

Independent Monitoring Report 9

Appendix 2:

Impartial Policing

Compliance Assessments

Impartial Policing: ¶54

54. CPD will continue to require that all CPD members interact with all members of the public in an unbiased, fair, and respectful manner. CPD will require that officers refrain from using language or taking action intended to taunt or denigrate an individual, including using racist or derogatory language.

Compliance Progress

(Reporting Period: July 1, 2023, through December 31, 2023)

Preliminary: *In Compliance* (EIGHTH REPORTING PERIOD)
Secondary: *In Compliance* (NEW)
Full: *Not Yet Assessed*

In the ninth reporting period, the City and the CPD reached Secondary compliance with the requirements of ¶54.

In the ninth reporting period, the IMT reviewed and provided a no-objection notice on the revised version of the *Communications in Police Environment eLearning*. Further, the IMT reviewed evidence that 95% of relevant personnel completed the *Fair and Impartial Policing* training toward Secondary compliance with this paragraph.

Moving forward, to assess Full compliance, the IMT will assess the impact of the relevant policies and trainings on the CPD's organization and field operations. The IMT will also assess the CPD's efforts to evaluate the effectiveness of their compliance with these requirements, including a review of written guidance describing the CPD's process for establishing and building community partnerships and engagement strategies.

A fuller description of the history of compliance efforts, methodologies, compliance determinations for this paragraph—and each original monitorable paragraphs in the Impartial Policing section—is available in *Comprehensive Assessment Part I* (which included *Independent Monitoring Report 8*): <https://cpdmonitoring-team.com/wp-content/uploads/2023/11/IMR8-Appendix-2-Impartial-Policing-2023.11.01.pdf>.

Paragraph 54 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: None
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: None	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: None	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: None
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	NINTH REPORTING PERIOD JULY 1, 2023 – DECEMBER 31, 2023 COMPLIANCE PROGRESS: Secondary

Impartial Policing: ¶55

55. CPD will prohibit officers from using race, ethnicity, color, national origin, ancestry, religion, disability, gender, gender identity, sexual orientation, immigration status, homeless status, marital status, parental status, military discharge status, financial status, or lawful source of income when making routine or spontaneous law enforcement decisions, except when such information is part of a specific subject description.

Compliance Progress

(Reporting Period: July 1, 2023, through December 31, 2023)

Preliminary: *In Compliance* (EIGHTH REPORTING PERIOD)
Secondary: *In Compliance* (NEW)
Full: *Not Yet Assessed*

In the ninth reporting period, the City and the CPD reached Secondary compliance with ¶55.

In the ninth reporting period, the City and the CPD delivered the *Fair and Impartial Policing* training which incorporates the requirements of this paragraph into training. The City and the CPD achieved Secondary compliance by delivering this training and continuing to evaluate this training.

Moving forward, to assess Full compliance, the IMT will evaluate the CPD’s ability to measure what matters and document improvements in officers’ street-level behavior and decision making, including engaging in specific remedies to prevent bias-based policing and measuring changes over time.

A fuller description of the history of compliance efforts, methodologies, compliance determinations for this paragraph—and each original monitorable paragraphs in the Impartial Policing section—is available in *Comprehensive Assessment Part I* (which included *Independent Monitoring Report 8*): <https://cpdmonitoring-team.com/wp-content/uploads/2023/11/IMR8-Appendix-2-Impartial-Policing-2023.11.01.pdf>.

Paragraph 55 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: None
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: None	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: None	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: None
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Under Assessment	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	NINTH REPORTING PERIOD JULY 1, 2023 – DECEMBER 31, 2023 COMPLIANCE PROGRESS: Secondary

Impartial Policing: ¶56

56. CPD will provide guidance, through training and supervision, that reinforces to officers that substitutes or stereotypes for the demographic categories listed above in Paragraph 55, such as manner of dress, mode of transportation, or language ability, is prohibited when making routine or spontaneous law enforcement decisions, except when such information is part of a specific subject description.

