

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO.: 1:15-CV-01046
	)	
Plaintiff,	)	
	)	JUDGE SOLOMON OLIVER, JR.
vs.	)	
	)	
CITY OF CLEVELAND	)	
	)	MEMORANDUM PROVIDING
Defendant.	)	BASELINE ASSESSMENT REPORT

I. INTRODUCTION

The Consent Decree (the “Decree”) requires the Monitor to conduct qualitative and quantitative “outcome assessments” to measure whether implementing the reforms that the Decree requires ultimately results in safe, effective, and constitutional policing. The Monitoring Team’s First Semiannual Report introduced the importance of the assessments:

[T]he Decree requires that the Monitor assess whether the implementation of the Consent Decree’s reforms is contributing to the necessary outcomes of ensuring safe, effective, and constitutional policing consistent with Cleveland’s values. Ultimately, these ‘outcome measurements’ explore whether implemented changes are having the actual effects across the Cleveland community that they are intended to have.

A notable feature of the Cleveland Consent Decree is its express inclusion of a host of specific outcome assessments that the Monitor must evaluate and track over time

Dkt. 65 at 70. Accordingly, the outcome measures, both qualitative and quantitative, aim to gauge, document, and tell the story of reform across the Division and the City of Cleveland over

time. To do so, the Monitoring Team must first establish and capture baseline assessments to which future improvements will be measured.

The specific outcome measures to which the United States and City of Cleveland agreed in the Consent Decree address a host of areas, including: use of force; crisis intervention; stops, searches, and arrests; bias-free policing and community engagement; recruitment; officer training; officer assistance and support; supervision; civilian complaints; and internal investigations, and discipline. Running four pages in the Consent Decree, outcome measures related to these nine major areas are broken down into many particular measures, with each often associated with many sub-parts. In total, there are some approximately 471 discrete data points that the Consent Decree requires the Monitoring Team to assess annually.

To understand whether the Consent Decree is “result[ing] in constitutional policing,” Dkt. 7-1 ¶ 367, the Monitoring Team needs to understand where the City and Cleveland Division of Police (“CPD” or the “Division”) were when work on the Consent Decree began in earnest. Following the outline of paragraph 367, collecting appropriate baseline data for the quantitative items will allow the Monitoring Team and Court to understand whether the Consent Decree’s provisions are having the intended effect in the real world. Review of these data will occur annually and, in the case of the biennial survey, Dkt. 7-1 ¶ 366, on alternate years.

Although this report focuses on establishing baselines for quantitative measures, the Monitoring Team will soon begin reviewing qualitative measures of use of force investigations and reviews, the prevalence of training deficiencies, the availability and use of officer assistance and support services, the number of citizen complaint allegations supported by the preponderance of the evidence, and various supervisory responses that occurred in calendar year 2015. Given the substantial amount of work and volume of discussions that the quantitative

measures, which constitute a significant majority of the outcome measurements outlined in the Decree, have required among the Parties and Monitoring Team, the Parties and Monitor previously agreed to provide the Court with the results of the baseline quantitative outcome measurement process before proceeding with the second phase of the baseline process, which will address those qualitative assessment areas.

In October 2015, shortly after being appointed, the Monitoring Team made a comprehensive request for various information, files, and data to the City and CPD. The intent of this document request was both to establish a working knowledge of the Division and to identify sources for data required by the consent decree. As part of its organizational structure, the Monitor established an Outcome Measurement Team, which began in November 2015 to assemble and review quantitative data submitted by the Division and other parts of the City. The Outcome Measurement Team identified a number of challenges associated with that request, and, ultimately, a number of one-on-one meetings were held with several units and individuals in the CPD, the City, and the Office of Professional Standards (“OPS”) to collect and understand the data.

The Outcome Measures Team has been able to secure, clean, analyze and now report on a number of the quantitative data points called for in paragraph 367 of the Decree. The remainder of this report describes, in more general terms, the efforts and challenges associated with the collection of data for calendar year 2015, the limitations of the data received in some areas that leave the Monitoring Team currently unable to establish a definitive baseline measure, and plans for improving data collected and the data collection process moving forward. Exhibit A constitutes a compendium of the specific data points and measures that the Monitoring Team was able to assemble. Although this report will, in some instances, highlight the key measures,

metrics, or data identified, Exhibit A sets forth, area by area and data point by data point, whether there is data or sufficiently accurate data for the data point to be considered a “baseline.”

The baseline measure is intended to serve simply as a benchmark against which data for subsequent time periods will be compared to gauge change or progress. As such, the Monitoring Team does not, at this time, make any qualitative determinations about whether any of the numbers, rates, percentages, or other data are positive, negative, or otherwise. Indeed, progress and trends over time will be the primary indicia that institutional reform is taking hold within the CPD and is making a lasting and meaningful impact on Cleveland’s neighborhoods and communities.

II. NATURE OF THE DATA CONSIDERED

A. The Initial Data Request

Process: CPD responded to the Monitoring Team’s initial data request by both emailing and uploading hundreds of documents for review to a cloud-based file-sharing account created for the Cleveland Police Monitoring Team. Initially, this was an effective method of sharing and organizing data and information. However, a Division-issued desktop computer with access to the file sharing environment was infected by malware – compromising the Dropbox and posing challenges for users connected to the file share. The Monitoring Team discontinued use of the file sharing environment and has been reluctant to reengage with it moving forward.

Key Insights: The malware virus illustrates, to at least some relevant extent, the challenges and insufficiencies within CPD and the City with respect to computing and information technology infrastructure. The City and CPD should ensure that CPD computers have sufficient security and anti-virus protection to guard against viruses and other external threats.

B. Method of Data Collection

Process: Because no single CPD system tracks all of the data associated with the Consent Decree's outcome measurements and no individual person or unit was familiar with precisely whether CPD or the City tracked the necessary information or, if it was tracked, precisely where the information may be housed, the Outcome Measurement Team first needed to familiarize itself with the several units in CPD from whom data would likely be supplied. In a "treasure hunt" of sorts, the Team began with the City's IT Department and the CPD Crime Analysis Unit. Both of these units had good insights into the flow of work and the data that are available. The Team then met with units responsible for the underlying work for which data points are needed.

Once the appropriate person or persons were identified as sources of data and the required information was collected, the Outcome Measurement Team shared spreadsheets summarizing the information with the relevant parties or entities within the City. It should be noted that, in almost all instances, the data initially submitted required substantial cleaning, synthesis, and organization.

Key Insights: Overall, CPD and the City's infrastructure poses a challenge to the Division's ability to easily track and retrieve data about its core functions. In nearly all instances, we found archaic and rudimentary processes – very often relying on manual, pen-and-paper entries in log books; duplicative efforts; and electronic data maintained on local workbooks and spreadsheets and not part of a shared, departmental system.

Some of the data named in the Consent Decree are not currently being collected at all (e.g., stops, searches and seizures). Consequently, no baseline can be established. Other data are not centrally available nor expected to be collected and, as such, difficult to assemble (e.g., the

number and type of community partnerships). The nature of the specific challenges that the Outcome Measurement Team encountered will be discussed in greater detail below.

The Division has been exceptionally open and receptive to the Outcome Measurement Team. In turn, the Team has communicated a desire to become a resource for the Division as it considers data collection for day-to-day management purposes, as well as for compliance with the Consent Decree. In some instances, the Division has been receptive to the Team's assistance in terms of structure, data vocabulary, and the facilitation of connections across the City to enhance retrieval of relevant data. In the Team's meetings, it has endeavored, where appropriate, to provide technical assistance about ways to modify and improve the data collection to be more responsive to the expectations of the Consent Decree and to more broadly assist CPD supervisors in the ongoing management of the Division.

III. SUMMARY OF BASELINE MEASURES

This section highlights each of the key categories of baseline data requested in the Consent Decree and discusses the process, challenges, and key insights from the data collection endeavor. The format (e.g., number and lettering) is directly taken from the Consent Decree. Dkt. 7-1 ¶ 367. For example, subsection A, "Use of Force," below corresponds to paragraph 367, part (A) of the Consent Decree. To adhere to the Consent Decree's organizational scheme, the report deviates somewhat from separate numbering and lettering of sub-parts of the reports sections. For each measure requested, we will explain whether the data were included in the baseline, whether the data were excluded and why, as well as any limitations of the data reported.

A. Use of Force

Process: To assemble data on use of force, the Team met several times with members of the CPD's IAPro Team and Crime Analysis Unit who are responsible for inputting information on use of force incidents for 2015 into IAPro, a computer platform for logging and tracking officer performance data, and analyzing these data. Other data in this section related to use of force and not directly taken from IAPro were provided by the Chief's Office, the Internal Affairs Unit, the Case Office, and the Personnel Department.

Key Insights: Currently, use of force reports are entered from a hand-written Use of Less Lethal ("ULLF") report into the IAPro database by a member of the IAPro Team. This process initially introduced some issues with the completeness of the use of force data, with a number of use of force investigations and reviews remaining outstanding well into 2015.

Additionally, there is some inconsistency across different data collection sources that make uniting the disparate sources challenging. For instance, officer badge numbers in IAPro and information collected by the Internal Affairs Unit ("IAU") don't match up. Names are inconsistently recorded (e.g., nick names, spelling errors). It seems that detectives and COs are not in IAPro. The dates of incidents in IAU data does not track well with the date of incident in IAPro. IAU's database does not include "allegation."

