

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiffs

v.

COMMONWEALTH OF PUERTO RICO, et
al.

Defendants

CIVIL NO.: 12-2039 (GAG)

**MOTION SUBMITTING PRPD'S PROGRESS REPORT
ON THE AGREEMENT ON THE SUSTAINABLE REFORM**

TO THE HONORABLE COURT:

COMES NOW, the Puerto Rico Police Department (PRPD) through the undersigned counsel and respectfully states as follows:

1. On May 27, 2014, this Honorable Court ordered the PRPD to submit a report in binder form, informing where exactly the PRPD stands in each of the areas addressed in the Agreement for the Sustainable Reform of the Puerto Rico Police Department. (Docket No. 119). The PRPD submitted the report as per the Court's Order.

2. Pursuant to the aforementioned Order, the report was not to be made public until the Honorable Court so ordered in order to allow review by all the parties and the TCA.

3. The Court has authorized PRPD's Progress Report on the Agreement on the Sustainable Reform to be made public. The document is hereby included as **Exhibit 1**.

4. The Department of Justice of the United States does not object to the filing of PRPD's progress report.

Motion Submitting PRPD's Progress Report

WHEREFORE we request from this Honorable Court that it takes notice of the aforementioned and accept the submission of PRPD's Progress Report on the Agreement on the Sustainable Reform.

WE HEREBY CERTIFY that on August 7, 2014, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to the parties and counsel of record.

In San Juan, Puerto Rico, this August 8, 2014.

RESPECTFULLY SUBMITTED.

CESAR MIRANDA RODRÍGUEZ
Secretary of Justice

S/ BEATRIZ ANNEXY GUEVARA
BEATRIZ ANNEXY GUEVARA
Puerto Rico Department of Justice
P.O. Box 9020192
San Juan, P.R. 00902-0192
Tel. (787) 721-7700
Fax. (787) 722-4440
USDC-PR # 217505
bannexy@justicia.pr.gov

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiffs

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COMMONWEALTH OF PUERTO RICO, et
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Defendants

CIVIL NO.: 12-2039 (GAG)

MATTER:

PLAINTIFFS DEMAND JURY TRIAL

**PUERTO RICO POLICE DEPARTMENT'S PROGRESS REPORT ON
THE AGREEMENT ON THE SUSTAINABLE REFORM**

TO THE HONORABLE COURT:

COMES NOW, the Puerto Rico Police Department (PRPD) through the undersigned counsel and respectfully states as follows:

1. On May 27, 2014, this Honorable Court ordered the PRPD "to submit a report informing where exactly the PRPD stands in each of the areas addressed in the Agreement for the Sustainable Reform of the Puerto Rico Police Department" (hereinafter the "Agreement"). (Docket No. 119).

2. In compliance with this Honorable Court's Order, a Progress Report for each one of the areas of the Agreement is provided below.

I. INTRODUCTION

3. The United States Department of Justice (USDOJ) initiated its investigation against the PRPD on July 1st, 2008 for patterns and practices of civil rights violations. The investigation concluded on September 5, 2011, with a Findings Report issued by the USDOJ. Upon the conclusion of the investigation, the parties engaged in a collaborative effort to provide

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the PRPD with a sustainable reform that would address the deficiencies found by USDOJ. The effort of the Parties resulted in the Agreement on July 17, 2013 (Docket No. 60). The Agreement provides a comprehensive reform within eleven (11) compliance areas and three hundred and one (301) requirements, which must be achieved within a period of ten (10) years.

4. Since 2010, while the investigation process was underway by the PRDOJ, the PRPD has been working with a firm of well-regarded external police consultants to assess a working plan. Reform efforts within the PRPD have been ongoing since the administration of former Superintendent José Figueroa-Sancha, who in 2010 worked with the Office of the Independent Monitor, an office created by former Gov. Luis Fortuño, with the purpose of overseeing the PRPD in its transformation. Additionally, Superintendent Figueroa-Sancha created a Reform Division that reported to the Deputy Superintendent of Administrative Affairs.

5. Upon the resignation of Figueroa-Sancha, former Superintendent Emilio Díaz Colón was appointed on July 18, 2011. Under the Díaz-Colón administration, a Reform Committee was created comprised of the following seven (7) sub-committees: Policies and Internal Directives, Professional Responsibility, Training, Management and Budget Affairs, Community Relations, Strategic and Field Operations, and Technology. Deputy Superintendents and PRPD attorneys led each of the Sub-Committees.

6. Díaz-Colón resigned on March 27, 2012, and the appointment of Superintendent Héctor Pesquera followed on April 9, 2012. A month after his appointment, Pesquera was instrumental in the creation of the Reform Office as it is known today. The Reform Office was comprised of ten (10) PRPD members of different ranks and seven (7) civil employees. It was

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located permanently in the fourth floor of PRPD Headquarters. The Reform Office went through several personnel changes before Héctor Pesquera resigned on November 15, 2013.

7. On December 1, 2013, Governor Alejandro García-Padilla appointed James Tuller-Cintrón as Superintendent. Tuller-Cintrón reinstated the Reform Office's first Director, Lieutenant Colonel Clementina Vega, and assigned additional personnel to the Office. Tuller-Cintrón resigned on March 30, 2014. On April 23, 2014, Governor Alejandro García-Padilla appointed current Superintendent José L. Caldero-López.

8. The Reform Office is currently under the direction of Lieutenant Coronel Clementina Vega, the highest ranking female officer within PRPD ranks. There are thirty six (36) PRPD employees working on the Reform Office, including PRPD members of different ranks, an administrative assistant and four (4) attorneys.

9. Effective on June 6, 2014, this Honorable Court appointed Arnaldo Claudio as the Technical Compliance Advisor (TCA) who will monitor the reform efforts by the PRPD. Mr. Claudio and his team will guide the PRPD throughout the duration of the reform.

10. The Agreement establishes a four (4) year capacity building period that will allow for the creation and establishment of the infrastructure needed within the PRPD in order to comply with the reform. Notwithstanding changes in leadership and administrations within the Agency, the PRPD has been able to lay the groundwork towards reform. Many policies required by the Agreement have been drafted. Additionally, training has been conducted pursuant to the newly drafted policies. The Reform is and will continue to be the main priority of the PRPD. A detailed description of PRPD's progress in the reform efforts follows.

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II. PROGRESS REPORT

A. General Matters

11. *Creation of the Reform Office:* The Reform Office was created in May, 2012 and responds directly to the Superintendent of the PRPD. This Office is located on the 4th floor of the PRPD Headquarters in San Juan. The Director of the Reform Office, Lieutenant Colonel Clementina Vega-Rosario, the highest ranking female officer in the PRPD, held this position initially from May 21, 2012 to July 1, 2013 and was later re-appointed on December 9, 2013. The Reform Office's responsibilities are established in accordance with the Agreement. It is currently comprised of thirty seven (37) members, and it is projected to grow in the near future, as needed. Beyond the Reform Office, every PRPD member has the responsibility of understanding and complying with the Agreement.

12. *Hiring and retention of a firm of external police consultants:* For the purpose of technical assistance, the PRPD has been working with Warshaw & Associates since 2010. This group of external police consultants, with years of experience in the implementation of law enforcement reforms, serve as technical compliance advisors and monitors in other states and cities such as: Oakland, CA; Niagara Falls, NY; Detroit, MI; and Maricopa County, AZ. Additionally, they have worked with USDOJ on investigations for patterns or practices of civil rights violations in various jurisdictions.

