



BALTIMORE CONSENT DECREE MONITORING TEAM TENTH SEMIANNUAL REPORT

CD
Monitoring
Team

Venable LLP and 21CP Solutions LLC

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OVERVIEW

The Monitoring Team's Key Findings

- Having completed nearly all the required foundational reforms in policies, training, and operations, BPD continues its work to prove that those reforms are resulting in constitutional policing on the street.
- The Court found in January 2024 BPD in full and effective compliance in the areas of transportation of individuals in custody and officer assistance and support, and BPD is now in a one year sustainment period.
- BPD is nearly in full compliance with the Consent Decree general training requirements (Consent Decree paragraphs 291-301). It has reformed its training program and updated its training facilities. Once the City fully funds BPD's program, the defendants will be in full compliance.
- BPD continues to make reasonable progress toward compliance in the area of misconduct investigations and discipline, but must both continue to improve the overall quality of its misconduct investigations and comply with the procedural requirements of the Consent Decree.
- BPD has implemented a new records management system and continues to work to improve it; it has also procured and is implementing an Early Intervention System to identify and correct problematic officer conduct.
- Staffing remains a serious challenge for BPD (and indeed police departments around the country), but BPD has made strides to streamline its hiring process and hire civilian professionals where appropriate to maximize the deployment of its sworn officer ranks.
- BPD continues to improve its stop, search, and arrest record keeping and the Monitoring Team is preparing to conduct an initial assessment of that area.
- BPD has issued revised policies on use of force, and the Monitoring Team is in the process of completing a second assessment of that area.

The Monitoring Team previously found that patrol officers are doing commendable work responding to individuals in behavioral health crises; BPD is working to remedy its deficiencies in this area—ensuring that it has enough crisis intervention officers and is deploying them; the City, although further behind, is working to reach compliance with its obligations in this area.

- Based on an assessment of police/citizen encounters and BPD's response to protest events, the Monitoring Team has recommended that the Court find BPD in compliance in the area of First Amendment Protected Activities.
- The Monitoring Team has also recommended that BPD be found in compliance with the Consent Decree's requirements to better coordinate with Baltimore City School Police and recommended that the City be found in full and effective compliance with the requirements related to the Community Oversight Task Force.
- BPD has overhauled its training and policies related to interactions with Youth but must improve supervisors' understanding of those new policies.
- New community policing and engagement policies are in place but BPD must continue to work to implement them in the field and to expand neighborhood policing plans.
- BPD must continue to remedy the deficiencies in its sexual assault investigations identified in the Monitoring Team's assessment by implementing updated interviewing techniques and improved record keeping.
- BPD has delivered annual training on use of force and misconduct complaints and investigations.

What's Next

- BPD will perform self-assessments or audits on use of force, arrests resulting in release without charge, transports of individuals in custody and transportation equipment, first amendment protected activity, sexual assault and community policing.
- BPD will deliver training on community policing, stops, searches, and arrests, and sexual assault investigations.
- The City will continue a sentinel event review process and establish a multi-agency continuous quality assurance/quality improvement plan to reduce police interaction when appropriate and better coordinate the delivery of behavioral health services for individuals experiencing a behavioral health crises.
- BPD will continue piloting targeted neighborhood policing plans as part of its Community Policing Plan.
- BPD will begin work to construct an Early Intervention System.
- BPD will continue implementing its Staffing, Recruitment, and Retention Plans, and supervisors will continue assessing subordinates using a new performance evaluation system.
- BPD will report on its sustainment of compliance in the areas of transportation of individuals in custody and officer assistance and support, and the Court will assess whether they should be found in "sustained compliance."
- The Monitoring Team will publish reports on its second assessments of use of force, begin its second assessment of sexual assault investigations, and conduct initial assessments of stops and searches and impartial policing, the City's behavioral health obligations, and supervision.



INTRODUCTION

THE CONSENT DECREE

In May 2015, the Civil Rights Division of the United States Department of Justice (“DOJ”) initiated an investigation of the Baltimore Police Department (“BPD” or the “Department”). The investigation, completed in 2016, found that BPD was engaged in a pattern-or-practice of constitutional violations, including using excessive force, infringing on the First Amendment freedoms of speech and assembly, and stopping, searching, and arresting people in violation of the Fourth Amendment and based on their race. After making these findings, DOJ entered into negotiations with BPD and the City of Baltimore in an effort to settle the parties’ differences. BPD and the City did not admit DOJ’s allegations, but they recognized that the allegations raised long-standing issues of considerable importance to City residents. As a result, BPD and the City agreed to resolve DOJ’s allegations through a Consent Decree. The Consent Decree is a court-approved settlement agreement between DOJ, the City, and BPD. United States District Court Judge James K. Bredar is the judge who approved the Consent Decree. Judge Bredar now oversees the Consent Decree’s implementation. Because the Consent Decree is a court order, Judge Bredar has the power to enforce its provisions and ensure that BPD and the City do what it requires.

