

REPORT OF THE INDEPENDENT MONITOR FOR THE DETROIT POLICE DEPARTMENT

"Report Card" Summarizing the Monitor's Evaluation of Compliance with the Consent Judgments as of the Quarter Ending August 31, 2004

ASSESSMENT OF COMPLIANCE [1] (for last 5 Quarters)					EVALUATION TIMING		Comments re: Last Evaluation
Sep '04- Nov '04	Jun '04- Aug '04	Mar '04- May '04	Dec '03- Feb '04	Sep '03- Nov '03	Status as of Last Eval'n	Last Eval'n Quarter Ending	

**USE OF FORCE AND ARREST AND WITNESS DETENTION
CONSENT JUDGMENT**

I. DEFINITIONS

U1

No task

II. GENERAL PROVISIONS

U2 - 13

No task

III. USE OF FORCE POLICY

A. General Use of Force Policies

U14	Revision of Policy (Definition of UOF)				X	X	X	May-04	May-05
U15	Use of Force Continuum				X	X	X	May-04	May-05
U16	Opportunity to Submit				X	X	X	May-04	May-05
U17	Prohibition on Choke Holds				X	X	X	May-04	May-05
U18	Revision of Policy within 3 Months				X	X	X	May-04	May-05
U19	Strike to Head Equals Deadly Force				X	X	X	May-04	May-05

B. Use of Firearms Policy

U20	Firearms Qualification Requirement		X			X		Aug-04	Aug-05
U21	Failure to Re-Qualify		X			X		Aug-04	Aug-05
U22	Moving Vehicle Firing Policy		X			X		Aug-04	Aug-05
U23	Authorized Ammunition		X			X		Aug-04	Aug-05

C. Intermediate Force Device Policy

U24	Intermediate Force Device		X			X		Aug-04	Aug-05
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D. Chemical Spray Policy

U25	Requirements of Policy		X			X		Aug-04	Aug-05
U26	Prohibition Relative to Handcuffed Prisoners		X			X		Aug-04	Aug-05

IV. INCIDENT DOCUMENTATION, INVESTIGATION, AND REVIEW

A. General Investigations of Police Action

U27	Revision of General Investigation Policies		X			X		Aug-04	Feb-05
U28	Who May Conduct Investigations		X			X		Aug-04	Feb-05
U29	Requirements of Policy		X			X		Aug-04	Feb-05

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U30	Prohibited Methods		X		X		X	Aug-04	Feb-05	
U31	Compelling of Stmt's		X		X		X	Aug-04	Feb-05	
U32	Report Requirements		X		X		X	Aug-04	Feb-05	
U33	Review Requirements		X		X		X	Aug-04	Feb-05	
B. Use of Force and Prisoner Injury Investigations										
U34	Documentation of UOF and Prisoner Injury			X		X	X	May-04	Nov-04	
U35	Notification Requirements			X		X	X	May-04	Nov-04	
U36	Command Investigation Timelimits			X		X	X	May-04	Nov-04	
C. Review of Critical Firearm Discharges and In-Custody Deaths										
U37	Creation of Shooting Team			X		X	X	May-04	Nov-04	
U38	Protocol for Investigations of Critical Firearms Discharges			X		X	X	May-04	Nov-04	
U39	Command Level Force Review Team			X		X	X	May-04	Nov-04	
U40	Time Limits for Command Level Force Review Team			X		X	X	May-04	Nov-04	
U41	Aggregate Review			X		X	X	May-04	Nov-04	
V. ARREST AND DETENTION POLICIES AND PRACTICES										
A. Arrest Policies										
U42	Revision of Arrest Policies			X		X	X	May-04	Nov-04	
U43	Review of All Arrests			X		X	X	May-04	Nov-04	
B. Investigatory Stop Policies										
U44	Revision of Policies			X		X	X	May-04	Nov-04	
U45	Documentation Requirement			X		X	X	May-04	Nov-04	
C. Witness Identification and Questioning Policies										
U46	Revision of Policies			X		X	X	May-04	Nov-04	
U47	Submission to DOJ within 3 months			X		X	X	May-04	Nov-04	
U48	Documentation of Interviews and Interrogations			X		X	X	May-04	Nov-04	