13. *Equipment Acquisition for PRPD's Reform initiatives:* The PRPD's reform is a priority for the Commonwealth of Puerto Rico. Consequently, and in spite of the current fiscal situation, a reform budget of twenty million dollars (\$20,000,000.00) was assigned to the PRPD for fiscal year 2013-2014. The same amount has been assigned for the current fiscal year. The

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assigned budget has aided the PRPD to move towards compliance with the procurement of much needed equipment.

14. *Access to the Equitable Sharing Program Funds:* PRPD currently has collaboration agreements with several law enforcement units or divisions from the USDOJ and the United States Treasury Department that allow PRPD members to assist them in their investigation efforts. There are currently three hundred-one (301) PRPD members working in these task forces. As a result of the collaborative efforts, PRPD participates in the Equitable Sharing Program (ESP) which allows for a monetary share of the confiscated property resulting from these interventions. Access to ESP funds was blocked by the USDOJ as a result of improper use of the funds. The United States Treasury Department reinstated PRPD's compliance status on those funds on 2013 for the sole use on the task forces. PRPD is currently finalizing the steps to be in compliance with USDOJ to have access to those funds that will be for the sole use of reform efforts.

15. *Providing Orientation on the content of the Agreement to PRPD personnel:* The PRPD has been instructing its members since August, 2013, on the following matters: a) history of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. § 14141; b) the investigation process of the USDOJ for patterns and practices of civil right violations; c) the USDOJ's findings report of September 2011; d) the Agreement requirements and compliance areas; e) the role of the Reform Office; f) the role and responsibilities of all PRPD members pursuant to the Agreement; g) the role and duties of the TCA; and h) the role of the USDOJ. As of today, almost all PRPD employees have received said information. The Reform Office designed a survey, and a self-test in order to ensure that all PRPD personnel understands the

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reform duties and what is expected of each one of them. It also created a poster board set up in various PRPD offices and areas with basic information on the reform.

16. *Building a relationship with the Technical Compliance Advisor and his staff:*

Since the effectiveness of his appointment on June 6, 2014, the PRPD and PRDOJ have been meeting with the TCA on a regular basis to identify, set priorities and to establish a collaborative work plan.

17. *Action Plans:* The Agreement requires PRPD to draft Action Plans setting forth the detailed steps PRPD will follow in order to implement and achieve compliance with each of the Agreement's provisions set forth in Sections III through XIII. These Actions Plans will allow for the much needed capacity growth during the first four (4) years of the Agreement. Prior to the appointment of the TCA, the PRPD developed a standard template pursuant to the Agreement to gather all the necessary information for the action plans in each one of the eleven (11) areas of compliance. The PRPD already established the timelines with the TCA to deliver the action plans in three (3) phases. The first set of Action Plans to be delivered to the TCA on September 4, 2014 will cover the following compliance areas: Use of Force, Searches and Seizures, Equal Protection and Non-Discrimination, and Professionalization.

18. *Translation of the Agreement to the Spanish Language:* The PRPD assisted USDOJ in the revision and translation of the Agreement for the Sustainable Reform of the Puerto Rico Police Department. The translation was completed and was published in both English and Spanish in the PRPD's website. PRPD also has distributed hard copies of the Agreement in Spanish to the Deputy Superintendents, the Area Commanders, and the Deputy Superintendent of Education and Training.

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B. Zones of Excellence

19. The Zones of Excellence ("ZOE") are police stations selected by the Area Commanders that are currently serving as models for reform efforts within the PRPD. New policies and practices developed pursuant to the Agreement are first implemented in the ZOEs in order to ascertain the effectiveness thereof. Pursuant to the Agreement, the PRPD selected four (4) ZOEs in Puerto Rico: Bayamón Oeste Precinct, Utuado Precinct 173, Las Piedras District, and Quebradillas District.

20. First line supervisors are assigned to supervise no more than ten (10) agents per shift in all ZOEs. Additionally, the PRPD has implemented the completion of the Reportable Use of Force Form, and the completion of the Daily Activity Report by PRPD members, in order to track the daily activities of all PRPD members within each zone. PRPD members must also notify the communications command centers of the starting and ending mileage on the transporting vehicle when an individual is injured. Pre-printed Complaints Forms are available at the front desk of all the ZOEs in the event any individual wishes to file a complaint against a PRPD member. Moreover, permanent placards describing the external complaint processes are located at all ZOEs in both English and Spanish. PRPD members assigned to the ZOEs are having community oriented interactions during their patrol duties.

- a. *Progress at the ZOE of Bayamón Oeste:* This ZOE was established in 2012 and currently has one hundred thirteen (113) PRPD members. Five (5) PRPD members assigned to this Precinct are domestic violence investigators. PRPD members assigned to this Precinct have been trained on the use of force, the use of their assigned firearm, completion of the Daily Activity Report, supervisory

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training, investigatory stops, community policing, and early warning system, among others. All the PRPD members assigned to this Precinct have received a new impact weapon after successfully completing training on the use of impact weapons. Five (5) of the PRPD members assigned to this Precinct have each been issued an Electronic Control Device after being trained and certified in its use.

b. *Progress at the ZOE of Utuado Precinct 173:* This ZOE was established on December 18, 2013 and currently has thirty six (36) PRPD members. PRPD members assigned to the Utuado Precinct have been trained on the use of force, the use of their assigned firearm, and completion of the Daily Activity Report. Thirty five (35) PRPD members assigned to this Precinct have received a new impact weapon after successfully completing training on the use of impact weapons. Three (3) of the PRPD members assigned to this precinct, have Electronic Control Devices after being trained and certified on its use. All of the PRPD members assigned to this Precinct, have been provided with official email accounts to maintain constant communication with PRPD Headquarters. Additionally, this Precinct was selected for the implementation of a pilot program that includes a technology center allowing for all PRPD members to have access to PRPD website and the CAD system (See **Section K** of this Report). On July 8, 2014, the TCA and his team visited this Precinct.

c. *Progress at the ZOE of the Quebradillas District:* This ZOE was established in January 13, 2014 and has forty two (42) PRPD members. PRPD members assigned to this District have been trained on the use of their assigned firearm,

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and completion of the Daily Activity Report. Thirty three (33) of the PRPD members assigned to this District have received a new impact weapon after successfully completing training on the use of impact weapons. On June 18, 2014, the TCA and his team visited this District.

- d. *Progress at the ZOE of Las Piedras District:* This ZOE was established in January 13, 2014, and has thirty five (35) PRPD members. PRPD members assigned to this District have been trained on the use of their assigned firearm, and completion of the Daily Activity Report. Thirty three (33) of the PRPD members assigned to this district have received a new impact weapon after successfully completing training on the use of impact weapons. Three (3) of the PRPD members assigned to this District, have Electronic Control Devices after being trained and certified on its use.

III. COMPLIANCE AREAS

A. Professionalization (Chapter III of the Agreement)

21. *Ethics:* The Puerto Rico Government Ethics Act (Act No. 1-2012), applicable to PRPD members as government employees, was reviewed pursuant to the Agreement. No amendments were warranted. PRPD also drafted a "Code of Conduct and Ethics" for PRPD members pursuant to the Agreement. The Deputy Superintendence of Education and Training (formerly known as the "University College of Criminal Justice") developed a syllabus and a description of the Police Ethics course, which will be provided to the cadets once these training materials are tailored to the "Code of Conduct and Ethics". Collaborative efforts were established with the Puerto Rico Office of Government Ethics to identify additional training that

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could be provided to PRPD members. This Office provided the PRPD with training materials and training software to ensure all PRPD personnel are current on their ethics requirements. Eighty five percent (85%) of the PRPD members completed the required ethics training for the period that ended on June 30th, 2014. The Office of Government Ethics validated the orientation of PRPD members on the Agreement as part of the ethics hours that PRPD members need to receive.