Compliance Progress

(Reporting Period: July 1, 2023, through December 31, 2023)

Preliminary: *In Compliance (SIXTH REPORTING PERIOD)*
Secondary: *In Compliance (NEW)*
Full: *Not Yet Assessed*

The City and the CPD reached Secondary compliance with ¶56 during the ninth reporting period by delivering its *Fair and Impartial Policing* training.

In the ninth reporting period, the IMT reviewed the CPD’s revised version of its *Communications in Police Environment eLearning* and issued a no-objection notice. Also in this reporting period, the CPD implemented and delivered its *Fair and Impartial Policing* training curriculum, achieving Secondary compliance with the requirements of this paragraph.

Moving forward, in assessing Full compliance, the IMT will evaluate the CPD’s ability to measure what matters and document improvements in officers’ street-level behavior and decision making, including engaging in specific remedies to prevent bias-based policing and measuring changes over time.

A fuller description of the history of compliance efforts, methodologies, compliance determinations for this paragraph—and each original monitorable paragraphs in the Impartial Policing section—is available in *Comprehensive Assessment Part I* (which included *Independent Monitoring Report 8*): <https://cpdmonitoring-team.com/wp-content/uploads/2023/11/IMR8-Appendix-2-Impartial-Policing-2023.11.01.pdf>.

Paragraph 56 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: None
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: None	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: None	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	NINTH REPORTING PERIOD JULY 1, 2023 – DECEMBER 31, 2023 COMPLIANCE PROGRESS: Secondary

Impartial Policing: ¶58

58. Within 90 days of the Effective Date, CPD will clarify in policy that CPD officers will permit members of the public to photograph and record CPD officers in the performance of their law enforcement duties in a public place, or in circumstances in which the officer has no reasonable expectation of privacy. The policy will also provide that officers may take reasonable action to maintain safety and control, secure crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the safety of officers or others.

Compliance Progress

(Reporting Period: January 1, 2023, through June 30, 2023)

Preliminary: *In Compliance* (SEVENTH REPORTING PERIOD)

Secondary: *In Compliance* (NEW)

Full: *Not Yet Assessed*

In the ninth reporting period, the City and the CPD reached Secondary compliance with the requirements of ¶58.

In the ninth reporting period, the IMT reviewed the CPD’s revised version of its *Prohibition on Retaliation eLearning*. Also in this reporting period, the City and the CPD achieved Secondary compliance by delivering its revised *ABLE Refresher Training* along with its *Constitutional Policing* course.

Moving forward, we will determine Full compliance based on the CPD’s efforts to train officers on these requirements and corresponding policies (*i.e.*, G01-02-05, *Religious Interactions*; G02-02, *First Amendment Rights*; and G02-01, *Human Rights and Human Resources*) and ensure the policies and training are implemented in practice. This will include an assessment of the CPD’s efforts to evaluate the effectiveness of the trainings underlying ¶58, such as the *First Amendment* and *Communication in Police Environment eLearning* trainings, and a review of community and data sources on efforts to implement these requirements.

A fuller description of the history of compliance efforts, methodologies, compliance determinations for this paragraph—and each original monitorable paragraphs in the Impartial Policing section—is available in *Comprehensive Assessment Part I* (which included *Independent Monitoring Report 8*): <https://cpdmonitoring-team.com/wp-content/uploads/2023/11/IMR8-Appendix-2-Impartial-Policing-2023.11.01.pdf>.

Paragraph 58 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: None	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: None
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: None	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: None	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: None
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	NINTH REPORTING PERIOD JULY 1, 2023 – DECEMBER 31, 2023 COMPLIANCE PROGRESS: Secondary

Impartial Policing: ¶59

59. Consistent with the requirements in the Accountability and Transparency section of this Agreement and CPD policy, CPD will require that CPD members immediately report to a CPD supervisor all incidents where they observe other CPD members who have engaged in misconduct, including discrimination, profiling, or other bias-based policing.

Compliance Progress (Reporting Period: July 1, 2023, through December 31, 2023)

Preliminary: *In Compliance (SIXTH REPORTING PERIOD)*
Secondary: *In Compliance (NEW)*
Full: *Not Yet Assessed*

In the ninth reporting period, the City and the CPD reached Secondary compliance with the requirements of ¶59.

