written Police Commissioner extension approval in investigatory files. Also ensure	VIPD has developed a policy that establishes clear time periods by which the various steps of a complaint adjudication process should be completed, from complaint receipt to the imposition of discipline, if any. These established time periods are not violated except for in exigent circumstances and with the	Head of Management and Supervision Committee	October 31, 2015

circumstances when an extension is necessary, appropriate tolling provisions will be outlined in the policy.			that lapses in policy implementation are addressed by system of documented discipline and/or retraining.	Police Commissioner's written approval for tolling and notice to the complainant.		
Paragraph 72 - Absent exceptional circumstances, the VIPD will not take only non-disciplinary corrective action in cases in which the disciplinary matrix indicates the imposition of discipline. The VIPD will not fail to consider whether non-disciplinary corrective action is required in a case because discipline has been imposed on the officer.	Disciplinary Policy and Matrix has been approved. Awaiting signature of Commissioner, as of September 26, 2013.	Initial training on Disciplinary policy and matrix will be completed by December 31, 2013.	Competency-based training of all staff by December 31, 2013 and ongoing documented refresher training through in-services and roll call/commanders call. By December 31, 2013, implement audit tools to ensure staff are complying with the policies. Also ensure that lapses in policy implementation are addressed by system of documented discipline and/or re-training.	In cases where the matrix calls for discipline, discipline is imposed. In cases where discipline is imposed, there is evidence that the VIPD has also considered non-disciplinary corrective action.	Head of Management and Supervision Committee	October 31, 2015
TRAINING						
Management Oversight						
Paragraph 73 – The VIPD will continue to coordinate and review all use of force policy and training to ensure quality, consistency, and compliance with applicable law and VIPD policy. The VIPD will conduct regular subsequent reviews, at least semi-annually.	N/A	N/A	All lesson plans for the in-service training have been completed and were forwarded to the VIAG and approved by the Director of Training. On an ongoing basis, continue to consult with counsel to ensure compliance with Territorial law. Training on Audit Policy completed	VIPD has coordinated and reviewed all use of force policies at least annually and the Training Division has reviewed, at least semi-annually, all training to ensure quality, consistency, and compliance with applicable law and VIPD policy.	Training Director	October 31, 2015

		by October 31, 2013.	The Director of Training		
		oy october 51, 2015.	provides written approval		
		Training on Disciplinary Matrix and	for all changes to		
		Protocol completed by December	previously approved use of		
		31, 2013.	force training and provides		
		31, 2013.	a semi-annual report		
		Conduct yearly in-service training.	regarding any such changes		
		Conduct yearly in service training.	and required legal		
		After each training, identify	approvals.		
		individuals who did not attend	approvato.		
		training and forward information to			
		Chief's Office. Chief's Office will			
		investigate reason for no show and,			
		where necessary impose			
		disciplinary action and/or re-			
		schedule training.			
Paragraph 74 – The Director of See paragraph 31 above	All Use of Force	VIPD in consultation with VIAG	The Director of Training	Training Director	October 31,
Training, either directly or	Trainings are evaluated	shall ensure through review of	and/or his/her staff reviews		2015
through his/her designee(s),	at the end of each	lesson plans and instructional	and approves all use of		
consistent with applicable law	training session by the	material that proper police practices	force training		
and VIPD policy will:	officers filling out an	are taught.	The Director of Training		
a. ensure the quality of all use	evaluation sheet. Those		and/or his/her staff obtains		
of force training;	sheets are then to be	In-Service Training was completed	legal review of all use of		
b. develop and implement use of	reviewed by the	in 2013. In service training will be	force training curricula.		
force training curricula;	Director and/or	completed by December 31, 2014.			
c. select and train VIPD officer	Designee.		The Director of Training		
trainers;		In-service training will be	and/or his/her staff have		
d. develop, implement, approve,	All evaluation sheets	conducted annually. VIPD shall	developed and implemented		
and oversee all in-service	are filed away in a	periodically test for proficiency on	use of force training		
training;	binder after the training	the policies.	curricula (including lesson		
e. in conjunction with the	Director and\or	D I 21 2014	plans).		
Chiefs, develop, implement,	Designee review the	By January 31, 2014, improve the	The Director of Training		
approve, and oversee a patrol	sheet.	tracking system to track training	and/or his/her staff have		