An example of the challenges that this poses for baseline measurement purposes can be found in considering the Consent-Decree-required data on use of force policy violations by force type. Dkt. 7-1 ¶ 367(a)(1). Currently, use of force policy violations are housed in the Case Office. Although some basic information is electronic, other information is not. For instance, in order to get information on the force technique, instrument, or type used in some of the force incidents, the basic information from the Case Office needed to be matched with IAPro data by

badge number and officer name. However, the badge numbers reported did not always match with the officer information from IAPro. These specific issues make definitive determinations about general types of force challenging.

1. Number of UOF as compared to arrest, by force type, by district, arrest if any, race, ethnicity, age, gender of the subject; and, if indicated at the time force was used, the subject's mental or medical condition, use of drugs or alcohol, or presence of a disability.

CPD data indicate that there were 350 use of force in calendar year 2015. Majorities of subjects to whom force was applied in these incidents were black (277 subjects), were male (265 subjects), and were young (age 29 or younger) (198 subjects).

Data Not Collected/Challenges: Baseline data for 2015 do not include information on the medical or mental state or presence of drugs or disability of the person on whom force was used. The use of force reporting process in place through does not uniformly collect information on the medical condition or disability of the person on whom force was used. Although CPD collects some information about whether the subject appeared to be under the influence of drugs for at least some portion of 2015, other subject conditions (such as alcohol intoxication) were not yet uniformly collected in 2015. Likewise, it does not appear that officers have received instruction as to how subject conditions may be defined or reflected on force reports. Consequently, it is impossible to discern whether, when an officer checks "drugs" on a use of force report, the notation indicates that the subject appeared to be under the influence of drugs during the force incident or whether drugs were found during or after the incident.

Additionally, although CPD has collected information about whether the subjects of force are subsequently arrested, there are significant enough issues with the data to make the

Monitoring Team uncomfortable using it as a baseline at this time. For one thing, data is missing for some 84 (nearly 11 percent) of subjects, with the arrest type listed as “NULL” in the relevant database. For another, at least 40 cases list the arrest type as “crisis intervention.” It is unclear why so many incidents are included in the “other” catch-all category, as well as why “crisis intervention” is an *arrest* type rather than a feature of the subject or the incident itself. The completeness and uncertainty about the nature and level of generality of the categories used by CPD during this time period with respect to arrest type lead the collected information to not be included as a “baseline” measure at this time.

Next Steps: The Division will need to ensure that IAPro and its modified reporting process is uniformly capturing information on the potential disability, mental state, and use of drugs or alcohol of subjects, as well as with respect to arrest “type” where a subject involved in a force incident was arrested. The use of a revised Use of Force reporting form and system should substantially assist in that regard.

2. *Category: Number of officers and members of the public injured; number of force complaints and disposition of complaints; force type, geographic area and demographic information as available from complainant.*

CPD reports that 134 officers were injured in the context of force incidents that occurred in calendar year 2015, and 112 members of the public were injured in the context of force incidents.

Data Not Collected/Challenges: The required tracking of the change over time in the rate of officer and subject injuries overall, as well as the severity of such injuries, necessarily is not a part of the baseline because it focuses on the evolution of these statistics across time.

With respect to force complaints, currently, as the Monitor's First Semiannual Report summarized:

[T]he process used to investigate complaints of officer misconduct . . . depend[s] on the source of those complaints. Potential misconduct identified or discovered internally, by CPD personnel, has been investigated by the Division itself

Complaints of misconduct from residents, or sources external to the Division, have needed to be investigated by OPS.

Dkt. 65 at 49. Although the overall numbers of both officer complaints about the potential misconduct of other officers and of resident complaints about potential misconduct would appear relatively straightforward to determine, that basic information is not rigorously tracked in any data system. Without evaluating all IAU and OPS cases for 2015, which was outside the scope of our baseline inquiry and may not have definitively identified how the incident originated in any event, the Team simply cannot know with any level of confidence how internal affairs or OPS cases originated.

Even if such data or information was more readily available, a number of substantive issues would prevent the taking of an accurate and reliable baseline that could be used in future years to gauge progress or change. For IAU, it is not apparent that there is a current, well-defined set of policies and process by which an officer can report the potential misconduct of another officer. Indeed, the Monitoring Team has previously noted that "members of the Monitoring Team have received different answers at different times to inquires about how, if a patrol officer believed that a colleague engaged in possible misconduct, and precisely where that officer should refer the misconduct complaint" Dkt. 65 at 50. For OPS, this report makes clear that the substandard collection of basic information and data and the lack of rigorous, codified standards for classifying and adjudicating resident complaints makes identifying a baseline problematic.

Next Steps: The Division and OPS will need to establish a process for capturing how both internal affairs and OPS investigations are initiated. For IAU, this will happen as part of the Consent Decree's process of finalizing policies, processes, and systems related to internal investigations and administrative reviews of potential misconduct. For OPS, this is already happening in the context of the Parties, Monitoring Team, and OPS "developing an emergency organizational transformation plan." Dkt. 65 at 11.

3. *Category: raw number of ECW (Taser) usage in 2015*

CPD's IAPRO database reflects 44 applications of the Taser in 2015.

Data Not Collected/Challenges: We cannot report on any changes in this usage in this report because these baseline numbers can only serve as a reference point for future comparisons.

Next Steps: None.

4. *Category: The number of uses of force found to violate policy, broken down by force type, geographic area, type of arrest, actual or perceived race, ethnicity, age and gender of the subject; and, if indicated at the time force was used, the subject's mental or medical condition, use of drugs or alcohol, or the presence of a disability.*

At least as of mid-Spring 2015, there were nine (9) cases in which the use of force was found to be related to a violation of policy, training, or tactics. Of these cases, five (5) involved policy violations, two (2) involved training deficiencies, and two (2) involved tactical deficiencies. Of the five policy violation cases, two appear to have related to the failure to adhere to completing force reporting or investigation requirements in a timely manner.

Data Not Collected/Challenges: The issues relating to uniformly collecting information about a subject's mental/medical condition, use of drugs or alcohol, and disability also apply to this category. Likewise, it is currently challenging to identify and aggregate information about the relative ages of officers who violate the use of force policy because the Monitoring Team's current understanding is that such information is not readily maintained in, or accessible to, the IAPro database. The issues affecting "arrest type" data noted previously apply to this outcome measure, as well.

Next Steps: The Division will need to ensure that IAPro and its modified reporting process is uniformly capturing information on the potential disability, mental state, and use of drugs or alcohol of subjects. Officer demographic information in IAPro should include an officer's date of birth.

5. *Category: The number of officers who have more than one instance of use of force in violation of policy.*

In calendar year 2015, no officer was found to have violated the use of force policy more than once. Going forward, and especially in light of the Consent Decree's requirements involving the Officer Intervention Program ("OIP"), Dkt. 7-1 ¶¶ 326–36, the Monitoring Team and Parties will need to clarify whether this outcome measure should potentially reflect more than multiple policy violations in a calendar year but, instead, reflect multiple policy violations in a different time period.

Data Not Collected/Challenges: None.

Next Steps: The Division will need to ensure that it has a system or process for cumulatively capturing Use of Force violations across time.

6. *Category: Force reviews or investigations indicating a policy, training, or tactical deficiency.*

Again, of the nine cases that appeared to identify some deficiency, five (5) were for policy violations, two (2) were for training, and two (2) were for tactics. It should be noted that, of the seven (7) cases in which the disposition has been determined to date, two cases have resulted in suspension: one case involving use of force in the context of an officer's secondary employment, for which a 1-day suspension was assigned; and another case involving overdue force reports, for which a 6-day suspension was assigned.

Data Not Collected/Challenges: It is not currently clear to the Monitoring Team how deficiencies in officer performance in use of force incidents are classified as involving training or tactical deficiencies rather than policy violations.

Next Steps: As work on the Consent Decree continues, the Monitor and Parties will spend significant time working with the CPD to standardize and streamline the process for reviewing use of force incidents and for considering, when necessary, the nature and extent of officer discipline that may arise from improper conduct during such incidents. The classification scheme for force policy violations will be part of the process. CPD's mechanisms for reflecting the dispositions, adjudications, and ultimate discipline associated with particular force inquiries need to also be streamlined.

7. *Category: Number of use of force administrative investigations that are returned for lack of completeness*

Data Not Collected/Challenges: Currently, it is not possible to distinguish between cases that were returned for substantive reasons (e.g., for being incomplete with regard to the material

details of the incident or poorly written) and cases that were returned for technical reasons (e.g., missing signature or incomplete form).

Next Steps: The Division will need to establish a system or process for adequately reporting on incomplete investigations – and for documenting investigations that are incomplete for substantive reasons or are incomplete for technical reasons.

B. Addressing Individuals in Crisis

Process: We relied on CPD's new Crisis Intervention Coordinator and the ADAMHS Board Report for data in this section.

Key Insights: The ADAMHS Board Report, based on CPD's crisis-intervention data for 2015, reflected some inconsistencies and some known data accuracy issues. Accordingly, this leaves the baseline measures for crisis intervention undefined at this time.