The Consent Decree obligates BPD and the City to adopt a comprehensive set of reforms designed to promote fair and constitutional policing, rebuild BPD’s relationships with Baltimore’s communities, and ensure public safety. The Consent Decree prescribes corrective action in a number of areas, including: community engagement; community policing; stops, searches, arrests, and voluntary police-community interactions; impartial policing; interacting with people with behavioral health disabilities and in crisis; use of force; interactions with youth; transportation of persons in custody; First Amendment protected activities; handling of reports of sexual assault; technology; supervision; misconduct investigations and discipline; coordination with Baltimore City School Police; recruitment, hiring, and retention;

staffing, performance evaluations, and promotions; and officer assistance and support.

The Consent Decree, in short, requires transformational institutional change. BPD will achieve compliance with the Consent Decree and free itself from Court oversight when it demonstrates not only that it has successfully implemented all of the required foundational improvements in policies, training, technology and operations, but also that those improvements have translated, measurably and sustainably, into constitutional, community-oriented policing.

Achieving transformational change in a large police department does not happen overnight. As the Consent Decree envisions, it takes time, and it requires adherence to a rigorous, methodical reform process. In each area of the Consent Decree that addresses how officers discharge their duties (*e.g.*, stops/searches/arrests, use of force, and transportation of persons in custody, to name a few), BPD first must draft and adopt revised *policies*. Then BPD must develop and conduct *training* on those revised policies. At the same time, to ensure that the new policies and the new training take root, BPD must revamp vital components of its infrastructure. For instance, BPD must overhaul its technology to become a modern, data-driven, efficient police force, must fortify its system of internal investigations and discipline to enhance officer accountability, must improve the training and supervision of rank-and-file officers to ensure lawful, effective job performance, and must deploy its officers and improve recruiting and retention so as to simultaneously enhance public safety and promote community-oriented policing. It is only after officers have been trained on the new policies, and after infrastructure upgrades are well underway, that community members can expect to see sustained, tangible changes in the conduct of BPD officers. The Consent Decree contemplates that this process will take several years or more.

THE MONITORING TEAM

On October 3, 2017, Judge Bedar appointed a Monitoring Team to assist him in overseeing implementation of the Consent Decree. The Monitoring Team consists of a lead monitor, Kenneth Thompson, and a team of experts in policing and police reform, civil rights enforcement, psychology, social science, organizational change, data and technology, and community engagement. Serving as an agent of the Court, the Monitoring Team plays three principal roles: arbiter, technical advisor, and facilitator. As arbiter, the Monitoring Team oversees the day-to-day efforts of BPD and the City to comply with the reforms the Consent Decree requires. The Monitoring Team reviews, provides feedback on, and ultimately recommends Court approval or

disapproval of the changes BPD makes in its policies, its training and, ultimately, its policing practices. As technical advisor, the Monitoring Team draws upon decades of collective experience to provide BPD with technical assistance, including advice about national best practices, to help guide BPD toward satisfying the requirements of the Consent Decree. As facilitator, the Monitoring Team seeks to ensure that all stakeholders from within BPD and across Baltimore’s diverse communities have the opportunity to participate in the reform process (CD 442).¹

The Court and the Monitoring Team are not alone in overseeing BPD’s implementation of the requirements of the Consent Decree. DOJ continues to play an active role. As the plaintiff in the lawsuit that produced the Consent Decree, DOJ retains the right to enforce the Consent Decree if BPD ever fails to comply with its terms. Accordingly, like the Monitoring Team, DOJ is assessing BPD’s progress toward compliance and lets BPD, the Monitoring Team and the Court know when it believes BPD is making progress and when it believes BPD is not. In addition, like the Monitoring Team, DOJ provides technical assistance to BPD as BPD works toward compliance. The reform process under the Consent Decree thus involves four fully engaged entities: BPD, the City, the Monitoring Team/the Court, and DOJ.

THIS REPORT

One of the essential duties of the Monitoring Team is to issue semi-annual public reports that inform the Court and the community about the progress BPD is making toward compliance with the Consent Decree’s requirements. The reports explain, for each area of the Consent Decree: (1) which compliance measures BPD has taken during the reporting period; (2) BPD’s progress toward compliance; (3) what challenges BPD will continue to face as it strives to achieve compliance; and (4) what to expect from BPD in the next reporting period.