division roll call protocol
designed to effectively inform
officers of relevant changes in
policies and procedures;
f. establish procedures for
evaluating all training curricula
and procedures; and
g. conduct regular needs
assessments to ensure that use
of force training is responsive to
the knowledge, skills, and
abilities of the officers being
trained.

All class evaluations are presently being reviewed by the Training Director or his Designee and placed in a binder at the Training Bureau in both districts

Instructors were selected and VIPD has trained supervisors and officers in the areas of:

- The Use of Force Policy
- Response to Resistance Report
- The Citizens' Complaint Process
- OC spray
- Impact weapon
- Arrest policy
- Firearms policy
- Off duty policy
- EIP
- Vehicle Pursuit Policy
- Spike Strip Policy
- Tactical Operations Policy
- Sniper Operation Policy
- Reporting,

attendance.

After each training, identify individuals who did not attend training and forward information Chief's Office. Chief's Office will investigate reason for no show and, where necessary, impose disciplinary action and/or reschedule training.

Training will continue to incorporate competency-based training of officers and supervisors on remaining policies.

By January 31, 2014, improve tracking system to ensure all staff are trained on policies

Continue refresher training on policies through documented, periodic in-service and roll call training.

Continue to incorporate competency-based training on policies into Police Academy.

Yearly review of policies to determine training needs.

By October 31, 2013, in

developed a process to continually select and evaluate VIPD officer trainers.

The training staff has received appropriate training and certification in the subject matter(s) that they are assigned to teach.

The Director of Training and/or his/her staff have reviewed and provided written approval of *all* curricula, course schedules and lesson plans.

The Director of Training and/or his/her staff have created and maintained a training record system that captures attendance records, instructor and student evaluations, and test results.

The Training Director and/or his/her staff, in conjunction with the Chiefs and Deputy Chiefs, have created a process for the development, implementation and approval of *all* Roll Call

Investigating Review of Union Force The Chief's Officentinue to main Roll Call Binder St. Croix District the same in the St. Thomas District. Copy of all roll of trainings in the zeand bureaus are lathat binder in the Chief's Office. At the end of each participants are required to compevaluation form. The Training Bu will continue to comprehensive by questions to eval the effectiveness training.	By December 31, 2013, implement audit tools to review and analyze use of force incident reports to identify trends, training deficiencies, staff compliance/lack of compliance with policies, and additional needs. A all nessept in a class lete lete lead and specific lete lete lete lead and lete lete lete lete lete lete lete let
---	--

				review. The Director of Training and/or his/her staff have developed, reviewed and implemented all use of force training curricula (including lesson plans).		
Paragraph 75 – The VIPD will continue to provide training consistent with VIPD policy, law, and proper police practices, and will ensure that only mandated objectives and approved lesson plans are taught by instructors. The VIPD will make best efforts to train each work shift as a team in their use of force training.	N/A	VIPD in consultation with VIAG shall ensure through lesson plans and instructional material. that proper police practices are taught. All Lesson Plans for the in-service training have been completed and were forwarded to the VIAG and approved by the Director of Training. Roll call training is	On an ongoing basis, continue to consult with counsel and/or VIAG to ensure compliance with Territorial law. By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Conduct annual competency-based training of officers and supervisors on policies. Continue to incorporate competency-based training on policies into Police Academy. Competency-based training of all staff by December 31, 2013. Also continue competency-based training	The VIPD has delivered training that is consistent with the content of approved lesson plans. The Director of Training and/or his/her staff has developed a plan to provide, to the extent possible, training for each work shift as a team on use of force and implements that plan. Sworn personnel have either: (a) attended and successfully completed the initial in-service training	Training Director	October 31, 2015