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D. Prompt Judicial Review Policies										
U49	Revision of Policies and Requirement of Arraignment within 48 Hours		X			X	X	Aug-04	Feb-05	
U50	Requirement of Warrant Request		DW			X	DW	Aug-04	Nov-04	
U51	Documentation of Late Request for Arraignment Warrants		X			X	X	Aug-04	Feb-05	
E. Hold Policies										
U52	Revision of Policies		X			X	X	Aug-04	Feb-05	
U53	Documentation of all Holds		X			X	X	Aug-04	Feb-05	
F. Restriction Policies										
U54	Development of Restriction Policies		X		X		X	Aug-04	Feb-05	
U55	Documentation of Restrictions		X		X		X	Aug-04	Feb-05	
G. Material Witness Policies										
U56	Revision of Material Witness Policies		DW		X		DW	Aug-04	Nov-04	
U57	Requirement of Court Order		X		X		X	Aug-04	Feb-05	
H. Documentation of Custodial Detention										
U58	Revision of Policy			X		X	X	May-04	Nov-04	
I. Command Notification										
U59	Time Limits for Written Reporting of Violations			X	X		X	May-04	Nov-04	
U60	Daily Reporting Requirement		X		X		X	Aug-04	Feb-05	
VI. EXTERNAL COMPLAINTS										
U61	Revision of External Complaints Policies			X		X	X	May-04	Nov-04	
U62	Informational Campaign			X	X	X	X	May-04	Nov-04	
U63	Informational Brochures and Contact Forms			X		X	X	May-04	Nov-04	
A. Intake and Tracking										
U64	Policies Regarding Intake and Tracking			X		X	X	May-04	Nov-04	
U65	Factual Account by Intake Officer			X		X	X	May-04	Nov-04	
U66	Unique Identifier			✓		X	✓	May-04	Nov-04	

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B. External Complaint Investigation									
U67	Revision of External Complaint Investigations Policy		X		X	X	May-04	Nov-04	
U68	External Complaint Review Process Time Limits		X		X	X	May-04	Nov-04	
U69	External Complaint Dispositions		NYE			NYE	May-04	Nov-04	Assessment commenced during the quarter ending May 31, 2004
VII. GENERAL POLICIES									
U70	Clear Definitions of Terms		X		X	X	May-04	Nov-04	
U71	Community Comment on Proposed Policy Revisions		X		X	X	May-04	Nov-04	Non-compliance with policy and training requirements
U72	Police Action in Violation of DPD Policy		X	X	DW	X	Aug-04	Feb-05	
U73	Deployment Plan for Supervisors			X	DW	X	May-04	Nov-04	
U74	Enforcement of Policy on Reporting Misconduct		X		X	X	Aug-04	Feb-05	
U75	Revision of Off-Duty Action Policies		DW		X	DW	Aug-04	Feb-05	
U76	Revision of Prisoner Policies		X		X	X	Aug-04	Feb-05	
U77	Foot Pursuit Policy Development		X		X	X	Aug-04	Feb-05	
VIII. MANAGEMENT AND SUPERVISION									
U78	Development of Risk Management Plan		X	X	X	X	Aug-04	Nov-04	
A. Risk Management Database									
U79	Expansion of Risk Management System		X	X	X	X	Aug-04	Nov-04	
U80	Requirements for New Risk Management Database			X		X	May-04	Nov-04	
U81	Requirement of Identifiers			X		X	May-04	Nov-04	
U82	Data Input Plan			X		X	May-04	Nov-04	
U83	Report Protocol			X		X	May-04	Nov-04	
U84	Review Protocol		X			X	Aug-04	Feb-05	
U85	Modular Development of Database		X		X	X	Aug-04	Feb-05	
U86	Common Control Numbers			X		X	May-04	Nov-04	
U87	Information Retention			X		X	May-04	Nov-04	