1. Category: Number of calls for service and incidents with individuals in crisis, broken down by whether specialized CIT officers responded to the calls the rate of which the individuals in crisis are redirected to the health care system

Data Not Collected/Challenges: The numbers of calls for service and incidents reported with individuals in crisis – as well as the details of those incidents and the subjects involved in them – appear likely to be simultaneously over- and under-inclusive. The numbers are over-inclusive because, in some instances, incidents are classified as involving a crisis or officers are filling out crisis intervention data sheets in instances where there was an interaction with an individual facing a behavioral or mental health challenge but there was not, in fact, any sort of affirmative crisis intervention. For instance, the reported numbers for 2015 would reflect as identical a situation where an officer gave a homeless individual a ride to a shelter in the back of

his or her car and a situation where an officer talked a subject experiencing mental illness down from committing self-harm. At the same time, there is some confusion among CPD officers about when to fill out the specialized crisis intervention “form” – with some officers not uniformly completing the form unless the incident involves a use of force. Accordingly, a number of CPD interactions with individuals experiencing a behavioral crisis but that do not involve force are not necessarily being captured by the data currently available.

Next Steps: The Division will need to establish a clearer system for tracking and reporting on how individuals in crisis are handled. Specifically, the Committee and CPD “will need to take time to get the rollout of new or improved reporting requirements to officers right.” Dkt. 65 at 46. The Mental Health Advisory Committee’s work on core revisions to CPD’s crisis intervention policy “must be sufficiently far along in order for work on . . . data . . . to progress further,” and “a non-manual, technology-based solution” must be “in place or imminently contemplated” to “ensure that revised reporting requirements do not unnecessarily impede the ability of officers to efficiently and effectively provide law enforcement service.” Dkt. 65 at 46.

2. ***Category: Number of police interactions where force was used on individuals in crisis, including the type of force used; the reason for the interaction, i.e. suspected criminal conduct or a call for assistance; the threat to public safety, including whether the person was armed and if so, with what; a description of the type of resistance offered, if any; and a description of any attempts at de-escalation.***

The Team pulled some information from the ADAMHS Board Report on the number of police interactions where force was used on individuals in crisis and the type of force used. However, although some numbers appear accurate, the ADAMHS Board Report indicates that,

in some instances, the numbers in certain categories are “double-counted” and, accordingly, not mutually exclusive.

Data Not Collected/Challenges: We cannot definitively establish baselines for the reason for the interaction, whether the person was armed, the type of resistance offered and a description of attempts of de-escalation, as these data were not available as they are not collected in a thorough manner.

Next Steps: Again, pending completion and implementation of new crisis intervention policies and establishing an improved mechanism for tracking crisis intervention data, the Division will need to revamp its reporting requirements and process.

C. Stop, Search, & Arrest Data

Process: The Team met with the Compliance Unit to discuss the stop, search, and arrest measures.

Key Insights: The CPD does not collect data on stops, searches, and arrests pursuant to such activity. Accordingly, the baseline cannot include any information related to this activity.

Next Steps: It is currently contemplated that work will occur in earnest on new policies and procedures, including data collection systems, for stops during 2017. As with updated mechanisms for collecting crisis intervention data, CPD will need to ensure that the collection of data on stops occurs in a system or environment that is approved by the Court and promotes efficient and effective law enforcement.

D. Bias-Free Policing & Community Engagement

Process: Data were collected from a number of sources, including CPDs District Commanders, the Homicide Unit, and OPS. For measures relating to community engagement activity, the Team learned from the Division that most of this information is housed within the Districts. The Team asked each District Commander to provide information on community engagement and partnerships in the form of a spreadsheet template that the Team constructed and provided.

It should be noted that, although the City of Cleveland maintains a number of partnerships and structures that relate to public safety and policing, the Monitoring Team has interpreted the measure to refer more to those partnerships that the Division of Police itself cultivates, maintains, and fosters. This should not be read as minimizing the importance of ongoing relationships across City departments and entities with respect to law enforcement and safety.

This section of the Consent Decree also includes reference to the biennial survey of Cleveland residents regarding perceptions of CPD and public safety. Dkt. 7-1 ¶ 361–66. The results of that survey were discussed in a separate report to the Court. *See* Dkt. 71.

Key Insights: There is no central source that serves as a repository for information on all of the community engagement activities taking place in the Division, or specifically within Districts.

- 1. Category: Number of community partnerships, number of community partnerships with youth, variety of community partnerships.***

Data Not Collected/Challenges: The Team has received detailed information about the number of community partnerships from three of the Division's five districts to date. Consequently, the Team cannot definitively determine the baseline at this time. Nevertheless, it

can be noted here that one CPD District reported 22 community partnerships, another reported 14 partnerships, and a third reported 10 partnerships. The Monitoring Team suspects that the overall numbers for CPD are likely larger than the aggregate number across the individual Districts.

Next Steps: The Division will need to establish a system/process for capturing community engagement more efficiently and systematically.

2. Category: Homicide clearance rate

In 2015, CPD's homicide clearance rate was 56 percent. Of 127 homicides occurring in Cleveland during the year, 71 were solved and 56 were unsolved.

Data Not Collected/Challenges: None.

Next Steps: None.

3. Category: Number of civilian complaints regarding police services related to discrimination and their disposition.

Data Not Collected/Challenges: The baseline cannot include the number of civilian complaints regarding police services related to discrimination and their disposition. For information on civilian complaints for discrimination, OPS is the adjudicating body.

With respect to the overall number of complaints related to discrimination, OPS has an inadequate and rudimentary case tracking system. The state of OPS data is either irretrievable or unreliable. Only as part of more recent work in the Consent Decree process has a more formalized intake process been codified. In any event, OPS' current intake categorization scheme does not appear to include discrimination as a primary category or sub-category.

With respect to disposition of resident complaints related to discrimination, the Monitoring Team has previously reported that, of the 294 complaints received by OPS in 2015,

86 percent of cases have not completed the investigatory process. Only four had been reviewed by the PRB as of early May 2016.

Next Steps: The Parties and Monitoring Team re working closely with OPS to assist in developing a system to more appropriately capture, categorize, investigate, and track citizen complaints.

4. Category: *Biennial community survey*

The results of the Decree-required, biennial community survey have recently been provided to the Court. *See* Dkt. 71.

E. Recruitment Measures

Process: The City's Civil Service Commission ("CSC") is generally the custodian of data related to recruitment measures. For some subparagraphs of the Consent Decree, the data were provided by the CPD (e.g., composition of the 2015 recruit class). Once the class roster is assembled and certified, the Civil Service Commission ceases engagement with the process. It is important to note that the 2015 measures we report may not represent an appropriate baseline, as the process for both recruitment and selection is changing for future CPD classes.

1. Category: *The number of qualified recruits; baseline also includes the total number of qualified and unqualified recruits by race and gender*

The definition of "qualified" is inherently qualitative in some crucial respect. At least for purposes of this baseline, the Team considered as "qualified" recruits those who were "hired" and those whose names were certified and vetted for the Academy as indicated by the CSC. Using this general definition, the number of qualified recruit applicants in 2015 was 191. The number of applicants who were not qualified was 1,219. A total of 781 applicants were white,

409 were black, 13 were Asian, 154 were identified as Hispanic, and the remainder were classified in other categories. No data was available for 6 applicants. A total of 1,120 applicants identified their gender as male, with 290 identifying their gender as female.

Data Not Collected/Challenges: As part of the City's implementation of a comprehensive recruitment and hiring strategy, this definition of "qualified" is likely to change. Within information about applicant race, the Hispanic/Latino category needs to be further validated, as the number does appear slightly low in light of Cleveland's overall demographics.

Next Steps: None.

2. Category: Summary of recruitment activities, including leveraging community partnerships as these data are not available.

Data Not Collected/Challenges: The baseline cannot include the summary of recruitment activities, including leveraging community partnerships, as these data are not available. Currently, there is no central source that serves as a repository for information on all of the recruitment activities taking place in the Division.

Next Steps: The Division will need to establish a system and process for capturing its recruitment activities more efficiently and systematically. The City's indication that they intend to create a dedicated group within CPD to manage and engage with recruitment activities is an encouraging step toward ensuring that a dedicated entity will be in charge of managing data and performance metrics associated with recruiting and hiring.

3. Category: Number and race, ethnicity, gender of applicants who failed the initial screening and the reasons for the failure.

In 2015, 1,219 applicants were reported to have failed the initial screening. This included 394 applicants who failed to show for the test, 240 applicants who failed to submit their Personal

History Statement, and 251 who either did not show for or failed the agility test. Some 35 applicants failed the written test.

Data Not Collected/Challenges: In 2015 – and, to our knowledge, unlike some previous years – *every* applicant went through a criminal record screening. In the past, only those who had made it past a “first cut” had their backgrounds checked. Such added and earlier background screening in 2015 might therefore have resulted in higher numbers than expected in the “exclusion for background reasons” category relative to prior years. Further, the information about the race of applicants who failed the initial screening provided by the Civil Service Commission needs further refinement, as the total number of applicants reflected in that data element exceeds the number of applicants who failed and, indeed, the overall number of applicants in 2015.