22. *Staff and Resources Allocation Study:* The PRPD initiated the staff and resources allocation study with a census. A database was created to assist the PRPD in identifying the number of active PRPD members, including the ones that are performing administrative duties. PRPD is in the process of updating the database pursuant to the recent personnel changes made by the Superintendent to attend to service needs. After the database is updated, PRPD will analyze the results of the census and will continue towards the creation of a staffing allocation plan pursuant to the Agreement.

23. *Job Descriptions for the rank system of PRPD members:* The PRPD is working on the creation of the job description of all existing ranks within the PRPD. Job description drafts were created prior to the establishment of the Agreement for the following ranks: Cadet, Agent, Sergeant, Investigative Agent, Crime Scene Investigative Agent, Second Lieutenant, First Lieutenant, Captain, Inspector, Commander, Lieutenant Colonel, and Colonel. These drafts are currently being revised pursuant to the Agreement.

24. *Promotions:* The Puerto Rico Police Act (Act No. 53-1996) establishes the process through which promotions from the rank of Sergeant to Captain can be undertaken. Promotions are awarded to the most qualified personnel or upon successfully approving written

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examinations. However, the Agreement establishes that promotions from the rank of Sergeant to that of Captain shall only be awarded through competitive examinations. Consequently, the PRPD has identified a need to amend the Puerto Rico Police Act in order to comply with this requirement. Since 2010, all promotions through to the rank of Captain have been awarded through competitive written examinations. The PRPD has not been able to provide additional written examinations after 2012 in compliance with directives issued by the Office of Management and Budget ("OMB") as a result of the Commonwealth's fiscal situation. The dates of all written examinations offered since 2010 and the amount of officers that were promoted by rank is provided below:

a. Sergeant:

- December 3, 2011: Out of five hundred-thirty four (534) agents that passed the written examination, four hundred-seventy eight (478) were promoted.
- September 29, 2012: Out of four hundred-seventeen (417) agents that passed the written examination, three hundred-thirteen (313) were promoted.

b. First Lieutenant:

- March 13, 2010: Out of ninety two (92) Second Lieutenants that passed the written examination, eighty nine (89) were promoted.

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- August 4, 2012: Out of one hundred-eighty (180) Second Lieutenants that passed the written examination, one hundred-thirty seven (137) were promoted.

c. Second Lieutenant:

- June 19, 2010: Out of two hundred-forty two (242) Sergeants that passed the written examination, two hundred-twenty eight (228) were promoted.
- September 1st, 2012: Out of one hundred-thirty nine (139) Sergeants that passed the written examination, ninety six (96) were promoted.

d. Captain

- November 27, 2010: Out of thirty eight (38) First Lieutenants that passed the written examination, thirty seven (37) were promoted.
- August 4, 2012: Out of seventy nine (79) First Lieutenants that passed the written examination, sixty three (63) were promoted.

25. *Promotions of PRPD officers with pending investigations or disciplinary actions:* PRPD officers with pending investigations or disciplinary actions are not promoted until all pending investigations are completed or the PRPD officers have complied with the disciplinary action against him/her.

B. Use of Force (Chapter IV of the Agreement)

26. *Use of Force:* General Order No. 601 "Rules for the Use of Force by Puerto Rico Police Members" was created using police best practices and approved on January 31, 2012. A review and revision of the same pursuant to the Agreement was concluded and the updated General Order was signed by the Superintendent.

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27. *Less lethal weapons*: PRPD created the following policies using the police best practices and approved them on January 31, 2012. A review and revision of these policies pursuant to the Agreement is scheduled to be finalized on August 31, 2014. These policies are:

- a. General Order No. 602: Use and Management of the Electronic Control Device.
- b. General Order No. 603: Use and Management of Impact Weapons.
- c. General Order No. 604: Use and Management of Pepper Spray and Tear Gas.

On January 31, 2011, former Superintendent José Figueroa-Sancha issued the Directive No. OS-1-2-5 prohibiting, upon that date, any use of CN Gas and ordering the elimination of any existing inventory. PRPD has eliminated any remaining inventory of CN gas. General Order No. 604 includes the prohibition of use of CN gas.

28. *Firearms*: The PRPD developed a policy pursuant to police best practices on the use of firearms. Said draft is being revised pursuant to the requirements of the Agreement and the applicable law.

29. *Report and Investigation of Use of Force*: General Order No. 605, "Use of Force Reporting and Investigation Policy" was created using police best practices and approved on November 5, 2012. A review and revision of the same pursuant to the Agreement was concluded and the updated General Order was signed by the Superintendent.

30. *Medical assistance to injured individuals*: General Order No. 605 "Use of Force Reporting and Investigation Policy" requires PRPD members to request immediate medical services when an individual is injured or complains of an injury following the use of force by a PRPD member. This General Order also requires PRPD members who transport a civilian to a

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medical facility for treatment as a result of a use of force, to take the safest and most direct route to the medical facility and to notify the Command Center of the starting and ending mileage of the transporting vehicle.

31. *Use of Force Report Form:* General Order No. 605 "Use of Force Reporting and Investigation Policy" requires the use of PRPD Form No. 854 "Use of Force Report", to inform and document all uses of force by PRPD members. The Use of Force Reporting and Investigation Policy require PRPD members to submit the Use of Force Report Forms to their immediate supervisor for review and approval and to the Deputy Superintendence for Professional Responsibility ("SPR") for tracking and analysis. SPR is required to maintain master copies of these reports in their main division located at PRPD Headquarters.

32. *Supervisory Reviews:* General Order No. 605 requires supervisors to respond to the scene of a serious use of force, or allegations of excessive force, involving a PRPD member under his/her command upon notification of the incident. The policy also requires supervisors to conduct supervisory review of all uses of force, prisoner injuries, and allegations of excessive force. Supervisors are required to complete the use of force reviews within five (5) business days, commencing upon receipt of the report. A supervisor who is involved such an incident, including participating in, ordering, or authorizing the force being investigated, is not allowed to review the use of force incident.

33. *Force Review Boards:* PRPD developed a policy creating the Force Review Boards ("FRBs") which is being revised to conform to PRPD's organizational structure. The FRBs evaluate use of force incidents when an individual is injured. Seven (7) FRBs currently exist within the police areas of Aibonito, Aguadilla, San Juan, Bayamón, Ponce, Fajardo and

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Utuaado. The active FRBs are composed of three (3) to four (4) PRPD officials who respond to the Area Commanders. PRPD is in the process of evaluating the number of FRBs and its composition.

34. *Apparent misconduct or criminal conduct by a PRPD member:* General Order No. 605 includes the duty of reviewing supervisors, FRBs, or other reviewing officers to immediately notify a higher ranking supervisor when there is evidence of a use of force indicating apparent misconduct or criminal conduct on the part of a PRPD member. The higher ranking supervisor is required to refer it to the appropriate investigating unit and to notify the Superintendent of the PRPD of such referral.