This document is the Monitoring Team’s tenth semi-annual report. The first report was filed in July 2018; the second in January 2019; the third in July 2019; the fourth in January 2020; the fifth (which encompassed a comprehensive lookback of the first 30 months of monitoring) in September 2020; the sixth in May 2021; the seventh in February 2022; the eighth (which encompassed another lookback of the entire period of monitoring) in December 2022; and the ninth in February 2024. *See* ECF Nos. 126-1, 178-1, 220-1, 278-1, 342-1, 414-1, 489-1, 586-1, 696. In this report, the Monitoring Team

¹ All citations to a specific paragraph of the Consent Decree follow the text that relies on that paragraph and appear in parentheses containing “CD” and the number of the cited paragraph. Thus, the citation above, which is to Paragraph 442 of the Consent Decree, follows the relied-on provision of Paragraph 442 and appears as “(CD 442).”

will not only provide a narrative assessment of the progress BPD and the City are making in each area of reform, but compliance scores, too. The overall compliance scores in each area are reflected in the spreadsheet in **Exhibit 1** and included in the body of this report. The compliance scores for each requirement (*i.e.*, each paragraph) within each area are reflected in the much longer spreadsheet in **Exhibit 2**.

The compliance scoring framework is as follows:

0 - Not Assessed: The Monitoring Team has yet to assess if the City/Department has made progress or complied with the requirement.

1 - Not Started: The City/Department has not yet demonstrated progress toward implementing the requirement, possibly in order to work on other, necessary projects.

2 - Planning/Policy Phase: The City/Department is addressing the planning and/or policy provisions for the requirement.

3 - Training Phase: The City/Department is addressing the training provisions for the requirement, based on approved policy.

4 - Implementation Phase: The City/Department is in the implementation phase for the requirement, having developed any required plan or policy and conducted any required training, but has not yet demonstrated compliance with the requirement.

4a - Implementation - Not Assessed: The City/Department has initiated the implementation phase for the requirement, but the Monitoring Team has not yet assessed the City/Department's progress in implementation.

4b - Implementation - Off Track: The City/Department is not making satisfactory progress toward compliance with the requirement.

4c - Implementation - On Track: The City/Department is making satisfactory progress toward compliance with the requirement.

4d - Implementation - Initial Compliance: The City/Department has demonstrated compliance with the requirement but has not yet demonstrated compliance with all requirements of the section of the Consent Decree in which it is included.

5a - Full and Effective Compliance: The City/Department has demonstrated compliance with all requirements in a Consent Decree section but has not yet sustained compliance for the time period specified in paragraph 504 of the Consent Decree. This score applies only to an entire Consent Decree section, not to individual requirements within a section.

5b - Sustained Compliance: The City/Department has demonstrated sustained compliance with all requirements in a Consent Decree section by consistently adhering to all such requirements for the time period specified in paragraph 504 of the Consent Decree.

When reading this report and examining the compliance scores, again bear in mind that achieving transformational change in a large police department takes years. Thus, while BPD and the City have put in place the essential building blocks for lasting reform over the past seven years—in policies, training, and departmental operations—and have begun to demonstrate that the changes underway are producing change on the street, policing in Baltimore has not yet been sustainably transformed. For that reason, even in areas where policies have been revised, training has been delivered, and meaningful progress in the field has been observed (*e.g.*, use of force, stops/searches/arrests, misconduct investigations and discipline), BPD’s overall compliance score is generally “4c” (implementation—on track); it has not yet attained initial compliance, or a score of “4d.” That is so even though BPD and the City have largely met the hundreds of deadlines and adhered to the ambitious schedule established in the annual Monitoring Plans.

Note that the overall score the Monitoring Team gives to BPD or the City in a particular area does not mean that BPD or the City has attained that score for each and every one of the individual requirements in that area. For certain requirements, the Monitoring Team might give BPD or the City a score lower than the overall score; for others, a higher score. Thus, for instance, in the area of Training-General, the Monitoring Team has given BPD an overall score of “implementation—on track,” or (4c), but scores of “initial compliance,” or (4d), for certain individual requirements and “implementation—on track” for others. See **Exhibit 2**. The overall score in an area simply reflects the Monitoring Team’s overall assessment of BPD’s progress toward compliance in that area.

The fact that BPD and the City have kept pace for seven years but still have more to do before achieving sustained compliance proves what the Monitoring Plans implicitly acknowledge: many of the Consent Decree's most important requirements take years to satisfy. That was anticipated from the beginning. BPD, its officers, the City, community members, the Monitoring Team, and DOJ need sufficient time and opportunity to focus on each area of reform, and on each requirement within each area, to ensure that change is real and enduring. Change that is rushed, haphazard and superficial is not sustainable and does not qualify as true reform.



EXECUTIVE SUMMARY

Having spent considerable time providing BPD technical assistance in revising and implementing policies, developing and delivering training, and improving departmental operations, the Monitoring Team is now largely focused on assessing the progress BPD and the City have made toward compliance with the “performance” provisions of the Consent Decree—*i.e.*, the provisions requiring BPD to police constitutionally on the street and to sustain departmental operations that produce constitutional policing. The Monitoring Team conducts assessments through what the Consent Decree refers to as “compliance reviews” and “outcome assessments.” Compliance reviews are qualitative evaluations of how far BPD and the City have come, and how far they still need to go, to achieve compliance with Consent Decree requirements (CD 454). Outcome assessments, by contrast, are quantitative assessments designed to determine whether the reforms required by the Consent Decree are having a tangible, measurable impact—whether policing is changing in the real world (CD 456).