Next Steps: In the short-term, the Division will need to ensure it is accurately capturing information about the race and ethnicity of its applicants. In the longer term, it is likely that the collection of additional demographic information of recruits will need to be considered in the context of the Decree-required Recruitment & Hiring Plan.

4. Category: Number of applicants with fluency in languages other than English, list of languages spoken by recruits.

Data Not Collected/Challenges: The Team is unable to report on the number of applicants with fluency in languages other than English or on the languages spoken by recruits. These data are not currently collected in the recruitment process.

Next Steps: The Division will need to ensure it is accurately capturing the language proficiency of applicants and recruits.

5. Category: Lateral candidates by race, gender, ethnicity, disability. List of lateral candidates.

The Division reported to the Team that, unlike many other police departments, lateral candidates are not recruited into the Division of Police.

Data Not Collected/Challenges: None.

Next Steps: The issue of lateral candidates is likely to be a part of the Decree-required Recruitment & Hiring Plan.

6. Category: Number of applicants with at least two years of college, a college degree or at least two years of military service.

The Civil Service Commission's data reflects that 347 applicants in 2015 had two or more years of college. Some 240 applicants had a college degree.

Data Not Collected/Challenges: The Team is unable to report on years of military service because this data does not appear to be currently collected by CPD or another entity within the CPD. However, the Team can report on the number of applicants who have demonstrate that they have at least 180 days of active military service and/or if they are a disabled veteran. The Civil Service Commission is not in possession of recruit data for two or more years of military service.

Next Steps: The City will need to ensure it is accurately captures the years of military experience held by recruits.

7. Category: Pass/fail rate overall for applicants by race, ethnicity, and gender.

Data Not Collected/Challenges: The Team calculated for itself the pass rate. These data are inherently reliant on the accuracy of the underlying data. For instance, if data on the number

of Hispanic/Latino applicants is inaccurate, then the pass rates for Hispanics would also be inaccurate.

Next Steps: None.

8. Category: *Average length of time to move applicants through each phase.*

Data Not Collected/Challenges: Currently, the recruitment data are not collected in a manner that allows for process time to be determined.

Next Steps: The City and/or Division will need to develop a system/process to accurately captured the length of time to move applicants through each phase of the process.

9. Category: *Final composition of recruit class by race, ethnicity and gender.*

Of the members of the recruit class in 2015 that did not separate from the class at some point during the year, 29 class members were white, 12 members were Hispanic/Latino, 8 individuals were black, and the racial identity of three were listed as “other.” The class consisted of 44 individuals identifying their gender as male and 8 individuals identifying their gender as female.

Data Not Collected/Challenges: The Team is unable to report on self-identified disability except for disabled veterans, as such information is either not collected or not readily available.

Next Steps: The City and/or Division needs to ensure a mechanism for ensuring that recruits identify any disability status.

F. Training Measures

Process: The Team met with the CPD’s Compliance Bureau and Training Section and the command staff to discuss training measures.

Key Insights: Training conducted pursuant to the Consent Decree will not begin until later in 2016. 2016 will therefore serve as the baseline for the training measures. The Outcome Measures team has offered support and advice to the training unit on how to conduct future class evaluations. As training modifications are made pursuant to the Decree, they will be recorded by the Team. Any training deficiencies reflected by problematic incidents or performance trends will be collected by the Training Section, IAU, the Training Review Committee, and the Force Review Board – with the Training Review Committee needing to ensure a coordinate repository for identified deficiencies across these various internal accountability structures or mechanisms.

Next Steps: The Parties, Monitoring Team, and Division will need to collaborate on establishing systems and processes for capturing the key training measures outlined in the Decree.

G. Officer Assistance & Support Efforts

Process: The Team met with members of the Employee Assistance Unit and CPD Compliance Bureau.

Key Insights: Many of the officer assistance programs are voluntary. Presently, the Employee Assistance Unit can report on the availability and use of officer assistance and support services. For 2015, 11 officers used assistance and support services. The Unit cannot currently report on officers' opinions or evaluation of the services. The Monitoring Team has provided some suggestions to the Unit on methods to collect evaluative information without compromising officer confidentiality.

Next Steps: The Division will need to establish a system/process for capturing officers' experiences and opinions on the employee assistance program, including with the Officer Intervention Program as it is substantially revamped going forward.

H. Supervision Measurements

Process: The Team met members of CPD's Command Staff to discuss supervision issues.

Key Insights: The baseline does not include the various Decree-required supervision measures because the CPD indicated that it would not be possible, at present, to collect them. There is no central or known data collection effort on this item.

Next Steps: The Division will need to establish a system/process for capturing how supervision is conducted in the Division.

I. Civilian Complaints, Internal Investigations and Discipline

Process: The Team met with members of the Inspections Unit, the Internal Affairs Unit, and OPS.

Key Insights: A very small number of cases are investigated by Inspections, with IA investigating those civilian complaint allegations that are or could be criminal in nature. Most civilian complaints therefore are or should be investigated by OPS. Although Exhibit A summarizes the number of civilian complaints, it is important to underscore the fact that the quality of the data collected from OPS is not sufficiently reliable at this time. As mentioned in the Monitor's First Semiannual Report and elsewhere in this report, a significant percentage of the 294 complaints filed in 2015 have neither completed the investigatory process nor been

reviewed by the PRB. Only four have been reviewed by the PRB. The office has inadequate case tracking and only recently has established a formal system for intake.

Exhibit A therefore reports primarily on civilian complaints investigated by the CPD itself, which the Team believes to be very small proportion of overall civilian complaints. The data from both IAU and Inspections was drawn from Excel spreadsheets and manual log books maintained in the respective units. To provide the Team with data, handwritten logs were in some instances transferred to electronic spreadsheets and subsequently circulated. This information often had to be linked up with data from other databases, such as IAPro.

1. Category: Number of complaints, and whether any increase or decrease in this number appears related to access to the complaint process

OPS reports that there were 294 resident complaints about police conduct in calendar year 2015.

Data Not Collected/Challenges: The lack of defined processes and protocols within OPS makes gauging the reliability of the overall complaint numbers challenging.

Next Steps: The Parties and Monitoring Team are working closely with OPS and the Division to assist in developing a system to more appropriately capture and investigate citizen complaints.

2. Category: Number of sustained, exonerated, unfounded, not sustained, and administratively dismissed complaints by type of complaint

Data Not Collected/Challenges: The data reported are incomplete. Only 45 of the 294 cases from 2015 have been completed and received dispositions as of the writing of this report. Only 4 have gone to the PRB for review and a discipline recommendation to the Chief of Police.

Next Steps: The Parties and Monitoring Team are working closely with OPS and the Division to assist in developing a system to more appropriately capture and investigate citizen complaints.

3. Category: Number of complaint allegations supported by a preponderance of the evidence

Data Not Collected/Challenges: The data reported are incomplete. In any event, it is not readily apparent that the “preponderance of evidence” standard is rigorously applied by OPS or PRB or that, even if it is, OPS investigative files are sufficiently thorough and complete so as to conduct a qualitative review of the investigations to determine if the application of the standard by OPS or PRB are appropriate.

Next Steps: The Parties and Monitoring Team are working closely with OPS and the Division to assist in developing a system to more appropriately capture and investigate citizen complaints.

4. Category: average length of time to complete investigations by complaint type

Data Not Collected/Challenges: The available data reported are incomplete and, by themselves, misleading. The average length of time reported only represents the 45 cases that have been completed – not the vast majority of cases that are still pending at least five, and as many as 17 months, after the original complaint was made.

Next Steps: The Monitor is working closely with OPS and the Division to assist in developing a system to more appropriately capture and investigate citizen complaints.

5. Category: number of officers who were subjects of multiple complaints or who had repeated instances of sustained complaints.

Data Not Collected/Challenges: Here, too, the available data reported are incomplete and, by themselves, misleading. The average length of time reported only represents the 45 cases that have been completed – not the vast majority of cases that are still pending at least five, and as many as 17 months, after the original complaint was made.

Next Steps: The Monitor is working closely with OPS and the Division to assist in developing a system to more appropriately capture and investigate citizen complaints.

6. Category: arrests of officers for on- and off-duty conduct

CPD records indicate that 14 officers were arrested in connection with off-duty conduct. One officer was arrested in connection with on-duty conduct.

Data Not Collected/Challenges: None.

Next Steps: CPD and the City need to ensure that collection of information about arrests of officers are adequately logged and reflected in IAPro, the Division's centralized officer performance database.

7. Category: criminal prosecutions of officers for on-or off-duty conduct

Eleven (11) officers were prosecuted in connection with off-duty conduct. One officer was prosecuted in connection with on-duty conduct. Two officers who were arrested in relation to off-duty conduct were not prosecuted. One case remains open.

Data Not Collected/Challenges: None.

Next Steps: None.

8. Category: Other than vehicle accidents not involving a pursuit, number and nature of civil suits against the City or CDP officers for work related conduct, and the amount of judgments against or settlements resulting from those civil suits

Data Not Collected/Challenges: There are eight cases logged that represent large civil suits. Of these cases, five are not yet settled; therefore, the settlement value in this report is incomplete. The Team is in the process of collecting judgment data on cases from low-level complaints (e.g., missing property).

Next Steps: The Monitoring Team will be continuing to work with City Law to collect the data necessary.