currently being done and documented in all zones. Initial training on Disciplinary policy and matrix will be completed by December 31, 2013. Continue to incorporate competency-based training on policies into the Police Academy. Yearly review of policies to determine training needs. By December 31, 2013, where warranted, provide and document remedial training for personnel have possage of the proficiency test(s), or or where sworn personnel have proficiency test(s) in the proficiency test(s), the sworn personnel have proficiency test(s) in the proficiency test(s), the sworn personnel have not successfully completed a remedial program designed to ensure passage of the proficiency test(s) in the proficiency test(
--

				All training must comport with the requirements of the Consent Decree and be taught from curricula/lesson plans that identify training objectives; (b) incorporate, to the extent possible, adult learning techniques (e.g., class exercises); and (d) indicate that it has been reviewed by legal counsel, as appropriate.		
Paragraph 76 – The VIPD shall continue to keep adequate records of lesson plans and other training materials, such that the most current training documents are maintained in a central, commonly accessible file, and are clearly dated.	N/A	All files are labeled in both districts and placed in alphabetical order. Files can also be accessed by dates in the data base. Training files are updated on a continuous basis.	By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Provide Monitors' subject matter experts with training curricula and schedules at least 15 days in advance of training, but preferably 30 days in advance.	The VIPD has established a central, commonly accessible repository for lesson plans and training materials. Training materials are clearly dated. Training records are maintained in a central, commonly accessible repository. Lesson plans contain all of the required signatures of review and approval.	Training Director	October 31, 2015
Paragraph 77 – The VIPD shall continue to maintain training records regarding every VIPD officer that reliably indicate the training each officer has	N/A	All trainings that are being conducted by VIPD are being documented by a sign in sheet and maintained	By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Training files are updated on a continuous basis as offices are	The Director of Training and/or his/her staff has maintained current and substantially complete training records for VIPD	Training Director	October 31, 2015

received. The training records shall, at a minimum, include the course description and duration, curriculum, and instructor for each officer.	in data base. Copy of certificate issued is placed in each officer's file. The training academy has a copy of all lesson plans and certification in each instructor's folder. Files can also be accessed by dates in the Data Base.	trained.	Officers.		
Paragraph 78 – The Training Director, in consultation with the Attorney General's Office, will review all use of force training and use of force policies on a regular basis to ensure compliance with applicable laws and VIPD policy.	All use of force policies and lesson plans have been reviewed approved by VIAG and approved by the Training Director.	On an ongoing basis, VIPD will continue to consult with VI AG to ensure that all use of force training and use of force policies are in compliance with applicable laws and VIPD policy.	The Training Director and/or his/her staff, in consultation with the Attorney General's Office, has reviewed all forcerelated policies and training curricula/lessons plans regularly (i.e., at least semi-annually) to ensure compliance with applicable laws and VIPD policy and there is documentation of this review.	Training Director	October 31, 2015
			Force-related training curricula/lesson plans adequately incorporate critical thinking, decision-		

			making instruction, applicable law(s) and VIPD policy. The VIPD follows a process by which the Attorney General's Office reviews any additions, changes, and/or modifications regarding use of force training or policies to ensure compliance with any applicable laws. Force-related policies and training curricula/lesson plans have received at least annual review by the Attorney General's Office and those reviews are documented in writing.		
Paragraph 79 – The VIPD will continue to provide all recruits,		he Training Bureau as purchased a new	At least annually, the Training Director and/or	Training Director	October 31, 2015
officers, supervisors, and		ate of the art training	his/her staff develop a		2013
managers with annual training		mulator from Ti	training schedule and		
on use of force. Such training		raining Corp. This	curricula for all use of force		
will include and address the	tra	aining tool will assist	related policies that		
following topics:		ne officers in critical	incorporates and addresses		
a. the VIPD's use of force		ecision making	all of the components		
model, as described in this	SC	cenarios.	identified in \P 79(a)-(i).		
Agreement;	TI	he training simulator	At least annually, the		
b. proper use of force decision- making;		rill be used for	Training Director and/or		
manng,	W	III oc used IUI	his/her staff implement that		