35. *Force Investigation Units:* PRPD is in the process of creating the Force Investigation Unit and its regulating policy, pursuant to the Agreement. The Director of the Force Investigation Unit was appointed on July 8, 2014.

36. *Use of Force Training:* During 2012, the PRPD trained all active sworn members on the Use of Force Policy (General Order No. 601). This training was accomplished by thirty three (33) newly certified instructors throughout the Commonwealth. On January, 2014, a total of ninety nine (99) instructors were certified as Use of Force Trainers by the external police consultants. These instructors are part of PRPD's plan to continue decentralizing training so that PRPD members are trained within their work areas. The last training included the updated General Order No. 601 (Rules on the Use of Force), the updated General Order No. 605 (Reportable Use of Force), and completion of the PRPD Form No. 854 (Use of Force Report Form). Training to the rest of PRPD personnel will begin once the revised versions of these orders and the form are approved by the Superintendent of the PRPD.

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37. *Special Tactical Units:* PRPD drafted policies on Special Response Team Operations, Sniper Operations, Bomb Threat Response, and Hostage Negotiations using the police best practices. A review and revision of these policies pursuant to the Agreement is in currently underway.

38. *Tactical Operations Division:* Minimum standard requirements were created for the Tactical Operations Division and for Training Instructors of the Tactical Operations Division. A Recruitment and Selection Manual of the Tactical Operations Division was created. Psychological evaluations were conducted on all current members of the Tactical Operations Division, within the police areas, during the period of February 28 through May 29, 2013. Out of the two hundred and ninety eight (298) members of the Tactical Operations Division, eight (8) members who did not meet the evaluation standards were re-assigned to other duties. A draft policy reorganizing this Division and reassessing their duties was created. The policy will be revised pursuant to the requirements of the Agreement.

39. *Crowd Control and Incident Management:* A draft policy pursuant to police best practices was created and is being revised to meet the requirements of the Agreement.

40. *Crisis Intervention Team:* A policy applicable to PRPD members during crisis interventions or incidents involving emotionally unstable individuals was created in collaboration with the Mental Health Services against Addiction Administration (ASSMCA). This policy will be revised pursuant to the Agreement.

C. Searches and Seizures (Chapter V of the Agreement)

41. *Investigatory Stops:* PRPD developed a draft policy and a training bulleting on investigatory stops. This policy is pending an institutional determination as to the applicability of

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the case of *Terry vs. Ohio* 392 US 1 (1968) in Puerto Rico. The Puerto Rico Supreme Court has not determined if investigatory stops are allowed in Puerto Rico.

42. *Searches and Seizures*: A search and seizure policy was created pursuant to police best practices. The policy includes new forms to be completed by PRPD members: A Consent to Search Form, a revised Inventory Form, and a Search and Seizure Plan that requires completion by the field supervisor in charge before a search warrant is served. All of these forms were developed in accordance with the Agreement.

43. *Arrests*: A policy on arrests was created pursuant to police best practices. The policy includes new forms to be completed by PRPD members: a Miranda Warnings' Form, an arrest form to be completed after any arrest is made by a PRPD member, and an arrest plan that requires completion by the field supervisor in charge before an arrest warrant is served.

44. *Training materials on Arrests, Searches, and Seizures*: The Deputy Superintendent of Education and Training in collaboration with the Reform Office, drafted syllabus for in order to train on arrests, searches and seizures with the aid of the draft policy and forms that were created on these topics. This material is waiting for the final approved policy to be tailored to the same.

D. Equal Protection and Non Discrimination (Chapter VI of the Agreement)

45. *Meeting with community stakeholders*: The PRPD has held meetings with leaders of different sectors of the community stakeholders. Meetings have also been held with the Puerto Rico Civil Rights Commission and ASSMCA, amongst others, in order to establish collaborative efforts in the development of policies in this compliance area.

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46. *Civil Rights Training*: The PRPD has held numerous meetings with the Civil Rights Commission of Puerto Rico in order to discuss an overview of the Agreement. The Commission has provided significant input on the topic of civil rights and has offered assistance in the development of the civil rights training syllabus for the Deputy Superintendence of Education and Training. PRPD and the Civil Rights Commission are working on a collaborative agreement to memorialize these joint efforts.

47. *Homeless Population*: On March 28, 2014, the procedure for the Intervention and Access to Services for the Homeless was signed by the Superintendent of the PRPD. This Protocol provides the members of the PRPD with clear guidelines for the interventions of homeless persons in compliance with the Agreement.

48. *Traffic Stops*: The PRPD has drafted a Traffic Stops procedure in accordance with generally accepted police practices. The procedure establishes clear guidelines for PRPD members during an intervention with a vehicle, in order to safeguard and protect both the driver and himself/herself. This procedure was drafted with the assistance of the USDOJ Community Relations Services ("CRS"), members of the CICs, the Consul of Dominican Republic, and the Dean of Consulate Affairs. Additionally, a Driver's Guide to Traffic Stops has been drafted in order to educate the general public in the best ways to handle traffic stops to guarantee their safety, including a declaration of their rights.

49. *Lesbian, Gay, Bisexual, Transsexual, and Transgender (LGBTT) Community*: The PRPD has held various meetings with leaders of the LGBTT Community in order to continue engagements efforts for the inclusion of this community within the PRPD reform. A specific

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policy to guide PRPD members' interactions with transgender or transsexual individuals is in the process of being drafted.

50. *NIBRS*: PRPD is in the process of implementing a full database system that will allow this method of collection and reporting crime data. The Command Centers through the Commonwealth have already started collecting crime data pursuant to the NIBRS requirements. As for reporting crime data pursuant to NIBRS requirements, see **Section K** of this Report.

51. *Domestic Violence and Sexual Assaults*: PRPD has Domestic Violence and Sexual Assault investigators in each police area. They are available and on call twenty four (24) hours a day, seven (7) days a week. The ZOE of Bayamón Oeste has five (5) Domestic Violence and Sexual Assault Investigators. PRPD has established a policy which calls for the removal of a firearm weapon of a PRPD member when they are involved in a domestic violence or a sexual assault incident. Additionally, PRPD has joined efforts with other government agencies to raise awareness about Domestic Violence and Sexual Assaults. A policy to promote the reporting of crime by undocumented immigrants, who would otherwise be afraid to report crime due to their undocumented status, is being finalized with the assistance of the Citizen Interaction Committee and the Dean of Consulate Affairs.

52. *Equal Employment Opportunity Employer*: The PRPD is an equal opportunity employer. Since 2009, the PRPD enacted an equal opportunity employment directive that was revised and reviewed on October, 2013 through an Affirmative Action Plan to Guarantee Gender Neutrality in Employment. The objective of said action plan is to guarantee gender neutrality in PRPD's hiring, promotion and performance assessment procedures.

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53. *PRPD Community Interactions*: On March 25, 2014, the PRPD issued Directive No. OS 1-9-159. This document provides PRPD members with clear and concrete guidelines on how to provide services and perform interventions with residents and visitors of Puerto Rico. This directive has the goal of establishing police best practices and police-community interaction.

54. *People with Disabilities*: PRPD's facilities are mainly compliant with the People with Disabilities Act as all government buildings are required by law to comply with this legal disposition. Nonetheless, the PRPD is currently in the process of identifying any additional compliance areas that may require additional development. As per the applicable law, all government agencies must establish programs, regulations, and architectural changes to facilitate services to persons with disabilities.