IV. CONCLUSION

This purpose of this memorandum is to summarize what outcome measures required by the Decree have sufficient data to consider 2015 data as a baseline and what other areas will require work and focus in order to have data that can serve as benchmark data. Exhibit A, attached hereto, provides a detailed breakdown of all quantitative measures that the Decree requires be assessed over time – indicating whether the numbers can be considered as baselines and, where no numbers are listed, usually summarizing the nature of the deficiencies.

Going forward, the Monitoring Team will evaluate and update the Court, and public, on all outcome measures at least yearly (or, in the case of the community survey, once every two years) to assess the nature of progress over time in the various reforms of the Consent Decree translating into real-world reform, effective law enforcement, and constitutional policing across Cleveland's diverse communities.

Respectfully submitted,

/s/ Matthew Barge
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Monitor

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CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2016, I served the foregoing document entitled Memorandum Providing Baseline Assessment Report via the court's ECF system to all counsel of record.

/s/ Matthew Barge
MATTHEW BARGE

EXHIBIT A

Baseline Measures June 2016

EXHIBIT A: Baseline Outcome Measures

Baseline Appendix Line Item	Consent Decree Paragraph	Consent Decree Section	Topic	Name of Measure	Included in 2015 Baseline? (yes/no)	Source of Data	2015 Data Collected	Validated by Source (yes/no)	Comments
1	367	a	Use of Force (UOF)						
2	367	a. 1	UOF	UoF Charges	yes	IAPro	see below		
3				# of UoF charges			350	yes	Validational data from CPD captured 349 use of force cases (based on timing of data request)
4				#of non-UoF charges			38,920	yes	39,270 charges in 2015
5	367	a. 1	UOF	UoF Charges ending in arrests	yes	IAPro	see below		
6				# UoF ending in arrests			285	yes	Validational data from CPD captured 289 Arrests with 609 different charge types
7				Total # of non-UoF ending in arrests			24,086	yes	24,371 total arrests in 2015
8	367	a. 1	UOF	UoF rates	yes	IAPro	see below		
9				UoF as % of all charges			0.9%	yes	
10				UoF arrests as % of all arrests			1.2%	yes	
11				% of UoFs ending in arrest			81%	yes	
12				% of non-UoFs ending in arrest			62%	yes	
13	367	a. 1	UOF	District	yes	IAPro	see below		
14				District 1			36	yes	
15				District 2			64	yes	
16				District 3			100	yes	
17				District 4			85	yes	
18				District 5			61	yes	
19				outside city			4	yes	
20	367	a. 1	UOF	Force type	yes	IAPro	see below		These data are for all officers that used force (1,311). Multiple force types used by officers per citizen.
21				Balance Displacement			76	yes	
22				Body Force			463	yes	
23				Control Hold-Restraint			217	yes	
24				Control Hold-Takedown			65	yes	
25				Joint Manipulation			137	yes	
26				Tackling/Takedown			142	yes	
27				Taser			44	yes	
28				Verbal/Physical Gestures			31	yes	
29				Other (1-25 instance each)			106	yes	
30				Unknown/NULL			30	yes	
31	367	a. 1	UOF	Arrest type	no	IAPro	see below	N/A	While 774 Arrest Types (i.e., Charge Types) were identified in IAPro, the categories were not clear and more meaningful categories need to be established as a baseline
32				Category 1			.		
33				Category 2			.		
34				Category 3			.		
35				Category 4			.		
36				Category 5			.		
37				Category 6			.		
38				Category 7			.		
39	367	a. 1	UOF	Race	yes	IAPro	see below		

Baseline Measures June 2016

40				Black			259	yes	
41				White			77	yes	
42				Hispanic			9	yes	
43				Asian			1	yes	
44				Other			1	yes	
45				Unknown/NULL			3	yes	
46	367	a. 1	UOF	Ethnicity	yes	IAPro	see below		
47				Hispanic/Latino			9	yes	
48				Non-Hispanic/Latino			338	yes	
49				Unknown/NULL			3	yes	
50	367	a. 1	UOF	Age	yes	IAPro	see below		
51				under 20 years			64	yes	
52				21-29 years			134	yes	
53				30-39 years			68	yes	
54				40-49 years			38	yes	
55				50-59 years			18	yes	
56				60+ years			11	yes	
57				Unknown/NULL			17	yes	
58	367	a. 1	UOF	Gender	yes	IAPro	see below		
59				Male			265	yes	
60				Female			82	yes	
61				Unknown/NULL			3	yes	
62	367	a. 1	UOF	Mental State	yes	IAPro	see below		
63				Mental Crisis			42	yes	
64				Behavioral Crisis Event			13	yes	
65	367	a. 1	UOF	Medical Condition	no	IAPro	.	N/A	No data collected currently; Needs to be collected in the future
66	367	a. 1	UOF	Drugs / ETOH	yes	IAPro	138	yes	Only drugs and alcohol as noted in IAPro
67				Unimpaired/None Detected	yes (new)		67	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
68				Unknown/NULL	yes (new)		90	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
69	367	a. 1	UOF	Disability	yes	IAPro	.	N/A	No data collected currently; Needs to be collected in the future
70									
71	367	a. 2	UOF	Injuries	yes	IAPro	see below		
72				# officers injured	yes		134	yes	
73				# public injuries	yes		112	yes	
74				rate of officer injuries change overall	no		.	N/A	not baseline, need to calculate in future
75				rate of officer injuries change severity	no		.	N/A	not baseline, need to calculate in future
76				rate of subject injuries change overall	no		.	N/A	not baseline, need to calculate in future
77				rate of subject injuries change severity	no		.	N/A	not baseline, need to calculate in future
78	367	a. 2	UOF	Force complaints	yes	IA	see below		
79				# of force complaints			43	yes	These data are by officer and not by case; These data are just from IA and does not include complaints through OPS
80				# of non-force complaints			73	yes	These data are by officer and not by case; These data are just from IA and does not include complaints through OPS
81	367	a. 2	UOF	disposition of force complaints	yes	IA	see below		
82				Substantiated			0	yes	
83				Substantiated Other			7	yes	

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84				Administrative Closure			2	yes	
85				Open			34	yes	
86	367	a. 2	UOF	source (in/ext.) force complaints	no	IA	see below		
87				Internal (CPD)	no		.	N/A	Incomplete information; no systematic capturing of data through IA or OPS
88				External (non-CPD/Civilian)	no		.	N/A	Incomplete information; no systematic capturing of data through IA or OPS
89	367	a. 2	UOF	force type	yes	IA, IAPro	see below		lots of incomplete data (more than half data not present)
90				Balance Displacement			0	yes	
91				Body Force			8	yes	
92				Control Hold-Restraint			2	yes	
93				Control Hold-Takedown			0	yes	
94				Joint Manipulation			1	yes	
95				Tackling/Takedown			0	yes	
96				Taser			1	yes	
97				Verbal/Physical Gestures			0	yes	
98				Other (1-25 instance each)			7	yes	
99				Unknown/NULL			27	yes	
100	367	a. 2	UOF	geographic area	yes	IA			
101				District 1			2	yes	
102				District 2			0	yes	
103				District 3			4	yes	
104				District 4			4	yes	
105				District 5			3	yes	
106				outside city			0	yes	
107				Unknown/NULL			10	yes	
108	367	a. 2	UOF	demographics of complainant	yes	IA, IAPro			
109				Black			11	yes	
110				White			2	yes	
111				Hispanic			0	yes	
112				Asian			0	yes	
113				Other			0	yes	
114				Unknown/NULL			10	yes	
115									
116	367	a.3	ECW usage	# ECW and changes over time	yes	IAPro			Not in baseline, need to calculate in future
117				# of ECW	yes	IAPro	44	yes	
118				changes compared to UOF	no		.	N/A	Not in baseline, need to calculate in future
119				changes compared to weapon/force instrumen	no		.	N/A	Not in baseline, need to calculate in future
120									
121	367	a.4	UOF violating policy	# in violation	yes	Case Office	9	yes	
122	367	a.4	UOF violating policy	force type	yes	Case Office, IAPro	see below		
123				Balance Displacement			2	yes	
124				Body Force			5	yes	
125				Control Hold-Restraint			0	yes	
126				Control Hold-Takedown			0	yes	
127				Joint Manipulation			2	yes	
128				Tackling/Takedown			0	yes	
129				Taser			0	yes	
130				Verbal/Physical Gestures			1	yes	
131				Other (1-25 instance each)			2	yes	
132				Unknown/NULL			2	yes	