c. the VIPD's use of force
reporting requirements;
d. the Fourth Amendment and
other constitutional
requirements;
e. examples of scenarios faced
by VIPD officers that illustrate
proper use of force decision-
making;
f. interactive exercises that
emphasize proper use of force
decision-making;
g. de-escalation techniques that
encourage officers to make
arrests without using force, and
instruction that disengagement,
area containment, surveillance,
waiting out a subject,
summoning reinforcements,
calling in specialized units, or
delaying arrest may be the
appropriate response to a
situation even when the use of
force would be legally justified;
h. threat assessment;
i. appropriate training on
conflict management.

training.

Training will continue to teach officer survival scenarios in the areas of Defensive Spray, Expandable Baton and Defensive Tactics. These types of training will check the judgments and performances of each officer.

In-Service Training that covers the 4th Amendments applications and other Constitutional Rights have been conducted.

Scenarios are being used as a training tool.

Instructors have been trained in the utilization of the training simulator

De-escalation techniques are being used as training tools.

training schedule and curricula for all use of force related policies based on ¶ 79(a)-(i).

Sworn personnel have (a) attended and successfully completed the initial inservice training for each new or revised use of force policy that includes and addresses the issues in paragraph 79(a)-(i) and demonstrated proficiency through a proficiency test(s); or (b) if sworn personnel in each of the categories of recruits, officers, supervisors and managers have not successfully completed the required training and passed the proficiency test(s), the sworn personnel have entered and successfully completed a remedial program designed to ensure passage of the proficiency test(s) and passed the proficiency test(s); or Where sworn personnel have not successfully completed training and

	Training in all current and on VIPD will con service training annually	nduct in-	passed the proficiency tests, the VIPD has initiated appropriate corrective action, including training, and disciplinary action against the sworn personnel. Where train-the-trainer or specific force tool certifications are required, recruits, officers, supervisors and managers have those certifications.		
Paragraph 80 – The VIPD will continue to provide training to all its officers on the VIPD citizen complaint process. The VIPD will develop a protocol for all its officers on appropriate conduct and responses in handling citizens'	Numerous train dealing with the complaint process been conducted	he citizen competency-based training officers and supervisors.	policies or protocols related to the citizen complaint process, which address appropriate conduct and response in handling citizen complaints.	Training Director	October 31, 2015
complaints and will train officers in the protocol.		Conduct refresher training policies, through ongoing documented, periodic insroll call training. Yearly review of policies determine training needs	ervice and completed the initial inservice training for each new or revised complaint		

			test(s), the sworn personnel have entered and successfully completed a remedial program designed to ensure passage of the proficiency test(s) and passed the proficiency test(s); or where sworn personnel have not successfully completed training and passed the proficiency tests, the VIPD has initiated appropriate corrective action, including training, and disciplinary action against the sworn personnel.		
Paragraph 81 – The VIPD will provide training on appropriate burdens of proof to all supervisors, as well as the factors to consider when evaluating complainant or witness credibility (to ensure that their recommendations regarding dispositions are unbiased, uniform, and legally appropriate). The VIPD will also continue to provide training to supervisors on leadership and command accountability, including	Supervisors have been trained on the preponderance of evidence standard. By December 31, 2013, conduct annual refresher training on preponderance of the evidence standard.	Competency-based training of supervisors on policy will continue. By January 31, 2014 improve tracking system to ensure all staff are trained on policies. Conduct refresher training on policies through documented, periodic in-service and roll call training. Yearly review of policies to determine training needs.	Supervisors have (a) attended and successfully completed the initial inservice annual training incorporating the requirements of ¶¶ 78-81 and demonstrated proficiency through a proficiency test(s); or (b) if VIPD supervisors have not successfully completed the required training and passed the proficiency test(s), the sworn supervisor has entered and successfully	Training Director	October 31, 2015