This reporting period, the Monitoring Team has issued reports presenting the results of its assessments in seven areas: (1) crisis intervention; (2) officer misconduct and discipline; (3) training; (4) First Amendment protected activities; (5) interactions with youth; (6) coordination with Baltimore City school police; and (7) the Community Oversight Task Force. Importantly, the Monitoring Team has found BPD in full and effective compliance in three of these areas: First Amendment protected activities, coordination with Baltimore City school police, and the Community Oversight Task Force. If the Court agrees with the Monitoring Team’s conclusion, these three areas will be added to the two areas previously found in full and effective compliance: transportation of individuals in custody and officer assistance and support. With respect to those two areas earlier found to be in initial compliance, BPD is in the one-year period in which it must show a sustainment of its compliance in order to reach a final status of “sustained compliance.” With respect to the other areas assessed where compliance has not yet been achieved, the Monitoring Team has laid out in its reports the deficiencies it has identified and the steps that BPD must take to reach compliance.

* * *

The following are the areas that were assessed this period and the Monitoring Team’s principal findings.

Crisis Intervention | The Monitoring Team conducted a review of a sample of BPD encounters with individuals in crisis and concluded that BPD has achieved an important shift in Departmental culture. The Monitoring Team found that officers resolved the vast majority of matters without the use of force or arrest and with due care to the rights of the individuals involved. Where force was necessary, it generally was low-level force—and was necessary to prevent the individual from engaging in self-harm or harm to others. BPD has also developed a training program for specialized Crisis Intervention (“CIT”) officers. This 40-hour course, which is additional to the behavioral health training provided to all officers, is designed for officers who volunteer to be CIT officers and are deemed to have the interest and qualifications to respond to and to be specifically dispatched to incidents implicating crisis intervention concerns. Despite this progress, there remain areas of concern. Under the Consent Decree, BPD committed to recruit and train sufficient numbers of CIT officers to ensure that a CIT officer is available on every shift in every district to respond to behavioral health calls. In its assessment, the Monitoring Team found that BPD had fewer than one-third of the officers necessary to meet this standard. BPD has made great progress in increasing its number of CIT officers over the course of 2024, however, and is now close to having sufficient numbers of CIT officers to ensure that a CIT officer is available to respond to behavioral health calls on each shift. CIT officers are an essential component of the crisis response program. Additionally, the Monitoring Team found that BPD was not in compliance with the Consent Decree’s requirements related to CIT Officer selection and the requirement that a CIT officer control the scene when responding to a behavioral health call.

Officer Misconduct and Discipline | The Monitoring Team concluded that while BPD has made notable progress in the quality of its investigations, more work is required in that area, and moreover, BPD must work harder to ensure its misconduct function meets the procedural and administrative requirements of the Consent Decree. Through a review of policy, training, and a sample of misconduct cases, the Monitoring Team found that the overall quality of BPD’s misconduct investigation markedly improved in 2022, especially as compared to 2018. For 2022 investigations, the Monitoring Team found that nearly three-quarters (72%) were of either “very good” or “excellent” quality, compared to just 23% of investigations in 2018. The Monitoring Team further found that BPD has reorganized the structure of its Public Integrity Bureau, which handles officer misconduct complaints, and instituted a number of the specific reforms mandated by the Consent Decree. Nevertheless, while improved, the quality of investigations can be better, and BPD is still not meeting many of the procedural and administrative requirements of the Consent Decree, such as documenting why a complainant is not

interviewed. Moreover, BPD's consistent staffing shortage continues to prevent it from completing investigations within 90 days as required by the Consent Decree.

Training | The Monitoring Team found that BPD has remedied nearly all of the deficiencies identified in the Monitoring Team's first comprehensive assessment of Training, completed in February 2022: (1) BPD instituted an electronic learning management platform to track training completion; (2) BPD has upgraded its two firearms ranges; and (3) BPD updated its standard operating procedures for the selection of instructors. In that February 2022 assessment, the Monitoring Team previously concluded that BPD had reached compliance with the core training requirements of the Consent Decree, finding that "[t]he overall quality of the Department's training is significantly higher than it was when the Consent Decree process began." BPD and the City have one final deficiency that must be remedied before they reach initial compliance with the training provisions of the Consent Decree. The Consent Decree requires the City to adequately fund BPD's training program, and the City has not yet included in BPD's budget sufficient funding for the full complement of civilian staff called for by BPD's staffing plan.