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133	367	a.4	UOF violating policy	geography	yes	Case Office, IAPro	see below		
134				District 1			1	yes	
135				District 2			3	yes	
136				District 3			3	yes	
137				District 4			1	yes	
138				District 5			1	yes	
139				outside city			0	yes	
140	367	a.4	UOF violating policy	Arrest Type	yes	Case Office, IAPro	see below	TBD	While 15 Arrest Types (i.e., Charge Types) were identified in IAPro, the categories were not clear and more meaningful categories need to be established as a baseline
141				Category 1			.		
142				Category 2			.		
143				Category 3			.		
144				Category 4			.		
145				Category 5			.		
146				Category 6			.		
147				Category 7			.		
148	367	a.4	UOF violating policy	race	yes	Case Office, IAPro	see below		
149				Black			2	yes	
150				White			6	yes	
151				Hispanic			1	yes	
152				Asian			0	yes	
153				Other			0	yes	
154	367	a.4	UOF violating policy	ethnicity	yes	Case Office, IAPro	see below		
155				Hispanic/Latino			1	yes	
156				Non-Hispanic/Latino			8	yes	
157	367	a.4	UOF violating policy	age	yes	Case Office, IAPro	see below		
158				under 20 years			0	yes	
159				21-29 years			0	yes	
160				30-39 years			2	yes	
161				40-49 years			5	yes	
162				50-59 years			2	yes	
163				60+ years			0	yes	
164				Unknown/NULL			0	yes	
165	367	a.4	UOF violating policy	gender	yes	Case Office, IAPro			
166				Male			9	yes	
167				Female			0	yes	
168	367	a.4	UOF violating policy	condition	no	Case Office, IAPro			
169				mental condition	no		.	N/A	No data collected currently; Needs to be collected in the future
170				medical condition	no		.	N/A	No data collected currently; Needs to be collected in the future
171				drugs/alcohol	no		.	N/A	No data collected currently; Needs to be collected in the future
172				presence of disability	no		.	N/A	No data collected currently; Needs to be collected in the future

Baseline Measures June 2016

173									
174	367	a5	UOF violating policy	# of officers with > 1 UOF violating policy	yes	Case Office	0	yes	
175									
176	367	a6	UOF violating policy	force reviews/investigations resulting in	yes	IA	see below		
									Examination of data received shows most of the policy deficiencies were administrative/technical (i.e. late forms) and not substantive or due to tactics
177				policy deficiency			5	yes	
178				training deficiency			2	yes	
179				tactics deficiency			2	yes	
180									
181	367	a7	UOF violating policy	investigation process	no	IA		N/A	A random sample will be selected by Monitoring Team and reviewed to capture the quality of the investigations
182				quality of investigations			.		
183				quality of review			.		
184	367	a7	UOF violating policy	# of investigations returned because incomplete	yes	Chief's Office			Data have not been received as of June 2016
185	367 b addressing individuals in crisis								
186	367	b. 1	addressing individuals in crisis	# calls for service and incidents involving an individual in crisis	no	CI Unit		N/A	Incomplete information; no systematic capturing of data
187				Responded to by specialized CIT officer			.		
188				Responded to by other			.		
189	367	b. 1	addressing individuals in crisis	Direction of individuals in crisis	no	CI Unit		N/A	Incomplete information; no systematic capturing of data
190				directed to healthcare system			.		
191				directed to judicial system system			.		
192				direction other			.		
193				rate - directed to healthcare system			.		
194				rate - directed to judicial system system			.		
195				rate - direction other			.		
196									
197	367	b. 2	addressing individuals in crisis	# of UOF on ind in crisis	no	CI Unit		N/A	Incomplete information; no systematic capturing of data
198				type of force used			.		
199				Balance Displacement			.		
200				Body Force			.		
201				Control Hold-Restraint			.		
202				Control Hold-Takedown			.		
203				Joint Manipulation			.		
204				Tackling/Takedown			.		
205				Taser			.		
206				Verbal/Physical Gestures			.		
207				Other (1-25 instance each)			.		
208				Unknown/NULL			.		
209	367	b. 2	addressing individuals in crisis	reason for interaction	no	CI Unit		N/A	Incomplete information; no systematic capturing of data
210				# subject armed/not armed			.		
211				weapon type			.		
212				resistance offered			.		
213				description of attempts to de-escalate			.		
214	367 c stop, search, arrest								

Baseline Measures June 2016

215	367	c. 1	stop, search, arrest	# of investigatory stop, search, arrest	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
216				# of investigatory stops			.		
217				# of investigatory searches			.		
218				# of investigatory arrests			.		
219	367	c. 1	stop, search, arrest	% of investigatory stop, search, arrest	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
220				# investigatory stops/# summons or arrest			.		
221				# investigatory searchess/# summons or arrest			.		
222	367	c. 1	stop, search, arrest	District	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
223				District 1			.		
224				District 2			.		
225				District 3			.		
226				District 4			.		
227				District 5			.		
228				outside city			.		
229	367	c. 1	stop, search, arrest	Arrest type	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
230				Category 1			.		
231				Category 2			.		
232				Category 3			.		
233				Category 4			.		
234				Category 5			.		
235				Category 6			.		
236				Category 7			.		
237	367	c. 1	stop, search, arrest	Actual or perceived age	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
238				under 20 years			.		
239				21-29 years			.		
240				30-39 years			.		
241				40-49 years			.		
242				50-59 years			.		
243				60+ years			.		
244				Unknown/NULL			.		
245	367	c. 1	stop, search, arrest	race	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
246				Black			.		
247				White			.		
248				Hispanic			.		
249				Asian			.		
250				Other			.		
251				Unknown/NULL			.		
252	367	c. 1	stop, search, arrest	ethnicity	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
253				Hispanic/Latino			.		
254				Non-Hispanic/Latino			.		
255				Unknown/NULL			.		
256	367	c. 1	stop, search, arrest	gender	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
257				Male			.		
258				Female			.		
259				Unknown/NULL			.		
260									

Baseline Measures June 2016

261	367	c. 2	documentable reasonable suspicion to stop and probable cause search	actual or perceived race	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
262				Black			.		
263				White			.		
264				Hispanic			.		
265				Asian			.		
266				Other			.		
267				Unknown/NULL			.		
268	367	c. 2	documentable reasonable suspicion to stop and probable cause search	actual or perceived ethnicity	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
269				Hispanic/Latino			.		
270				Non-Hispanic/Latino			.		
271				Unknown/NULL			.		
272	367	c. 2	documentable reasonable suspicion to stop and probable cause search	actual or perceived gender	no	Compliance	.	N/A	No data collected currently; Needs to be collected in the future
273				Male			.		
274				Female			.		
275				Unknown/NULL			.		
276	367	c. 2	documentable reasonable suspicion to stop and probable cause search	actual or perceived age	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
277				under 20 years			.		
278				21-29 years			.		
279				30-39 years			.		
280				40-49 years			.		
281				50-59 years			.		
282				60+ years			.		
283				Unknown/NULL			.		
284									
285	367	c. 3	searches finding contraband	# of searches finding contraband	no	Compliance	.	N/A	No data collected currently; Needs to be collected in the future
286	367	c. 3	searches finding contraband	# of searches finding contraband by district	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
287				District 1			.		
288				District 2			.		
289				District 3			.		
290				District 4			.		
291				District 5			.		
292				outside city			.		
293	367	c. 3	searches finding contraband	Arrest type	no	Compliance		N/A	No data collected currently; Needs to be collected in the future
294				Category 1			.		
295				Category 2			.		
296				Category 3			.		
297				Category 4			.		
298				Category 5			.		
299				Category 6			.		

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300				Category 7				.		
301	367	c. 3	searches finding contraband	actual or perceived race	no	Compliance		N/A	No data collected currently; Needs to be collected in the future	
302				Black				.		
303				White				.		
304				Hispanic				.		
305				Asian				.		
306				Other				.		
307				Unknown/NULL				.		
308	367	c. 3	searches finding contraband	actual or perceived ethnicity	no	Compliance		N/A	No data collected currently; Needs to be collected in the future	
309				Hispanic/Latino				.		
310				Non-Hispanic/Latino				.		
311				Unknown/NULL				.		
312	367	c. 3	searches finding contraband	actual or perceived gender	no	Compliance		N/A	No data collected currently; Needs to be collected in the future	
313				Male				.		
314				Female				.		
315				Unknown/NULL				.		
316	367	c. 3	searches finding contraband	actual or perceived age	no	Compliance		N/A	No data collected currently; Needs to be collected in the future	
317				under 20 years				.		
318				21-29 years				.		
319				30-39 years				.		
320				40-49 years				.		
321				50-59 years				.		
322				60+ years				.		
323				Unknown/NULL				.		
324	367 d bias free policing & community engagement									
325	367	d.1	bias free policing & community engagement	# of community partnerships	yes	District Commanders	see below			
326				District 1					Data have not been received as of June 2016	
327				District 2			10	yes		
328				District 3			11	yes		
329				District 4			22	yes		
330				District 5			14	yes		
331	367	d. 1	bias free policing & community engagement	# of community partnerships w/youth	yes	District Commanders	see below		represents partnerships specifically with youth, although youth may be included in other partnerships	
332				District 1					Data have not been received as of June 2016	
333				District 2			4	yes		
334				District 3			3	yes		
335				District 4			7	yes		
336				District 5			1	yes		
337	367	d. 1	bias free policing & community engagement	variety of community partnerships	yes	District Commanders				
338				District 1					Can be calculated once all data for all Districts have been received	
339				District 2					Can be calculated once all data for all Districts have been received	
340				District 3					Can be calculated once all data for all Districts have been received	