techniques designed to promote	completed a remedial
proper police practices. This	program designed to ensure
training will be provided to all	passage of the proficiency
officers promoted to supervisory	test(s) and passed the
rank within 90 days of assuming	proficiency test(s); or
supervisory responsibilities, and	Where supervisors have not
will be made part of annual in-	successfully completed
service training.	training and passed the
	proficiency tests, the VIPD
	has initiated appropriate
	corrective action, including
	training, and disciplinary
	action against the
	supervisors.
	Newly promoted
	supervisors have attended
	and successfully completed
	the initial training within 90
	days of assuming
	supervisory responsibility
	incorporating the
	requirements of ¶¶ 78-81
	and demonstrated
	proficiency through a
	proficiency test(s); or (b) if
	newly promoted supervisors
	have not successfully
	completed the required
	training within 90 days of
	assuming supervisory
	responsibility and passed
	the proficiency test(s), the

		newly promoted supervisor has entered and successfully completed a remedial program designed to ensure passage of the proficiency test(s) and passed the proficiency test(s); or Where newly promoted supervisors have not successfully completed training and passed the proficiency tests, the VIPD has initiated appropriate corrective action, including training, and disciplinary action against the newly promoted supervisor.		
Paragraph 100 - The Territory of the Virgin Islands and the VIPD shall implement each and every provision of this Agreement as that term is defined in Paragraph 30 of this Agreement.		1. Use of Force policies (paragraph 31): For subsection a: Definitions of all force terms are consistent with the Consent Decree, applicable law, and generally accepted police practices. For subsection b: Definition of "force" comports with ¶ 21 of the	See above for person/group/unit responsible for each substantive paragraph	October 31, 2015

	_	
		Consent Decree.
		For subsection c: In use of
		force incidents, there is
		documented evidence that,
		as appropriate, Officers
		disengaged, contained the
		area, conducted
		surveillance, waited out the
		subject, and/or called in
		specialized units.
		For subsection d: In use of
		force incidents, there is
		documented evidence that,
		when feasible, an individual
		was advised that he/she is
		allowed to submit to arrest
		before force is used.
		For subsection e: See ¶ 31.
		For subsection f: In use of
		force incidents, the use of
		force review concludes that
		sufficient less lethal
		alternatives were used
		where appropriate based on
		the totality of
		circumstances.
		Patrol and other applicable
		officers carry less lethal
		alternatives at all times
<u> </u>		

while on duty.	
For subsection g: In use of	
force incidents, choke holds	
and similar carotid holds	
were not used, except	
where deadly force was	
authorized.	
In use of force incidents	
where the use of force	
review concluded that use	
of choke holds or similar	
carotid holds were not	
authorized, VIPD took	
corrective and/or	
disciplinary action against	
the officer who used the	
choke hold or other carotid	
hold.	
nord.	
VIDD : distala	
VIPD immediately	
implements any policy	
revisions, once approved.	
2. Firearms policy	
(paragraph 39): Sworn	
personnel do not possess or	
use unauthorized firearms	
or ammunition.	
In cases where an officer is	
found to be in possession of	
unauthorized firearms or	

	ammunition, there is evidence that an
	investigation was conducted and appropriate corrective
	action was taken which includes bringing the officer's conduct into compliance with the VIPD firearms policy.
	Firearm discharges are documented on an RRR.
	Service ammunition obtained and used by officers is obtained through official VIPD channels.
	3. Off-duty policy (Paragraph 40): In reported incidents involving off-duty officers taking police action, the off-duty officer's conduct comports with policies regarding off-duty officers taking police action and ¶¶ 31(a)-(g) of the Consent Decree.
	Off-duty officers notified on-duty sworn personnel or local enforcement officers before taking police actions, except in exigent circumstances.