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U88	Schedule for Development									
	a. Submit Data Input Plan to DOJ			X		X	X	May-04	Nov-04	
	b. Submit Report Protocol and RFP to DOJ			X		X	X	May-04	Nov-04	
	c. Issue RFP			X		X	X	May-04	Nov-04	
	d. Submit Review Protocol to DOJ		X				X	Aug-04	Feb-05	
	e. Select Contractor for Risk Management Database		X				X	Aug-04	Feb-05	
	f. Beta Version of Risk Management Database						NYE		Aug-05	Deadline for beta version is June 30, 2005
	g. Risk Management Database Operational						NYE		Feb-06	Deadline for operation and implementation is December 31, 2005
U89	Interim System to Detect Patterns of Behavior		X		X		X	Aug-04	Feb-05	
U90	Modification Protocol						NYE			Compliance will be assessed as needed
B.	Performance Evaluation System									
U91	Performance Evaluations		X		X		X	Aug-04	Aug-05	
C.	Oversight									
U92	Audit Protocol		X	DW	DW	X	X	Aug-04	Nov-04	Audit frequency requirements not met
U93	Audit Reporting Requirements		X		X	X	X	Aug-04	Nov-04	No audit reports completed
U94	a. Audits of UOF and Prisoner Injuries		X		X	X	X	Aug-04	Nov-04	Audit not completed
	b. Audits of Misconduct Investigations		X		X	X	X	Aug-04	Nov-04	Audit not completed
U95	a. Audits of Probable Cause		X		X	X	X	Aug-04	Nov-04	Audit not completed
	b. Audits of Stop and Frisk		X		X	X	X	Aug-04	Nov-04	Audit not completed
	c. Audits of Witness Identification and Questioning Documentation		X		X	X	X	Aug-04	Nov-04	Audit not completed
U96	Audits of Custodial Detention Practices		X		X	X	X	Aug-04	Nov-04	Audit not completed
U97	OCI Audits of External Complaints and Investigations		X		X	X	X	Aug-04	Nov-04	Audit not completed
U98	Videotape Reviews		X		X	X	X	Aug-04	Feb-05	
U99	Regular Meetings with Prosecutors			✓	DW		✓	May-04	Nov-04	

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D. Use of Video Cameras								
U100 Repair or Replacement of Video Cameras		X		X		X	Aug-04	Feb-05
U101 Revision of Video Camera Policy		X		X		X	Aug-04	Feb-05
U102 Video Camera Recording Requirements		X		X		X	Aug-04	Feb-05
F. Discipline								
U103 Elimination of Backlogs		X		X		X	Aug-04	Feb-05
U104 Steps to Prevent Backlog		X		X		X	Aug-04	Feb-05
U105 Creation of Disciplinary Matrix		X		X		X	Aug-04	Feb-05
IX. TRAINING								
A. Oversight and Development								
U106 Review of all UOF and Arrest and Detention Training			X		X	X	May-04	Nov-04
U107 Michigan Law Enforcement Officers Training Council Standards			X		X	X	May-04	Nov-04
U108 Individual Training Records			X		X	X	May-04	Nov-04
U109 Approved Lesson Plans / Scenario-Based Training			X		X	X	May-04	Nov-04
U110 Civil Lawsuits			X			X	May-04	Nov-04
U111 Distribution and Explanation of the UOF CJ			X			X	May-04	Nov-04
B. Use of Force Training								
U112 Annual UOF Training			X		X	X	May-04	Nov-04
C. Firearms Training								
U113 Firearms Training Protocol			X		X	X	May-04	Nov-04
D. Arrest and Police-Citizen Interaction Training								
U114 Annual Arrest and Police-Citizen Interaction Training			X		X	X	May-04	Nov-04
E. Custodial Detention Training								
U115 Annual Custodial Detention Training		X		X	X	X	Aug-04	Feb-05
U116 Advise Officers not to Delay Arraignment		X		X	X	X	Aug-04	Feb-05
U117 Advise that Materiality of Witness is Judicial Determination		X		X	X	X	Aug-04	Feb-05

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F. Supervisory Training									
U118 Training on the Evaluation of Written Reports		X		X	X	X	Aug-04	Feb-05	
U119 Leadership and Command Accountability Training		X		NYE	X	X	Aug-04	Feb-05	
U120 Risk Assessment Training Requirement		X		X	X	X	Aug-04	Feb-05	
G. Investigator Training									
U121 Training for Evaluating Credibility		X		X	X	X	Aug-04	Feb-05	
U122 Handling External Complaints		X		X	X	X	Aug-04	Feb-05	
H. Field Training									
U123 Enhancement of FTO Program		X		DW	X	DW	Aug-04	Feb-05	
X. MONITORING, REPORTING, AND IMPLEMENTATION									
U124 - 138									No task
U139 Reopening of Investigations Deemed Incomplete						NYE	May-04	Nov-04	Reviewed during quarter ending May 31, 2004 but compliance assessment was not required
U140 - 154									No task