55. *Human Trafficking in Puerto Rico*: During the months of May and June of 2014, various meetings were held in the Puerto Rico State Department regarding human trafficking in Puerto Rico. There is currently a need to unite efforts between governmental agencies, including the PRPD, and non-profit organizations around the Commonwealth to develop an informational campaign. This campaign will focus on explaining human trafficking in order to raise public awareness to aid the Commonwealth in its eradication. Efforts include the development of PRPD policies on the receipt and management of confidential information, investigation and prosecution of cases on human trafficking.

56. *Bias-free policing*: PRPD has issued directives prohibiting discrimination during different administrations. These directives and the Agreement requirements are being incorporated into a PRPD internal policy against Discrimination and Harassment. PRPD has met

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on various occasions with representatives of the immigrant communities and the Puerto Rico Department of State to discuss bias-free policing.

E. Recruitment, Selection, and Hiring (Chapter VII of the Agreement)

57. *Recruitment Board*: On August 29, 2013, the PRPD issued General Order No. 501, which created a Recruitment Board to ensure the implementation of the cadets' recruitment process. The policy is being revised by the PRPD to ensure it complies with the Agreement and with generally accepted police practices.

58. *Recruitment process*: A Flowchart of the recruitment and evaluation process of the cadets' qualifications was drafted by the PRPD to assess a need for any modification pursuant to the Agreement. As part of the evaluation, a research was conducted on successful recruitment processes within law enforcement agencies of United States. Among the law enforcement agencies evaluated were Sacramento, California; Burlington, Vermont; Hillsborough County, Florida; Detroit, Michigan; King County, Washington; and Seattle, Washington.

59. *Cadets and Agents position minimum standards*: The standard requirements for both cadets and agents were created by the PRPD and approved by the Superintendent.

60. *Recruitment Officer*: The requirements of the position and the job description of Recruitment Officer were created pursuant to the Agreement and approved by the PRPD.

61. *Analysis and Quality Control Committee*: On September 2013, the PRPD's Office of Protection and Safety created an Analysis and Quality Control Committee to revise, evaluate and analyze the cadet candidates' background investigation to ensure that they are performed in

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an objective, reliable, and consistent manner. The background investigation includes an assessment of the candidate's credit, criminal, and employment history.

62. *Cadet candidates' requirements:* On June 13, 2014, the PRPD issued an amendment to its Personnel Regulations (Article 12, Section 12.2) requiring that any cadet candidate must have an Associate's Degree. This amendment was approved by the Superintendent and the Puerto Rico Governor, Hon. Alejandro García-Padilla. The amendment was posted on PRPD's website and submitted to the Puerto Rico State Department for additional publication and dissemination.

63. *Psychological, medical, and polygraph examinations for cadet candidates:* The PRPD reviewed and revised the entry tests and psychological evaluations that were being offered to cadet candidates at the Deputy Superintendence of Education and Training. New and more comprehensive psychological evaluations were established to assist the PRPD in identifying the strengths of the candidate's personality traits, including but not limited to, emotional and psychological stability. PRPD has continued to conduct medical and polygraph examinations, as well as drug tests to assess fitness for employment.

64. *Qualification for civil service employment protection:* Article 9 of the Puerto Rico Police Act (Act No. 54-1996) establishes that any PRPD member will be subject to a trial work period of two (2) years from the day they are sworn in. PRPD is reviewing its regulations in order to comply with the Agreement.

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F. Policies and Procedures (Chapter VIII of the Agreement)

65. *Development of policies and procedures:* PRPD has been working on the evaluation of existing policies, to ensure that they provide clear guidance; are compliant with applicable law and police best practices and that they reflect PRPD's core values and mission.

66. *Policy development procedures:* On March 7, 2012, PRPD issued a directive that establishes the organization of all its General Orders by subject-matter. Since then, all General Orders are numbered by chapter instead of by year. As new policies are created or as old policies are revised pursuant to the Agreement, they will be numbered by chapter depending on their subject-matter. Furthermore, PRPD created policy development procedures to ensure consistency and the incorporation of police best practices pursuant to the Agreement. The policy development procedure includes consultation with PRPD members that have ample experience on the creation of policies and procedures; research with well-regarded police associations of the United States; research on the applicable law at both state and federal level; a unified format for the policies and procedures created and; the process of gathering supporting documentation pursuant to the Agreement. Additionally, the procedure includes the process of publishing the policy and training PRPD members on the same, starting with the ZOE's and task forces in compliance with the Agreement. This process works in conjunction with the training procedure and disciplinary matrix, which is currently being drafted. As policies are completed pursuant to this process, they will be made available in the PRPD website and will become part of the Police Departmental Manual.

67. *Development Unit-level policies and procedures Manuals:* PRPD is currently working on developing policies on the following units: Narcotics Investigations; Bomb Squad;

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S.R.P.; Highway Patrol; K-9; Tactical Operations Unit; S.W.A.T.; Highway Death Investigations Protocol; Real Time; Joint Task Forces; Crime Monitoring Unit; Technical Services; Crime Lab.; T.A.C.C.; Dispatch Center; Video Surveillance Center; Criminal Information Division; Criminal Investigations, Homicide Investigations, among others. As for Homicides Investigations, at PRPD's request the Bureau of Justice Assistance ("BJA"), conducted a review of homicide practices and procedures and issued a report on January, 2014. PRPD will work with the BJA in the development of the homicide protocol and in the creation of a new training to homicide investigators.

G. Training (Chapter IX of the Agreement)

68. *Converting the University College of Criminal Justice into the Deputy Superintendence of Education and Training which reports to the PRPD:* Bill No. 1895 was submitted and approved by the House of Representatives and the Senate and was signed by the Governor García-Padilla on July 30, 2014. Bill No. 1895, which was supported by the PRPD, discards the University College of Criminal Justice as an independent entity and creates a Deputy Superintendence of Education and Training (hereinafter the "Police Academy") that reports directly to the Superintendent. The former University College of Criminal Justice has completed transition to the new organizational structure by interviewing, nominating and getting the approval for key positions such as the Deputy Superintendent of Education and Training (former "Rector" position), Deputy Auxiliary Superintendent, and the deans for Academics, Training, Marksmanship, Discipline, Student Affairs and Administration. The Deputy Superintendent of Education and Training is Michelle Hernández-Fraley.

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69. *Unified training process for the implementation of police best practices:* The PRPD has developed a process to ensure that the curricula created for cadets and in-service training complies with the Agreement. The process includes consultation with PRPD and other subject matter experts, such as the Puerto Rico Commission of Civil Rights and the Department of Justice, and gathering supporting documentation for the training materials. A standard format for all the syllabus and course guides to promote consistency was created pursuant to this process.

- a. *Creation of a Syllabus for the Training and In-service on the Use of the Electronic Control Weapons:* The Reform Office assisted the Police Academy in the creation of the training materials on the use of this less lethal weapon. These materials were drafted pursuant to the Agreement and the current General Order No. 602 concerning the Use of Electronic Control Weapons. On June 24-25, 2014 the TASER Company certified twenty six (26) Instructors on the Use of the Electronic Control Weapons. Additionally, the TASER Company certified eight (8) instructors in Tactical and Investigation Solutions. Training will begin in September, 2014.
- b. *Creation of the Syllabus on the Use of Pepper Spray:* PRPD, using the Agreement and General Order No. 604 that regulates the Use of Pepper Spray and Tear Gas by PRPD members, drafted the training materials to begin training once the Order is revised and the pepper spray is acquired by the PRPD.