In incidents where an off-
duty officer taking police action appeared to have
consumed alcohol, the off-
duty officer submitted to
field sobriety, breathalyzer,
and/or blood tests.
Completed investigations
into complaints of
misconduct are in
compliance with the
provisions of the Consent
Decree.
4. Investigations
(Paragraph 47): In
reportable use of force
incidents, the investigating
supervisor had no involvement in the incident
(i.e., he /she was not
involved in the use of force
incident, his/her conduct
did not lead to an injury,
and he/she did not
authorize conduct leading
to the use of force
incident).
5. Investigative findings
(Paragraph 52): Use of
force investigations include
documented findings of all

of the considerations
required by ¶ 52.
6. Allegations of criminal
misconduct (Paragraph 53):
In investigations involving
criminal investigations that
are referred to the Attorney
General's Office or other
appropriate agency, the
VIPD has documentation
that it has completed, to the
extent possible, its own
administrative
investigation.
7 Fl CDMC
7. Elements of RMS
Protocol (Paragraph 64):
The VIPD has implemented
a protocol for using the
RMS that includes the
components identified in ¶
64(a) of the Consent
Decree.
The VIPD has implemented
a protocol that includes an
automated system to
analyze the data according
to the criteria identified in ¶
64(b) of the Consent
Decree.
Reports are generated and

	distributed to appropriate
	sworn personnel (e.g.,
	Chiefs, Deputy Chiefs, and
	supervisors) on a monthly
	basis.
	Reviews conducted by the
	Deputy Chiefs, managers,
	and supervisors comport
	with the RMS protocol.
	Deputy Chiefs, managers
	and supervisors have
	initiated intervention in instances based on activity
	and pattern assessment
	contained in the RMS. The
	chief or designee will also
	have overall responsibility
	for ensuring that
	interventions are initiated as
	appropriate.
	Interventions, as
	exemplified in paragraph 64
	of the Consent Decree,
	comport with the RMS
	protocol
	Interventions are based on
	all relevant and appropriate
	information, including the nature of the officer's
	assignment, crime trends
	and crime problems, and
LUDD C D.	and ornine prooreins, and

	not solely on the number or
	percentages of incidents in
	any category of information
	recorded in the risk
	management system.
	In instances when officers
	are transferred to a new
	section or unit, Deputy
	Chiefs, managers and
	supervisors for the relevant
	section or unit have
	promptly reviewed the
	RMS records of such
	officers.
	The VIPD has established a
	protocol for evaluating
	whether deputy chiefs,
	managers and supervisors
	are able to use the RMS
	system to enhance
	effectiveness and risk.
	This evaluation protocol is
	followed with a reasonable
	level of accuracy and
	completeness.
	completeness.
	The RMS is managed and
	administered by IAU.
	duministered by 1110.
	8. Disciplinary matrix
	(paragraph 70):
	Disciplinary penalty
LUDD C D.	

Case: 3:08-cv-00158-CVG-RM Document #: 75-2 Filed: 10/01/13 Page 73 of 73

	decisions are consistent	
	decisions are consistent	
	with the penalties set forth	
	in the matrix.	

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE VIRGIN ISLANDS

Defendants.)
DEPARTMENT,)
2. THE VIRGIN ISLANDS POLICE)
ISLANDS; and)
1. THE TERRITORY OF THE VIRGIN)
V.)
Plaintiff,)
UNITED STATES OF AMERICA,) C.A. No. 3:08-CV-158

ORDER

Before the Court is the parties' Joint Motion to Amend the Consent Decree

Action Plan entered in this matter. The Court, having considered the arguments and representations set forth in the parties' Motion, hereby:

ORDERS that the revised Action Plan appended hereto and incorporated herein by reference is ADOPTED, and that the parties shall comply with its terms; and further

ORDERS that the Action Plan, appended hereto and incorporated by reference herein, shall be made part of the Consent Decree.

CURTIS V. GÓMEZ District Judge