CONDITIONS OF CONFINEMENT CONSENT JUDGMENT

I. DEFINITIONS									
C1									No task
II. GENERAL PROVISIONS									
C2 - 13									No task
III. FIRE SAFETY POLICIES									
C14 Life Safety Code Compliance						NYE		Nov-04	Compliance required within one year of COC CJ's effective date
C15 Detection, Suppression and Evacuation Programs				X		X	Feb-04	Nov-04	
C16 Fire Safety Program Development				X	X	X	Feb-04	Nov-04	
C17 Fire Safety Program Implementation						NYE		Nov-04	Compliance required within one year of COC CJ's effective date
C18 Fire Safety Interim Measures				X	X	X	Feb-04	Nov-04	
C19 Safety Equipment Testing				X		X	Feb-04	Nov-04	
C20 Smoking Policy				✓	✓	✓	Feb-04	Aug-05	

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C21 Storage of Flammable Liquids				X	X	X	Feb-04	Aug-05	Non-compliance with training requirements
C22 Removal of Cane Ceiling Tiles				X	X	X	Feb-04	Aug-05	
IV. EMERGENCY PREPAREDNESS POLICIES									
C23 Ensure Safety Level				X		X	Feb-04	Nov-04	
C24 Emergency Preparedness Program Development			X		X	X	May-04	Nov-04	
C25 Key Control Policies				X		X	Feb-04	Nov-04	
V. MEDICAL AND MENTAL HEALTH CARE POLICIES									
C26 Identification and Response for Special Needs			X			X	May-04	Nov-04	
C27 Screening Program Development			X		X	X	May-04	Nov-04	
C28 Minimum Standards for Screening Program			X		X	X	May-04	Nov-04	
C29 Minimum Standards for Medical Protocols			X		X	X	May-04	Nov-04	
C30 Infectious Disease Policy			X		X	X	May-04	Nov-04	
C31 Prisoner Health Information Protocol			X		X	X	May-04	Nov-04	
C32 Prescription Medication Policy			X		X	X	May-04	Nov-04	
C33 Suicide Watch Garb			X		X	X	May-04	Nov-04	
C34 Suicide Hazard Removal			X		X	X	May-04	Nov-04	
VI. PRISONER SAFETY POLICIES									
C35 Ensure Safety Level		X		X		X	Aug-04	Feb-05	
C36 Security Screening of Prisoners		X		X		X	Aug-04	Feb-05	
C37 Cell Check Policies		X		X		X	Aug-04	Feb-05	
C38 Observation Cell Policy		X		X		X	Aug-04	Feb-05	
VII. ENVIRONMENTAL HEALTH AND SAFETY POLICIES									
C39 Cleanliness of Cells		DW		✓		DW	Aug-04	Feb-05	
C40 Cleaning Policy		X		X		X	Aug-04	Feb-05	
C41 Maintenance Policy		X		X		X	Aug-04	Feb-05	
C42 Heating and Ventilation		X	DW	DW		X	Aug-04	Feb-05	
C43 Repairs to be Made		✓		✓		✓	Aug-04	Feb-05	
C44 Lighting Requirements		X		X		X	Aug-04	Feb-05	
C45 Toilet Access		X		X		X	Aug-04	Feb-05	

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C46 Air Purification		✓		✓		✓	Aug-04	Feb-05	
VIII. POLICIES CONCERNING PERSONS WITH DISABILITIES									
C47 Accommodations for Persons with Disabilities		DW				DW	Aug-04	Feb-05	
C48 Detention of Individuals with Disabilities		X		X		X	Aug-04	Feb-05	
IX. FOOD SERVICE POLICIES									
C49 Food Storage and Service			X		X	X	May-04	Nov-04	
C50 Development of Food Service Policies			X		X	X	May-04	Nov-04	
X. PERSONAL HYGIENE POLICIES									
C51 Availability of Personal Hygiene Items			NYE		X	NYE	May-04	Nov-04	Policy submitted to Monitor at end of quarter
XI. USE OF FORCE AND RESTRAINTS POLICIES									
C52 Compliance with DPD's UOF Policy		X		X		X	Aug-04	Feb-05	
C53 UOF Protocols for Prisoners		X		X		X	Aug-04	Feb-05	
C54 Handcuffing to Benches		X		X		X	Aug-04	Feb-05	
XII. INCIDENT DOCUMENTATION, INVESTIGATION AND REVIEW									
C55 Investigations of In-Custody Deaths		X		X		X	Aug-04	Feb-05	
C56 UOF Reporting		X		X		X	Aug-04	Feb-05	
C57 Injury Reporting		X		X		X	Aug-04	Feb-05	
XIII. EXTERNAL COMPLAINTS									
C58 Processing of External Complaints		X		X		X	Aug-04	Nov-04	
C59 Complaint Investigation		X		X		X	Aug-04	Nov-04	
XIV. GENERAL POLICIES									
C60 Clear Definition of Terms			X		X	X	May-04	Nov-04	
C61 Community Comment on Proposed Policy Revisions			X		X	X	May-04	Nov-04	Non-compliance with policy and training requirements