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- c. *Creation of Syllabus on the Use of Force, Reportable Use of Force:* PRPD created the training materials for its members and supervisors using the Agreement and the revised General Orders No. 601 and 605. Training will begin on September, 2014.
- d. *Creation of Syllabus on the Use of Impact Weapons:* PRPD created the training materials on the Use of Impact Weapons using the Agreement and General Order 603. Training on Impact weapons started on January, 2014.
- e. *Creation of the Syllabus on Searches and Seizures:* PRPD created the training materials on Searches and Seizures using the Agreement and the new policy on Searches and Seizures. Training will start as soon as the Superintendent approves the new policy.

70. *Selection of Training Coordinators:* PRPD Training Coordinators are assigned to the different police areas to coordinate any training required pursuant to the Agreement. There are eighteen (18) Training Coordinators that respond directly to an Area Commander or to a Deputy Superintendent of the PRPD. Since June, 2014, the Police Academy has been holding monthly meetings with the Training Coordinators to ensure unity of effort.

71. *De-centralization of Training:* PRPD has selected and certified numerous instructors on different areas of compliance of the Agreement, including community policing, the use of force, impact weapons, and electronic control devices, among others. PRPD will continue to identify instructors as needs arise. There is an initiative on the part of the PRPD, to notify all policies and appropriate training materials to all PRPD members through the email system using

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the Microsoft 365 software. This software will also allow the PRPD to create and to track training attendance and/or compliance with training requirements.

72. *Impact Weapons Training:* Fifty one (51) instructors were selected and certified in the use of impact weapons pursuant to General Order No. 603. In January, 2014, training began on the use of impact weapons. As of June 30, 2014, PRPD has trained five thousand two hundred and six (5,206) PRPD members on General Order No. 603. PRPD acquired impact weapons for all its sworn members, which are provided upon successful completion of the training.

73. *Curriculum for cadets pursuant to the Agreement:* To meet the Agreement requirements, PRPD created a new basic curriculum for cadets, which expanded the existing training hours from eight hundred (800) hours to one thousand and eighty (1,080) hours. The new amount of training hours exceeds the requirements of the Agreement by a total of one hundred and eighty (180) hours. The curriculum is divided in three (3) periods of two (2) months. The first class of cadets under this program will start on August 4, 2014 and will graduate on February 20, 2015.

74. *Firearms qualifications:* Since January, 2014, PRPD members have been attending firearms qualifications that include a night shooting round and a shooting practice with long weapons round. As of June 30, 2014 five thousand six hundred ninety-seven (5,697) PRPD members have received the first annual firearms qualification for the year 2014. The Police Academy, in coordination with the PRPD, has determined the need to pursue rental agreements with a number of privately owned fire ranges to meet and sustain firearms qualification requirements outlined in the Agreement.

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75. *Field Training Officers Program:* PRPD is in the process of creating a Field Training Officers ("FTO") program in conjunction with an external company that has collaboration agreements with St. Petersburg College located in the State of Florida and the National Association of Field Training Officers. A proposed contract has been drafted with the goal of awarding the contract on September, 2014. This program will be in place by the time the cadets graduate on February, 2015.

H. Supervision and Management (Chapter X of the Agreement)

76. *Challenges towards reform progress:* Within the compliance areas of the Agreement, the Supervision and Management area has proven to be the most challenging for the PRPD. Several factors have contributed to the limited progress on this area. Recent legislation allowing early retirement of PRPD members and the legislation establishing changes to the government retirement act have caused the loss of many of PRPD's most experienced and knowledgeable high ranking officers. Also, changes within the PRPD administration have curtailed the implementation of initiatives towards compliance. In order to address these issues, the PRPD is in the process of procuring experts regarding supervision and management.

77. *Evaluation of police practices and PRPD's policies related to supervision:* PRPD is in the process of evaluating the generally accepted police practices on supervision in several jurisdictions of United States.

78. *Policies or procedures created on Supervision and Management:* PRPD is currently drafting the minimum standards requirements for Supervisors.

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79. *Internal Audits:* PRPD created an internal audit function that looks for continuous improvement efforts and ensures compliance with the Agreement. An audit protocol is being drafted.

80. *Performance Evaluation:* PRPD policy on Performance Evaluations was reviewed and the same is in accordance with the Agreement. The Performance Evaluation Forms are being reviewed pursuant to the Agreement requirements.

81. *Performance Evaluation System:* PRPD is completing its performance evaluations on paper. Therefore, PRPD needs to identify, acquire, and implement an electronic performance evaluation system to document annual performance evaluations of each officer's by the officer's direct supervisor. PRPD is in the process of evaluating different performance evaluation programs in order to select and procure the most efficient platform.

82. *Early Intervention System:* PRPD is in the process of developing an Early Intervention System (EIS) policy pursuant to police best practices and the Agreement. Efforts to acquire the EIS were initiated by the PRPD.

83. *Commendation form:* PRPD created and approved a Commendation Form (PRP-888) which allows any civilian to commend outstanding service rendered by a PRPD member. This form was approved on June 8, 2014 as it complies with the Agreement requirements.

I. Civilian Complaints, Internal Affairs and Discipline (Chapter XI of the Agreement)

84. *Civilian Complaints:* PRPD has drafted the policy on Receipt, Investigation, and Resolution of Civilian Complaints, which includes the intake, investigation, and adjudication of misconduct complaints against PRPD members. The policy states that all administrative investigations conducted by SPR shall be completed within ninety (90) days upon receipt of the

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Complaint. The policy requires that a misconduct investigation shall not be discarded simply because the complainant has withdrawn it, or the alleged victim is unwilling or unable to provide additional information. Moreover, the policy also requires accepting all misconduct complaints, including anonymous and third-party complaints.

85. *Complaint Intake:* In order to provide civilians with different alternatives for complaint filings, PRPD created and approved a Civilian Complaint Form (PRP No. 111), which was revised to eliminate any language that could be construed as discouraging civilians from submitting them. PRPD requires its members to have these forms at all times on their vehicles and to provide them to civilians upon request. The Civilian Complaint Form (PRP No. 111) was posted and is available on PRPD's website (www.policia.pr.gov). PRPD also created a toll free line to allow civilians to submit complaints over the phone. The number is 1-877-996-6627 and is available from Monday through Friday from 8:00 a.m. to 5:00 p.m. After office hours, a voicemail is available in order to record the civilian's complaint. PRPD personnel from the SPR are required to return the complainant's call on the next working day. On May 16, 2014, the Superintendent approved and signed a policy regarding the steps for the intake of telephone calls through this number. This policy requires, among other things, responding to a civilian's voice mail within the next working day and setting the procedure in the event the civilian is not reached on the first phone call attempt. Additionally, an email account was created to receive civilian complaints: responsabilidadprofesional@policia.pr.gov.

86. *Placards and flyers describing the external complaint process:* On July 23, 2012, PRPD created placards and flyers in both English and Spanish that describe the civilian complaint filing process against PRPD members. The placards were placed at all police stations

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and the flyers are accessible in selected police offices that render services to civilians. On March, 2014, these placards and flyers were revised pursuant to the Agreement and replaced in all police stations. PRPD is identifying other government agencies that render services to civilians to develop a collaboration agreement that will allow PRPD to place these placards in public offices throughout the Commonwealth.