First Amendment Protected Activities | The Monitoring Team recommended that the Court find BPD in full and effective compliance with the First Amendment protected activities provisions of the Consent Decree. The Monitoring Team assessed this area by reviewing a sample of arrests for disorderly conduct and like charges (as DOJ's investigation found that such charges were often used to retaliate against individuals for criticizing the police) and evidence from protest activities. In its review of specific cases potentially involving First Amendment protected activity, the Monitoring Team found almost no cases in which BPD officers violated the First Amendment. BPD also demonstrated compliance with the Consent Decree's requirements related to protest activity during the 2020 protests related to racial justice and in conjunction with a speech by the Vice President of the United States and in a separate protest in November 2023. Finally, the Monitoring Team found that BPD has implemented updated and improved training and policies and has a well-functioning internal audit function to evaluate its compliance with these requirements on an ongoing basis.

Interactions with Youth and Coordination with Baltimore City School Police | The Monitoring Team recommended that the Court find BPD in full and effective compliance with requirements of the Consent Decree related to coordination with Baltimore City School Police but found that, while progress was made, BPD had more work to do to comply with the interactions with youth areas of the Consent Decree. Regarding coordination with Baltimore City School Police, BPD has updated its memorandum of understanding and conducted a required initial assessment and a first biennial assessment of its coordination with Baltimore City School Police, and recommended changes to

improve that coordination. As for interactions with youth, in addition to finding that BPD has implemented improved training and policies, the Monitoring Team reviewed a sample of BPD interactions with youth and found that 80 percent complied with the requirements of the Consent Decree, and have more frequently used age-appropriate responses to youths in 2021 and 2022 than they did in 2018 and 2019. Nevertheless, BPD must improve its supervisors' understanding of youth-related policies and ensure that they are employed more consistently.

The Community Oversight Task Force (“COTF”) | The Monitoring Team also recommended that the Court find BPD in full and effective compliance with requirements of the Consent Decree related to the creation of the COTF. The Monitoring Team found that the City of Baltimore created the COTF as required by the Consent Decree. Its membership was representative of an array of Baltimore residents, and it actively sought input from other systems and experts. The COTF's work met the requirements of the Consent Decree and the COTF made recommendations to improve the process of and access to oversight and accountability of Baltimore police personnel.

* * *

Over the next six months, while the BPD continues its work in the key areas summarized in this report, the Monitoring Team will continue rigorously assessing the progress of BPD and the City toward compliance. The Monitoring Team is in the process of conducting assessments in four areas: (1) use of force (second assessment); (2) sexual assault investigations (second assessment); (3) stops and searches; and (4) impartial policing. The Monitoring Team also expects to conduct assessments in three additional areas in the next reporting period: (5) Technology; (6) recruitment, hiring, and retention; (7) the City's obligations regarding behavioral health; and (8) Supervision.

Additionally, BPD will continue to perform self-assessments to ensure its reforms have taken hold. This will be increasingly important, as the role of ensuring compliance with law and policy ultimately will pass from the Monitoring Team to BPD itself once the Consent Decree ends. BPD will continue its internal audits related to transportation of individuals in custody, First Amendment protected activity, misconduct investigations, arrests resulting in release without charge, and use of force. The Department will also continue to revise and fine tune its policies and training programs with the advice and approval of the Monitoring Team and DOJ.



Below, as required by Paragraph 469 of the Consent Decree, the Monitoring Team provides a progress report regarding “whether the material requirements of [each area of the Consent Decree] have been achieved.” For each area, we explain (1) the Consent Decree’s requirements over the long term, (2) the progress BPD has made toward compliance and the numeric compliance score BPD has earned, (3) the challenges BPD continues to face, and (4) immediate next steps.

We begin in the area that has been at the heart of the reform effort over the past year: training. We then address the areas of the Consent Decree that continue to present the most pressing challenges: misconduct investigations and discipline, technology, and staffing, followed by areas where DOJ found or expressed concerns about a pattern or practice of constitutional violations, including stops, searches and arrests, impartial policing, use of force, and transportation of persons in custody. We conclude by assessing BPD’s progress in the other areas of the Consent Decree.

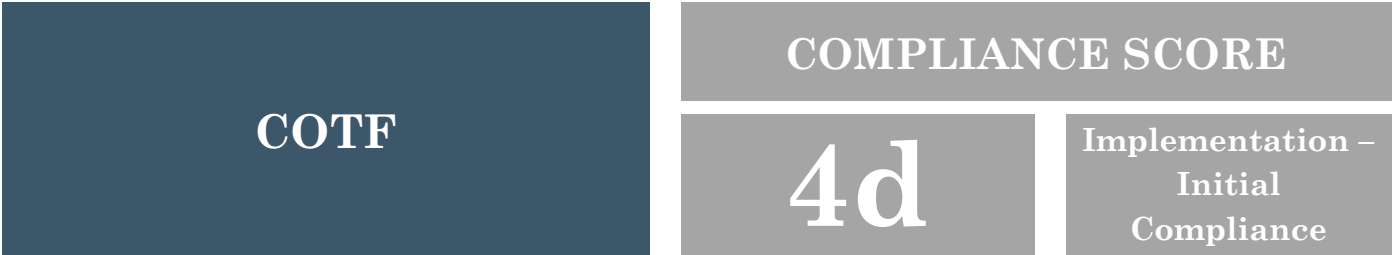
COMMUNITY OVERSIGHT TASK FORCE

As part of the Consent Decree, the parties agreed that effective civilian and community oversight of BPD is essential to rebuilding trust between BPD and the communities it serves and ensuring that BPD's enforcement activities reflect community values and are consistent with the Constitution and federal, state, and local laws. (CD 10). The parties further agreed that civilian and community oversight of BPD raises complex issues of state and local law, and it must reflect input from a broad and diverse group of communities and stakeholders throughout the City of Baltimore. (CD 10).