In the ninth reporting period, the City and the CPD provided documentation that 95% of relevant personnel completed the *Fair and Impartial Policing* training, which was implemented following the Consent Decree review process. As such, the City and the CPD have achieved Secondary compliance with this paragraph.

Moving forward, we will assess Full compliance based on the CPD’s efforts to effectively train officers on these requirements and ensure the policies and training are implemented in practice.

A fuller description of the history of compliance efforts, methodologies, compliance determinations for this paragraph—and each original monitorable paragraphs in the Impartial Policing section—is available in *Comprehensive Assessment Part I* (which included *Independent Monitoring Report 8*): <https://cpdmonitoring-team.com/wp-content/uploads/2023/11/IMR8-Appendix-2-Impartial-Policing-2023.11.01.pdf>.

Paragraph 59 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: Not Applicable	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Not Applicable
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Not Applicable	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: None	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	NINTH REPORTING PERIOD JULY 1, 2023 – DECEMBER 31, 2023 COMPLIANCE PROGRESS: Secondary

Impartial Policing: ¶71

71. Within 180 days of the Effective Date, CPD will develop a policy for transporting arrested or detained individuals that requires CPD officers to notify OEMC of the start and end of a transport and whether the individual is a juvenile or adult.

Compliance Progress

(Reporting Period: July 1, 2023, through December 31, 2023)

Preliminary: *In Compliance (THIRD REPORTING PERIOD)*
Secondary: *In Compliance (NEW)*
Full: *Not Yet Assessed*

The City and the CPD reached Secondary compliance with the requirements of ¶71 because the CPD delivered a training addressing the requirements in this paragraph.

During the ninth reporting period, the City and the CPD produced revisions to its *Recruit Juvenile Processing* training and revised materials related to its *Recruit Training Curriculum Custody, Arrests, Booking and Detention* training. The City and the CPD further submitted evidence that 95% of its officers received its *Constitutional Policing In-Service Training*, meeting the requirements for Secondary compliance with ¶71.

Moving forward, to maintain Secondary compliance, the IMT will assess the CPD's efforts to continue to train officers on these requirements and collect evaluation data on effectiveness of this training. For Full compliance, we will assess whether the CPD has sufficiently implemented the requirement by evaluating the CPD's efforts to determine that officers are complying with the requirements of ¶71 and adjust policy and training to address any concerns or areas for improvement.

A fuller description of the history of compliance efforts, methodologies, compliance determinations for this paragraph—and each original monitorable paragraphs in the Impartial Policing section—is available in *Comprehensive Assessment Part I* (which included *Independent Monitoring Report 8*): <https://cpdmonitoring-team.com/wp-content/uploads/2023/11/IMR8-Appendix-2-Impartial-Policing-2023.11.01.pdf>.

Paragraph 71 Compliance Progress History

FIRST REPORTING PERIOD SEPTEMBER 1, 2019 – AUGUST 31, 2019 COMPLIANCE PROGRESS: Not Applicable	SECOND REPORTING PERIOD SEPTEMBER 1, 2019 – FEBRUARY 29, 2020 COMPLIANCE PROGRESS: None	THIRD REPORTING PERIOD MARCH 1, 2020 – DECEMBER 31, 2020 COMPLIANCE PROGRESS: Preliminary
FOURTH REPORTING PERIOD JANUARY 1, 2021 – JUNE 30, 2021 COMPLIANCE PROGRESS: Preliminary	FIFTH REPORTING PERIOD JULY 1, 2021 – DECEMBER 31, 2021 COMPLIANCE PROGRESS: Preliminary	SIXTH REPORTING PERIOD JANUARY 1, 2022 – JUNE 30, 2022 COMPLIANCE PROGRESS: Preliminary
SEVENTH REPORTING PERIOD JULY 1, 2022 – DECEMBER 31, 2022 COMPLIANCE PROGRESS: Preliminary	EIGHTH REPORTING PERIOD JANUARY 1, 2023 – JUNE 30, 2023 COMPLIANCE PROGRESS: Preliminary	NINTH REPORTING PERIOD JULY 1, 2023 – DECEMBER 31, 2023 COMPLIANCE PROGRESS: Secondary