87. *Internal Investigations:* PRPD has drafted a Code of Ethics and Conduct for PRPD members that requires, among others, that all PRPD employees and members report misconduct, including apparent, alleged, or perceived misconduct, by another PRPD member or employee to a supervisor or directly to SPR for review and investigation.

88. *Discipline:* PRPD has drafted a Progressive Discipline Order and a Discipline Matrix Guideline applicable to PRPD members, which prohibit all forms of retaliation and includes as misconduct the failure to report or document apparent or alleged misconduct, or criminal behavior. The policy also states that the refusal to accept a misconduct complaint, discouraging the filing of a misconduct complaint, or providing false or misleading information about filing a misconduct complaint will be grounds for the application of a disciplinary measure.

89. *Civilian Complaints investigation:* PRPD has made significant efforts to reform its complaint investigation process. PRPD has applied its newly approved initiatives to the civilian complaints received after 2012; however, the complaint backlog prior to 2012 continues to be a challenging task to resolve. On April, 2012, PRPD created a Discipline Section that responds to SPR to reduce the excess of civilian complaints. This office eliminated the involvement of the Legal Affairs Division in the complaint resolution process on all complaints

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filed after April, 2012. A Disciplinary Matrix using the current misconduct description was created to assist the Disciplinary Office in the resolution of complaints. The Legal Affairs Division has complaints pending resolution prior to May, 2012 and their advice is still requested on cases of severe misconduct. Both SPR and the Legal Affairs Division developed their own plans to reduce their respective backlogs that amount to five thousand nine hundred and ninety six (5996) complaints, altogether.

90. *Compelled testimony:* PRPD has drafted a Garrity Policy that requires SPR investigators not to compel PRPD members who are under an administrative investigation to testify in the event there is a potential criminal investigation or prosecution against those PRPD members. The Policy also requires that when there is no potential criminal investigation or prosecution of a PRPD member, SPR investigators shall not warn the PRPD member of his/her right to incriminate him/herself during an administrative investigation.

91. *Audits of the investigation of civilian complaints:* PRPD is conducting an audit of the process of civilian complaint investigations conducted by the SPR within the police areas. Civilian investigation files were evaluated to ensure that the complainant receives notice of the filing of his/her complaint. The evaluated areas included Mayaguez, Humacao, Caguas, and San Juan. The evaluation results reflected that that the complainants were being notified of the filing and the number of their complaints and of the name of the SPR investigator assigned. Additionally, an internal directive was issued requesting the completion of the investigation of civilian complaints within ninety (90) days, as established in the Agreement.

92. *Training to SPR investigators of civilian complaints:* On February, March, May, and June of 2014, PRPD offered training on police best practices to one hundred ninety eight

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(198) civilian complaints investigators. This training was created and offered with the assistance of our external police consultants.

93. *Development and approval of standard formats to notify civilians of their complaint status:* A standard format was created to notify civilians of the receipt of their complaint as well as to notify them of the number assigned to their complaint. An additional standard format was created to notify civilians once the investigation process has concluded to inform them that their complaint has been resolved. Both formats are being used by SPR.

94. *Equipment provided to facilitate Civilian Complaint investigations:* PRPD has provided thirty (30) vehicles, thirteen (13) multi use copy machines, and five (5) digital cameras to SPR, which allow its personnel to perform their duties more efficiently.

J. Community Engagement and Public Information (Chapter XII of the Agreement)

95. *Training on Community Oriented Policing:* PRPD has joined efforts with St. Petersburg College "Center for Public Safety Innovation" of the Florida Regional Community Policing Institute in Tampa. This institute is specialized in police sciences and has been approved by the USDOJ Community Oriented Policing Services ("COPS") and the Community Relations Services ("CRS") Divisions to train on matters related to Community Policing. At the present time, PRPD and the aforementioned institute have trained sixty three (63) PRPD candidates as instructors. These candidates were trained in the community policing philosophy and in the implementation of the problem solving model of Scanning, Analysis, Response, and Assessment ("SARA"). Thirty three (33) candidates were trained on March 4-7, 2014 and thirty (30) candidates were trained on June 10-13, 2014. The candidates are divided within the thirteen (13) police areas and they are ready to begin training, once they receive a two (2) week training to be

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certified as police instructors by the Police Academy. On September, 2014, the PRPD will select additional instructor candidates to be trained on community policing and the SARA model. Upon completion of the above process, the instructors will begin training all PRPD members and commanding officers within their police areas. Additionally, on October, 2013, the PRPD sent nine (9) PRPD members and (5) citizens and members of the Community Councils of Neighborhood Safety to be trained on Community Policing and the SARA model with the Western University of Texas. On November 11, 2013, the PRPD and the St. Petersburg College trained twenty-eight (28) commanding officers on the structure and organizational changes that the PRPD needs for successful implementation of the community policing philosophy. Furthermore, on November 12-13, 2013, ninety-eight (98) PRPD members and commanding officers were trained in the community policing philosophy and the SARA model.

96. *Policy development on Community Oriented Policing:* On December 18, 2013, the PRPD created the Guidelines for the successful implementation of Community Policing and the SARA model. These guidelines provide PRPD members, community policing instructor candidates, and commanding officers with information on their duties and responsibilities during the implementation process of this philosophy as well as a problem-solving model on community policing.

97. *Citizen Interaction Committees (CIC's):* On October 3, 2011, the PRPD enacted General Order (General Order No. 801) formally creating the CICs. The CICs are groups of individuals who voluntarily assist the PRPD in the implementation of some of its reform efforts. There is one Central CIC that responds directly to the Superintendent and eleven (11) additional CICs in the police areas. The Central CIC was created on August 19, 2011 and has celebrated

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thirty six (36) meeting as of July 2014. Changes in administration and in leadership have affected the composition of the CICs within the police areas. However, as of June 30, 2014, the CICs within the police areas have conducted a total of one hundred fifty one (151) meetings. A new selection process will be established for all CICs in order to effect change within the composition of all active CIC's, in order to comply with the Agreement.

98. *Policy Revision process of General Order No. 801 (Citizen Interaction Committees Order)*: General Order No. 801 has been reviewed pursuant to the Agreement and to include the concerns of community stakeholders. The USDOJ-CRS Division and several members of all the active CICs also submitted their recommendations to amend the General Order. The PRPD has held meetings with the Civil Rights Commission and several leaders from the Dominican and LGBTT communities to discuss their concerns and receive their input on the selection process of the members of the CICs. All the recommendations will be discussed with USDOJ and the TCA in order to finalize the revision process of General Order No. 801.

99. *Open meetings with the community*: PRPD initiated an open meeting initiative on 2011. The first open meeting was held with the Bayamón community with an attendance of twenty (20) participants. In 2012, eighteen (18) meetings with communities were held in the thirteen (13) police areas; one of these meetings was broadcasted by Internet and radio. In 2013, a total of twenty-seven (27) meetings were held around the Commonwealth with a total community participation of seven thousand four hundred and ninety four (7,494) attendees; three (3) of those twenty-seven (27) meetings were broadcasted by radio. In 2014, thirteen (13) meetings with the community were held prior to the TCA's Appointment on June 6, 2014. In these thirteen (13) meetings with the community a total of two thousand eight hundred and

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seventy nine (2,879) attendees have participated. After the TCA Appointment Date, two (2) meetings with the community have been held with a total of two hundred and twenty-five (225) attendees. In February 7, 2013, the PRPD established a Community Outreach and Public Information Program Guideline to develop standard procedures for holding the community meetings.