To that end, the Consent Decree requires that the City create the COTF, which was to be appointed by the mayor. The Consent Decree requires that the COTF consist of five members "representative of diverse communities of Baltimore." The Consent Decree further requires the COTF to review the Civilian Review Board (CRB), any impediments to the ability to the citizens of Baltimore to make complaints, and how the community oversight system currently functions and how that compares to national best practices. (Consent Decree ("CD") ¶¶ 11, 12). The COTF is to provide recommendations to the City and BPD and to make its findings public in a report. (CD ¶¶ 13, 14). The City is required to provide the COTF with the resources it needs to fulfill its functions. (CD ¶ 11).

This reporting period, the Monitoring Team assessed the City's compliance with these requirements. The Monitoring Team reviewed publicly available information, including the COTF website, the City's website, the COTF's meeting minutes and published reports, and the COTF's [final report](#), titled "The Community Oversight Task Force's Recommendations for Strengthening Police Accountability and Police-Community Relations in Baltimore City" (the "COTF Report.").

In its assessment, the Monitoring Team found that the City of Baltimore created the COTF as required by the Consent Decree. Its membership was representative of an array of Baltimore residents, and it actively sought input from other systems and experts. The COTF's work met the requirements of the Consent Decree and the COTF made recommendations to improve the process of and access to oversight and accountability of Baltimore police personnel. Accordingly, the Monitoring Team found that the City had reached initial compliance with this area, and recommended that the Court find the City in full and effective compliance.



TRAINING

A fully-staffed and well-trained team in the Training section in any police agency is critical to currency, efficacy, and ensuring high performance. In Baltimore, under a consent decree designed to change longstanding deficiencies, and recognizing that “proper, effective, and comprehensive training is a necessary prerequisite to constitutional policing” (CD 291), a robust training function is essential.

The Consent Decree outlines specific training requirements for stops, searches, and arrests (CD 67–68); crisis intervention (CD 106–08, 112–113); use of force (CD 166–68); transportation of persons in custody (CD 238); First Amendment-protected activities (CD 251); sexual assault investigations (CD 259); supervision and management (CD 303, 308–10); and misconduct investigations (CD 409–15). Even where the Consent Decree does not provide detailed requirements for training, the full implementation of new policies and procedures has implicated the design and implementation of high-quality training. The Decree also requires changes in the overall way that the Department administers training, staffs its training Academy, provides instruction, and runs its Field Training Officer (“FTO”) Program for new Academy graduates (CD 291–302).

The civilian director and sworn leadership are working together to ensure the members of the BPD receive the best training and that the Education and Training Section is simultaneously deftly administered. Subject area experts from both the Monitoring Team and Department of Justice review and approve training materials by subject, observe those training sessions, and then the Monitoring Team, by subject area, assesses the application of the training.

This section relates to the more routine training functions, paragraphs 291–302, reviewed by the Monitoring Team in its [Second Training Assessment](#) filed on July 8, 2024 (the “Second Training Assessment”). The Second Training Assessment concluded that BPD has made progress and received upgrades in five areas and that 10 of 12 paragraphs are in initial compliance and two are on track. The Monitoring Team also completed a first assessment of BPD’s compliance with two paragraphs containing requirements for BPD’s Field Training Officer Program. The Monitoring Team found BPD in compliance with all the FTO-related requirements except for one, mandating that trainees have a mechanism for providing confidential feedback about their FTO or the training generally.

Based on this progress, BPD’s compliance score in the area of training (paragraphs 291 to 301) is “4c” (implementation – on track).

TRAINING GENERALLY	COMPLIANCE SCORE	
	4c	Implementation – On Track

Areas of Progress

In the time since the first training assessment was completed in 2022, the BPD has made notable progress in several areas.