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341				District 4					Can be calculated once all data for all Districts have been received
342				District 5					Can be calculated once all data for all Districts have been received
343									
344	367	d.2	bias free policing & community engagement	homicide clearance rate	yes	Homicide Unit	56%	yes	
345	367	d.2	bias free policing & community engagement	# of homicides	yes	Homicide Unit	127	yes	
346				# of homicides solved			71	yes	
347				# of homicides unsolved			56	yes	
348	367	d.2	bias free policing & community engagement	Type of homicide	yes	Homicide Unit	see below		
349				# of domestic violence homicides			12	yes	
350				# of non-domestic violence homicides			115	yes	
351	367	d.2	bias free policing & community engagement	Homicide victims	yes	Homicide Unit	see below		
352				Adult male victims			95	yes	
353				Adult female victims			23	yes	
354				Juvenile male victims			7	yes	
355				Juvenile female victims			2	yes	
356									
357	367	d.3	bias free policing & community engagement	# civilian complaints for discrimination	no	OPS	.	N/A	Incomplete information; no systematic capturing of data
358				dispostion of discrimination complaints	no	OPS	.	N/A	Incomplete information; no systematic capturing of data
359	367	d.3	bias free policing & community engagement	analysis of bienniel survey	yes	ISA hired			results are in a separate document from this baseline document
360	367 e		recruitment measures						
361	367	e. 1	recruitment measures	applicants	yes	City Hall Civil Service Commission (CSC)	see below		
362				# of qualified recruit applicants			191	yes	certified. Candidates are being vetted for the next Academy" (category 11) and "hired/currently in the academy" (category 4)
363				# of not qualified recruit applicants			1219	yes	These are applicants who failed somewhere in the process
364	367	e. 1	recruitment measures	applicants by race	yes		see below		
365				White (W)			781	yes	
366				Black (B)			409	yes	
367				Asian (A)			13	yes	
368				Hispanic (H)			154	yes	
369				Other (O)			44	yes	
370				AI			3	yes	
371				No Data (.)			6	yes	

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372	367	e. 1	recruitment measures	applicants by gender	yes		see below		
373				Males			1120	yes	
374				Females			290	yes	
375									
376	367	e. 2	recruitment measures	summary of recruit activities in development of community partnerships	no	CPD Personnel; City Hall Civil Service Commission		N/A	Incomplete information; no systematic capturing of data
377	367	e. 2	recruitment measures	summary of recruit activities in leveraging of community partnerships	no	City Hall Civil Service Commission		N/A	Incomplete information; no systematic capturing of data
378									
379	367	e. 3	recruitment measures	# of applicants who failed initial screening	yes	City Hall Civil Service Commission	1219	yes	Same number as above (# of non-qualified applicants); considered anyone who is NOT hired (category 4) and anyone whose name has NOT been certified (category 11)
380	367	e. 3	recruitment measures	reason for failures	yes	City Hall Civil Service Commission	see below		
381				2-Failed agility test			166	yes	
382				3-No show for the Agility test			85	yes	
383				4-Hired / Currently in the Academy			N/A to reason for failures	yes	
384				5-No response to certification			183	yes	
385				6-Passed over			13	yes	
386				7-Removed for background reason(s)			66	yes	
387				8-No show for the Psychological Exam			1	yes	
388				9-No longer interested			19	yes	
389				10-Waived			17	yes	
390				11-Name has been certified. Candidates are being vetted for the next Academy			N/A to reason for failures	yes	
391				12-No show for the test			394	yes	
392				13-Did not submit their Personal History Statement			240	yes	
393				14-Failed the test			35	yes	
394	367	e. 3	recruitment measures	recruit failures by race	yes	City Hall Civil Service Commission	see below		
395				White (W) Failures			658	yes	
396				Black (B) Failures			375	yes	
397				Asian (A) Failures			12	yes	
398				Hispanic (H) Failures			128	yes	
399				Other (O) Failures			41	yes	
400				AI Failures			1	yes	
401				No Data (.) Failures			4	yes	
402	367	e. 3	recruitment measures	recruit failures by ethnicity	yes	City Hall Civil Service Commission	see below		
403				Hispanic/Latino (H)			128	yes	It is unclear whether this information is captured adequately
404				Non-Hispanic/Latino			1091	yes	

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405	367	e. 3	recruitment measures	recruit failures by gender	yes	City Hall Civil Service Commission	see below		
406				Male Failures			971	yes	
407				Female Falures			248	yes	
408	367	e. 3	recruitment measures	recruit failures by self identified disability	no	City Hall Civil Service Commission	.		Only have data on veterans; No data collected currently; Needs to be collected in the future
409									
410	367	e. 4	recruitment measures	# of applicants with fluency in other language	no	City Hall Civil Service Commission	.		No data collected currently; Needs to be collected in the future
411	367	e. 4	recruitment measures	list of languages spoken by recruits	no		.		No data collected currently; Needs to be collected in the future
412									
413	367	e. 5	recruitment measures	# of lateral candidates	yes	City Hall Civil Service Commission	0	yes	The Division does not recruit laterals
414	367	e. 5	recruitment measures	laterals by race	yes		see below	yes	The Division does not recruit laterals
415				Black			0	yes	
416				White			0	yes	
417				Hispanic			0	yes	
418				Asian			0	yes	
419				Other			0	yes	
420	367	e. 5	recruitment measures	ethnicity	yes		see below	yes	The Division does not recruit laterals
421				Hispanic/Latino			0	yes	
422				Non-Hispanic/Latino			0	yes	
423	367	e. 5	recruitment measures	laterals by gender	yes		see below		The Division does not recruit laterals
424				Male			0	yes	
425				Female			0	yes	
426	367	e. 5	recruitment measures	Other information on laterals	yes		see below		The Division does not recruit laterals
427				laterals with self identified disability			0	yes	
428				list of laterals former agencies			0	yes	
429				list of laterals years of service			0	yes	
430									
431	367	e. 6	recruitment measures	applicant qualifications	yes	City Hall Civil Service Commission	see below		
432				# applicants with 2+ years college	yes		455	yes	This category captures those who attended college for 2+ years, but did not obtain a BA degree (includes those with associates degrees)
433				# applicants with college degree	yes		240	yes	
434				# applicants with 2+ years military	no		.	N/A	No data collected currently; only have 180+days; Needs to be collected in the future
435				# applicants with 180+ days military	yes (new)		161	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
436				disabled veterans	yes (new)		1235	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
437									

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438	367	e. 7	recruitment measures	pass/fail rate in each phase of pre-employment process	yes	City Hall Civil Service Commission	see below		pass calculated
439				2-Failed agility test			86.38%	yes	pass rate calculated
440				3-No show for the Agility test			93.03%	yes	pass rate calculated
441				4-Hired / Currently in the Academy			N/A	yes	pass rate calculated
442				5-No response to certification			84.99%	yes	pass rate calculated
443				6-Passed over			98.93%	yes	pass rate calculated
444				7-Removed for background reason(s)			94.59%	yes	pass rate calculated
445				8-No show for the Psychological Exam			99.92%	yes	pass rate calculated
446				9-No longer interested			98.44%	yes	pass rate calculated
447				10-Waived			98.61%	yes	pass rate calculated
448				11-Name has been certified. Candidates are being vetted for the next Academy			N/A	yes	pass rate calculated
449				12-No show for the test			67.68%	yes	pass rate calculated
450				13-Did not submit their Personal History Statement			80.31%	yes	pass rate calculated
451				14-Failed the test			97.13%	yes	pass rate calculated
452	367	e. 7	recruitment measures	pass/fail rate by race	yes	City Hall Civil Service Commission	see below		
453				White (W) pass rate			46.02%	yes	pass rate calculated
454				Black (B) pass rate			69.24%	yes	pass rate calculated
455				Asian (A) pass rate			99.02%	yes	pass rate calculated
456				Hispanic (H) pass rate			89.50%	yes	pass rate calculated
457				Other (O) pass rate			96.64%	yes	pass rate calculated
458				AI pass rate			99.92%	yes	pass rate calculated
459				No Data (.) pass rate			99.67%	yes	pass rate calculated
460	367	e. 7	recruitment measures	pass/fail rate by ethnicity	yes	City Hall Civil Service Commission	see below		
461				Hispanic/Latino (H) pass rate			89.50%	yes	pass rate calculated
462				Non-Hispanic/Latino pass rate			85.08%	yes	pass rate calculated
463	367	e. 7	recruitment measures	pass/fail rate by gender	yes	City Hall Civil Service Commission	see below		
464				Male Pass Rate			20.34%	yes	pass rate calculated
465				Female Pass Rate			79.66%	yes	pass rate calculated
466	367	e. 7	recruitment measures	pass/fail rate by self identified disability	no	City Hall Civil Service Commission	.		No data collected currently; Needs to be collected in the future
467									
468	367	e. 8	recruitment measures	avg length of time to move through each phase of preemployment	no		.		No data collected currently; Needs to be collected in the future
469	367	e. 8	recruitment measures	avg length of time to process applicants			.		No data collected currently; Needs to be collected in the future
470									
471	367	e. 9	recruitment measures	composition of recruit class	yes		see below		
472				Initial Size of recruit class	yes		52	yes	
473				Remained	yes (new)		44	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
474				Separated	yes (new)		8	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree

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475	367	e. 9	recruitment measures	Separated by Race	yes		see below		
476				Black	yes (new)		2	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
477				White	yes (new)		4	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
478				Hispanic	yes (new)		2	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
479				Asian	yes (new)		0	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
480				Other	yes (new)		0	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
481	367	e. 9	recruitment measures	Separated by Gender	yes		see below		
482				Male	yes (new)		7	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
483				Female	yes (new)		1	yes	New item CPD collects that has been added to baseline but not specified in Consent Decree
484	367	e. 9	recruitment measures	composition of recruit classes by race		Command Staff/Academy	see below		
485				Black			8	yes	
486				White			29	yes	
487				Hispanic			12	yes	
488				Asian			0	yes	
489				Other			3	yes	
490	367	e. 9	recruitment measures	composition of recruit classes by ethnicity		Command Staff/Academy	see below		
491				Hispanic/Latino			12	yes	
492				Non-Hispanic/Latino			40	yes	
493	367	e. 9	recruitment measures	composition of recruit classes by gender		Command Staff/Academy	see below		
494				Male			44	yes	
495				Female			8	yes	
496	367	e. 9	recruitment measures	composition of recruit classes by self identified disability		no	.	N/A	No data collected currently; Needs to be collected in the future
497	367 f. 1 training measures								
498	367	f. 1	training measures	# of officers provided training pursuant to this agreement	no		.	N/A	future comparisons
499	367	f. 1	training measures	% of officers provided training pursuant to this agreement	no		.	N/A	future comparisons
500									
501	367	f. 2	training measures	students' evaluations of the adequacy of training in type and frequency	no		.	N/A	future comparisons
502									

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503	367	f. 3	training measures	modifications or improvements to training resulting from the review and analysis required by this agreement	no			N/A	future comparisons
504									
505	367	f. 4	training measures	prevalence of training deficiencies as reflected by problematic incidents or performance trends	no			N/A	future comparisons
506	367 g.		officer assistance & support efforts						
507	367	g. 1	officer assistance & support efforts	availability of officer assistance & support services	yes	EAP		N/A	
508	367	g. 1	officer assistance & support efforts	use of officer assistance & support services	yes	EAP	11	yes	
509									
510	367	g. 2	officer assistance & support efforts	officer reports of adequacy of officer assistance & support svcs	no	EAP		N/A	No data collected currently; Needs to be collected in the future
511	367	g. 2	officer assistance & support efforts	survey analysis of adequacy of officer assistance & support svcs	no	EAP		N/A	No data collected currently; Needs to be collected in the future
512	367 h.		supervision measures						
513	367	h.	supervision measures	supervisors initial indentification of officer violations	no			N/A	No data collected currently; Needs to be collected in the future
514	367	h.	supervision measures	supervisors initial indentification of officer performance problems	no			N/A	No data collected currently; Needs to be collected in the future
515	367	h.	supervision measures	supervisors response to officer violations	no			N/A	No data collected currently; Needs to be collected in the future
516	367	h.	supervision measures	supervisors response to performance problems	no			N/A	No data collected currently; Needs to be collected in the future
517	367 i.		civilian complaints & investigations & discipline						
518	367	i. 1	civilian complaints & investigations & discipline	# of complaints	yes	IA, Inspections, OPS	294	yes	Of the 294 cases in 2015, only 45 have been completed and only 4 have gone through the PRB
519	367	i. 1	civilian complaints & investigations & discipline	increases/decreases related to access	no	IA, Inspections, OPS		N/A	No data collected currently; Needs to be collected in the future
520									
521	367	i. 2	civilian complaints & investigations & discipline	# sustained by complaint type	no	IA, Inspections, OPS		N/A	Incomplete information; no systematic capturing of data
522				False Report					
523				Harassment					
524				Improper Procedure					
525				Infraction Notice (UTT/PIN)					
526				Lack of Service					
527				Not Provided by Complainant					
528				Other					
529				Physical Abuse/Excessive Force					
530				Unprofessional					
531	367	i. 2	civilian complaints & investigations & discipline	# exonerated by complaint type	no	IA, Inspections, OPS		N/A	Incomplete information; no systematic capturing of data
532				False Report					
533				Harassment					
534				Improper Procedure					
535				Infraction Notice (UTT/PIN)					

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536				Lack of Service				.		
537				Not Provided by Complainant				.		
538				Other				.		
539				Physical Abuse/Excessive Force				.		
540				Unprofessional				.		
541	367	i. 2	civilian complaints & investigations & discipline	# unfounded by complaint type	no	IA, Inspections, OPS		N/A	Incomplete information; no systematic capturing of data	
542				False Report				.		
543				Harassment				.		
544				Improper Procedure				.		
545				Infraction Notice (UTT/PIN)				.		
546				Lack of Service				.		
547				Not Provided by Complainant				.		
548				Other				.		
549				Physical Abuse/Excessive Force				.		
550				Unprofessional				.		
551	367	i. 2	civilian complaints & investigations & discipline	# not sustained by complaint type	no	OPS		N/A	Incomplete information; no systematic capturing of data	
552				False Report				.		
553				Harassment				.		
554				Improper Procedure				.		
555				Infraction Notice (UTT/PIN)				.		
556				Lack of Service				.		
557				Not Provided by Complainant				.		
558				Other				.		
559				Physical Abuse/Excessive Force				.		
560				Unprofessional				.		
561	367	i. 2	civilian complaints & investigations & discipline	# of administratively dismissed	no	OPS		N/A	Incomplete information; no systematic capturing of data	
562				False Report				.		
563				Harassment				.		
564				Improper Procedure				.		
565				Infraction Notice (UTT/PIN)				.		
566				Lack of Service				.		
567				Not Provided by Complainant				.		
568				Other				.		
569				Physical Abuse/Excessive Force				.		
570				Unprofessional				.		
571	367	i. 2	civilian complaints & investigations & discipline	# of insufficient evidence	no	OPS		N/A	Incomplete information; no systematic capturing of data	
572				False Report				.		
573				Harassment				.		
574				Improper Procedure				.		
575				Infraction Notice (UTT/PIN)				.		
576				Lack of Service				.		
577				Not Provided by Complainant				.		
578				Other				.		
579				Physical Abuse/Excessive Force				.		
580				Unprofessional				.		
581								.		

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582	367	i. 3	civilian complaints & investigations & discipline	# of complaint allegations supported by a perponderance of the evidence	no	OPS	.	N/A	No data collected currently; Needs to be collected in the future
583									
584	367	i. 4	civilian complaints & investigations & discipline	average length of time to complete by complaint type	no	OPS	.	N/A	Incomplete information; no systematic capturing of data
585				False Report			.		
586				Harassment			.		
587				Improper Procedure			.		
588				Infraction Notice (UTT/PIN)			.		
589				Lack of Service			.		
590				Not Provided by Complainant			.		
591				Other			.		
592				Physical Abuse/Excessive Force			.		
593				Unprofessional			.		
594									
595	367	i. 5	civilian complaints & investigations & discipline	# of officers w/multiple complaints	no	OPS	.	N/A	Incomplete information; no systematic capturing of data
596				District 1			.		
597				District 2			.		
598				District 3			.		
599				District 4			.		
600				District 5			.		
601				outside city/other units			.		
602	367	i. 5	civilian complaints & investigations & discipline	# of officers w/repeated sustained complaints	no	IA, Inspections, OPS	.	N/A	Incomplete information; no systematic capturing of data
603									
604	367	i. 6	civilian complaints & investigations & discipline	arrests of officers for conduct	yes	IA	see below		
605				on duty			1	yes	
606				off duty			14	yes	
607									
608	367	i. 7	civilian complaints & investigations & discipline	criminal prosecutions for conduct	yes	IA	see below		
609				on duty			1	yes	
610				off duty			11	yes	
611				not prosecuted			2	yes	
612				open			1	yes	
613									
614	367	i. 8	civilian complaints & investigations & discipline	# of civil suits against the City or CDP for work related conduct	yes	City Law Department	8	yes	
615				settled			3	yes	As of May 2016
616				not yet settled			5	yes	As of May 2016
617	367	i. 8	civilian complaints & investigations & discipline	nature of the suits	yes	City Law Department	see below		There can be multiple natures of suits for each suit
618				excessive force (including deadly force)			5	yes	
619				unlawful search & seizure			1	yes	

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620				false arrest			1	yes	
621				discrimination/bias			0	yes	
622				other violation of consitutional rights (e.g., 1st amendment)			1	yes	
623				Harassment			0	yes	
624				improper handling/disposition of property			1	yes	
625				contempt of cop			1	yes	
626				failure to provide medical assistance			1	yes	
627				other			0	yes	
628	367	i. 8	civilian complaints & investigations & discipline	amount of judgments against	yes	City Law Department	see below		
629				number of judgments			23	yes	As of June 2016
630	367	i. 8	civilian complaints & investigations & discipline	Judgment Status (number)	yes	City Law Department	see below		
631				number of judgments (closed)			10	yes	As of June 2016
632				number of judgments (active)			13	yes	As of June 2016
633	367	i. 8	civilian complaints & investigations & discipline	Judgment Status (amount)	yes	City Law Department	see below		
634				amount of judgments (closed)			\$ 1,125,724.35	yes	As of June 2016
635				amount of judgments (active)			TBD	yes	As of June 2016
636	367	i. 8	civilian complaints & investigations & discipline	amount of settlements	yes	City Law Department	see below		
637				settled			\$ 14,000	yes	As of June 2016
638				not yet settled			TBD	yes	As of June 2016