100. *Use of Force Presentations to the Community*: PRPD created a presentation on the use of force to be offered in open community meetings of all the thirteen (13) police areas. In June 4, 2014, a group of fifty-three (53) PRPD members were trained to give this presentation to the public in a simple, adequate and consistent manner.

101. *Public Information*: The PRPD Technology Division, in collaboration with the PRPD Reform Office, is currently developing a new and redesigned PRPD website. Within this website, there will be a webpage dedicated to the reform progress. This initiative will keep the public informed and will provide them with access the electronic filing system for civilian complaints.

102. *"Reforma te Informa"*: The PRPD is in the process of developing a Public Communication Bulletin that will be called *"Reforma te Informa"*. The purpose of this bulletin is to inform the public about the reform progress, using digital platforms on social media networks and throughout more traditional communication channels.

K. Information Systems and Technology (Chapter XIII of the Agreement)

103. *Infrastructure Improvements*: The infrastructure of the PRPD Headquarters Network is being updated in order to improve the connection of the equipment and to protect the huge investment that supports the operations of the PRPD. The two existing Data Processing

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Centers located within the PRPD Headquarters are in the process of being consolidated into one. The PRPD is in the process of replacing obsolete wiring and its components with one of greater capacity, promoting a faster and effective system. The Arecibo Headquarters is at ninety-five percent (95%) capacity so far in its wiring replacement. The Headquarters of Ponce, Aibonito, Caguas, Guayama, and Utuado have been updated and completed in their wiring replacement and the creation of their technology infrastructure. The Headquarters of Bayamón, Carolina, San Juan, Aguadilla and Humacao are being worked on during this second half of 2014. After all Headquarters are completed, Precincts and Districts will follow, starting with the ZOEs. This process is vital in order to achieve a better integration of existing systems and future procurement of technological equipment and systems.

104. *Technology Centers:* Technology Centers are rooms where PRPD members will be provided access to computers at all times. All computer terminals will have access to Outlook, E-Time, Crime Mapping and Microsoft Office software. They will also provide the PRPD members with access to complete their NIBRS Incident Reports (PPR-468) that are normally handwritten and completed on paper. The Technology Centers are also used to provide training on the use of information systems of the PRPD. PRPD members will also be able to work with the Integrated Criminal Registry of the PRDOJ. As of today, the following Technology Centers have been opened in the Area Headquarters: Utuado, Guayama, Mayaguez, Carolina, Arecibo, Aguadilla, Bayamón and Ponce. Additional Technology Centers are being created in the Area Headquarters of: Aibonito, Fajardo, San Juan, Caguas and Humacao.

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105. *Data Storage:* The storage space available to support the technology platform of the PRPD is currently being updated and modernized. The PRPD has acquired additional data repositories.

106. *Computer Aided Dispatch (CAD):* CAD is the platform for the successful implementation of the NIBRS method to collect and report data. The CAD application has been installed for automated incident handling (complaints). This program is being used by the Command Center for the dispatch of patrol vehicles and the management of incident reports data. The system includes a mobile device that is installed on the patrol vehicles to input data directly from the scene. As of today, the pilot phase in Utuado has been implemented and the PRPD is assessing its functionality. This application will help the PRPD maximize the use of human resources; streamline complaint processing, and complaint delivery to citizens; and make statistical data more accessible. Acquisition of equipment and licenses to maintain the infrastructure of the data in real time will take place in three (3) phases over a period of eighteen (18) months, which began January of 2014. Within the first six (6) months of 2014, software and licenses were obtained and the "Power CAD Dispatch Now" was updated in the thirteen (13) areas. Similarly, the "Mobile CAD" was installed in the southern regions. "Mobile CAD" is currently in the process of being installed in the northern regions of Puerto Rico. The Eastern and Western Regions will follow. As of today, five hundred (500) laptops, ten (10) tablets, twelve (12) servers, five hundred (500) licenses, five hundred (500) SIM cards and VPN (Radio IP) have all been acquired. The Dispatch Now (from CAD), is already operating in the thirteen (13) areas.

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107. *Email accounts to all PRPD employees:* The PRPD has replaced the HMC platform, which was outdated and limited in user expansion. The new system, Microsoft 365, will require all PRPD employees to have an official email address to promote quick and effective communication between all the PRPD staff. Microsoft 365 also allows publishing policies and training materials and will allow the PRPD to track the receipt of any published document by PRPD members.

108. *Extending the Bandwidth for Data Transmission:* The extension of the bandwidth for data transmission will allow the PRPD to improve the speed of data transmission to and from all of our locations, and to reduce data loss. The project was coordinated with the Puerto Rico Telephone Company, through the Puerto Rico Office of Management and Budget. A request was submitted to increase the Puerto Rico Office of Management and Budget line capacity from 20mb to 100mb and the PRPD is awaiting response. The PRPD has updated its bandwidth infrastructure with two (2) connection lines for Internet access with the following velocities: from ten (10) to twenty (20) megabytes and from twenty-five (25) to one hundred (100) megabytes.

109. *PRPD Webpage:* The PRPD is currently designing its new website. This website will include, inter alia: general information about the PRPD; Tribute to our Heroes section; information about the reform efforts; information about the local police regions and access the areas' websites; community information; news; access to PRPD statistics; "blog"; and "social media" (Facebook, Twitter, YouTube, Google+). As part of this process, the PRPD is establishing design parameters to maintain consistency and avoid duplication of information between the PRPD website and the police areas websites.

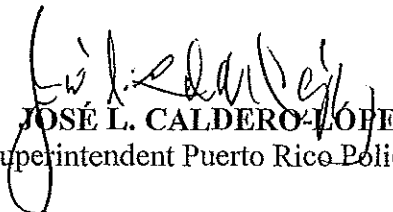
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IV. CONCLUSION

The PRPD's efforts towards reform have been significant considering that the Agreement has just started to run its course with the appointment of the TCA on June 6, 2014. There are numerous policies and procedures that have been drafted or are in the process of being drafted. Additionally, training has been commenced on various compliance areas. PRPD is confident that it will thrive during the four (4) year capacity building phase. PRPD looks forward to working with this Honorable Court, the TCA and the USDOJ in the successful execution of this Agreement.

I hereby certify under penalty of perjury under 28 U.S.C. § 1746 and any other applicable law of United States of America, that the foregoing report and information is true and correct.

Executed on San Juan, Puerto Rico, this 1st day of August, 2014.


JOSE L. CALDERO-LOPEZ
Superintendent Puerto Rico Police

RESPECTFULLY SUBMITTED.

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IT IS HEREBY CERTIFIED that on this same date, the foregoing was submitted pursuant to Docket No. 119 to the Commonwealth Governor: Hon. Alejandro García-Padilla; the Attorney General of Puerto Rico: César Miranda; the Technical Compliance Advisor: Arnaldo Claudio; to the Attorney General Office of the United States: Eric Holder and that the foregoing was notified this 1st day of August 2014, to all attorneys of record.

CESAR MIRANDA RODRÍGUEZ
Secretary of Justice

S/ BEATRIZ ANNEXY GUEVARA
BEATRIZ ANNEXY GUEVARA
Puerto Rico Department of Justice
P.O. Box 9020192
San Juan, P.R. 00902-0192
Tel. (787) 721-7700
Fax. (787) 722-4440
USDC-PR # 217505
bannexy@justicia.pr.gov