- BPD’s implementation and use of the Acadis electronic learning management platform and its dashboard allows BPD to track the completion of its training programs and satisfies the Consent Decree’s requirements both as to such tracking and as to technological support for the training program generally. BPD uses Acadis to track training completion, certifications, assessment results, instruction schedules, and training deficiencies. Supervisors also refer officers or groups of officers for remedial training using Acadis.
- BPD has upgraded its two firearms ranges. The outdoor range, known as the “Gunpowder Range,” due to its location in Gunpowder Falls State Park, was in poor condition and has been rebuilt and is nearly ready to reopen after significant rehabilitation. The indoor range at the Northeastern District that suffered from lead problems has been renovated and is once again in use.
- BPD updated its standard operating procedure for the selection of instructors. BPD now interviews candidates and reviews their past performance, credentials, and discipline history. After a rigorous, revamped process, a diverse panel interviews eligible candidates using a structured scoring rubric and makes the final recommendations from among the applicants.
- BPD established an FTO training plan in December 2022, issued a policy on field training in January 2023, and produced a Field Training Forms Manual in September 2023. The Monitoring Team has found each of these in compliance with the Consent Decree. The Monitoring Team has also found that BPD conducts adequate training of FTOs.

Challenges Ahead

BPD and the City have one final deficiency that must be remedied before they reach initial compliance with paragraphs 291-300. The Consent Decree requires the City to adequately fund BPD’s training program, and the City has not yet included in BPD’s budget sufficient funding for the full complement of civilian staff called for by BPD’s staffing plan. Even after the City addresses the budget gap, it is critical that BPD continue to implement the changes documented in the two compliance assessments—and continually reassess and adapt as needed. In particular, BPD must focus on continuing to improve its practices with respect to (1) generating an initial, high-quality curriculum consistent with best practices in adult education; and

(2) recruiting and hiring qualified civilian instructors to reach the goals of the Staffing Plan.

Regarding the FTO program-related paragraphs in the Consent Decree, paragraphs 301 and 302, BPD has reached initial compliance with most requirements, but has yet to provide a mechanism for trainees to provide confidential feedback about their FTO or the training generally.

| The Next Six Months

The Education and Training Section will complete its 2024 in-service training, which is currently underway. In Quarter 3, in accordance with the Monitoring Plan and the Training Plan, Education and Training will be delivering its FTO refresher and its FTO Certification program for eligible FTOs. Continuous efforts to recruit and hire skilled professional staff to fill out the roster and comply with the Staffing Plan is a constant effort.

MISCONDUCT INVESTIGATIONS AND DISCIPLINE

As Paragraph 329 of the Consent Decree explains, “[a] robust and well-functioning accountability system in which officers are held to the highest standards of integrity is critical to BPD’s legitimacy and a priority of the Department.” The need for BPD to repair its internal affairs function, now housed in the Public Integrity Bureau (“PIB”), is thus at the heart of the Consent Decree.

Spanning 87 paragraphs and 38 pages, the Misconduct Investigations and Discipline section of the Consent Decree addresses the location, independence, resources and authority of PIB (CD 330-34); the process for receiving complaints, classifying them, and communicating with complainants about them (CD 335-42); requirements for conducting fair, thorough, reliable misconduct investigations and making misconduct determinations (CD 343-58); requirements for handling and referring allegations of criminal misconduct (CD 359-71); the lodging of disciplinary charges, the administration of disciplinary hearings, and the imposition of discipline (CD 372-88); the process for community-centered mediation as an alternative to investigation for certain minor allegations of officer misconduct affecting civilians (CD 389-91); record-keeping for misconduct investigations (CD 392-95); measures for ensuring transparency, including issuance of quarterly public reports of aggregate data (CD 396-405); a testing program designed to evaluate the efficacy of the civilian complaint intake process (CD 406-08); and training of PIB investigators and supervisors (CD 409-15).

The ultimate goals of the Consent Decree’s provisions implicating PIB are the full, fair, objective, and timely investigation of all potential officer misconduct; the rigorous review of all misconduct investigations; and an impartial, transparent, uniform process for the imposition of discipline and corrective action where appropriate.

In each of the compliance categories addressing misconduct investigations and discipline, BPD continues to make reasonable progress toward implementing preliminary Consent Decree requirements. PIB remains short of the Consent Decree’s ultimate goals, which include seamless, user-friendly complaint intake; timely, thorough internal investigations; routine, open communications with complainants; rational investigative findings and disciplinary recommendations supported by the evidence; and meaningful discipline and corrective action when warranted. Nevertheless, despite some delays caused by the pandemic, PIB has accomplished what the Monitoring Plans have required.

In the area of “Misconduct – Intake,” BPD’s compliance score is “4c” (implementation – on track), as policy revisions and training are complete, and the Monitoring Team continues to see improvement in PIB’s investigations.

In the area of “Misconduct – Investigations,” BPD’s compliance score remains at 4c” (implementation – on track), based on the Monitoring Team’s reviews of PIB investigations.

In the area of “Misconduct – Discipline,” BPD’s compliance score is “4c” (implementation – on track), as it has completed Department-wide training on the disciplinary process. Note that, because of significant changes to the disciplinary system required by new state laws, BPD and the City are still not quite done with revisions to disciplinary policies. However, because BPD has otherwise completed the required revisions, the Monitoring Team credits BPD for progressing to the next phase of reform.