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XV. MANAGEMENT AND SUPERVISION									
C62	Regular Operation Evaluation	X				X	Aug-04	Feb-05	
C63	Operation in Compliance with Risk Management Plan	X		X		X	Aug-04	Feb-05	
C64	Video Camera Policy	X				X	Aug-04	Feb-05	
C65	a. Audits of Holding Cell UOF and Prisoner Injuries	X		X	X	X	Aug-04	Nov-04	Audit not completed
	b. Audits of Misconduct Investigations	X		X	X	X	Aug-04	Nov-04	Audit not completed
C66	a. HCCC to Assure Compliance with COC-CJ	X	X	X	X	X	Aug-04	Nov-04	All holding cell policies not implemented; no audits completed
	b. HCCC Fire Detection, Suppression & Evacuation Audits	X	X	X	X	X	Aug-04	Nov-04	Audit not completed
C67	HCCC Emergency Preparedness Audits	X	X	X	X	X	Aug-04	Nov-04	Audit not completed
C68	HCCC Medical/Mental Health Audits	X	X	X	X	X	Aug-04	Nov-04	Audit not completed
C69	HCCC Detainee Safety Programs and Policies Audits	X	X	X	X	X	Aug-04	Nov-04	Audit not completed
C70	HCCC Environmental Health and Safety Programs Audits	X	X	X	X	X	Aug-04	Nov-04	Audit not completed
C71	HCCC Food Service Program Audits	X	X	X	X	X	Aug-04	Nov-04	Audit not completed
C72	Audit Reporting Requirements	X	X	X	X	X	Aug-04	Nov-04	No audit reports completed
XVI. TRAINING									
C73	Training of Detention Officers	X			X	X	Aug-04	Aug-05	
C74	Training Records	X			X	X	Aug-04	Aug-05	
C75	Emergency Preparedness Training	X			X	X	Aug-04	Aug-05	
C76	Medical/Mental Health Screening Program Training	X			X	X	Aug-04	Aug-05	
C77	Detainee Safety Training	X			X	X	Aug-04	Aug-05	
C78	Environmental Health and Hygiene Training	X			X	X	Aug-04	Aug-05	

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"Report Card" Summarizing the Monitor's Evaluation of Compliance with the Consent Judgments as of the Quarter Ending August 31, 2004

ASSESSMENT OF COMPLIANCE [1] (for last 5 Quarters)					EVALUATION TIMING		Comments re: Last Evaluation
Sep '04- Nov '04	Jun '04- Aug '04	Mar '04- May '04	Dec '03- Feb '04	Sep '03- Nov '03	Status as of Last Eval'n	Last Eval'n Quarter Ending	

XVII. MONITORING AND REPORTING

C79 - 93								No task
C94	Reopening of Investigations Deemed Incomplete				NYE	May-04	Nov-04	Reviewed during quarter ending May 31, 2004 but compliance assessment was not required
C95 - 99								No task

XVIII. STIPULATION PURSUANT TO THE PRISON LITIGATION REFORM ACT, 18 U.S.C. 3626

C100 - 102								No task
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XIX. IMPLEMENTATION AND ENFORCEMENT

C103 - 110								No task
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XX. MISCELLANEOUS

C111 - 112								
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NOTES: [1] The Monitor assesses each paragraph's various components of compliance (policy, training, implementation, audit) separately . However, if the Department is in non-compliance with any of these components for a given paragraph, then the Department is in overall non-compliance with that paragraph. This Report Card reflects only the overall compliance rating.