In the areas of “Misconduct – Discipline” and “Misconduct – Transparency,” BPD’s compliance score remains at “4c” (implementation – on track), as BPD proceeds with implementation of its Transparency Initiatives Plan.

MISCONDUCT- INTAKE

COMPLIANCE SCORE

4c

Implementation -on
Track

**MISCONDUCT-
INVESTIGATIONS**

COMPLIANCE SCORE

4c

Implementation – on
Track

**MISCONDUCT-
DISCIPLINE**

COMPLIANCE SCORE

4c

Implementation – on
Track

**MISCONDUCT-
TRANSPARENCY**

COMPLIANCE SCORE

4c

Implementation –
On Track

Areas of Progress

2023 PIB Compliance Assessment

The Monitoring Team has completed its assessment of BPD's compliance with the provisions of the Consent Decree related to misconduct investigations and discipline and BPD's PIB. The Monitoring Team's assessment report highlighted many areas of improvement in the accountability system and the BPD's ability to investigate misconduct and use of force incidents. The assessment also identified areas in need of improvement as well as some administrative requirements in the Consent Decree that were not being completed in a systematic way.

Based on the assessment findings, the Monitoring Team drafted an action plan that identified the specific tasks that, if completed, would assist BPD in achieving compliance in paragraphs where the monitoring team found deficiencies. This document was provided to the parties in August 2024 as a collaborative tool to be used as a guide for updating associated policies, training, and PIB standard operating procedures.

The assessment involved a comprehensive review of hundreds of internal investigations cases. The Monitoring Team also more broadly evaluated BPD's accountability structure to determine the Department's compliance with the Consent Decree's misconduct investigation and discipline-related provisions.

Misconduct and Discipline Training

PIB has developed comprehensive staff training for its sworn and non-sworn investigators, supervisors, and commanders. The training was scheduled for November 20, 2024 and includes the following:

- IAPro Case Management
- Interview and Interrogations
- Report writing, specifically on investigative summaries
- Stops, searches and arrests (how to investigate and determine whether the stop was legal and within policy)
- Criminal misconduct (taught by an Assistant State's Attorney)
- Trauma informed, victim-centered interviews

Policies

BPD continues to collaborate with DOJ and the Monitoring Team on the finalization of the Department's core policy governing misconduct and discipline, Policy 308, *General Disciplinary Process*. The policy's development was halted during the implementation of the Maryland Police Accountability Act of 2021 (the "MPAA of 2021"). The development process has been restarted, and the new policy should be completed and issued to Department members in the next few months.

Draft policy 211, *Non-Disciplinary Corrective Action* policy, should also be completed in the next few months. This policy will give supervisors additional options to address minor policy violations.

Quarterly PIB Reports

The Consent Decree requires BPD to publish quarterly reports with data on the number and types of misconduct complaints, PIB's efficiency in investigating the complaints, and PIB's findings. Draft quarterly reports for Q1 2023 and Q2 2023 are both under review. All of the Quarterly reports for 2022 have been published and are available for review [online](#). The quality of the data included in the reports and their clarity continue to improve.

PIB Staffing and Organizational Structure

PIB is also benefiting from a refined organizational structure. PIB has 29 detectives, 10 civilian investigators, and 2 investigative sergeants organized in seven squads that investigate misconduct complaints. Because PIB believes that the initial civilian investigators have integrated well, PIB is now planning on creating five additional civilian investigator positions. Last reporting period, PIB created a 7th squad consisting of investigative sergeants. Currently, PIB has six detectives assigned to the ethics investigations, two detectives assigned to FBI task forces, two detectives assigned to administrative duties, one detective assigned to the Maryland Office of Administrative Hearings, and four detectives assigned to the Equal Opportunity and Diversity Section ("EODS").

The Monitoring Team continues to observe staffing levels to ensure that staffing shortages do not disproportionately impact PIB. The Monitoring Team is satisfied that PIB is given an appropriate priority in current staffing discussions among BPD leadership.

Transparency Plan

BPD has completed its “Transparency Initiatives Plan,” which establishes the plan for complying with Paragraphs 396-401, 403, and 404 of the Consent Decree. Those paragraphs require BPD to promote awareness of the processes for filing, investigating, and resolving misconduct complaints through written material (including brochures and posters), website content, and a website video, as well as placards visibly posted at all BPD locations. Those paragraphs also require BPD to be transparent about disciplinary hearings and outcomes, including by publicly posting detailed summaries of the outcomes as permitted by state law. In this reporting period, BPD has also concluded the instructional video on the use of the Public Portal, BPD’s online tool that allows the public to submit both complaints and comments about positive interactions with officers.

Coordination with Office of Equity and Civil Rights

The Office of Equity and Civil Rights (“OECR”) is a city agency that oversees three other city agencies, the Police Accountability Board (“PAB”), the Administrative Charging Committee (“ACC”), and the Civilian Review Board (“CRB”), each of which play a role in police accountability in Baltimore City. Moving forward, BPD and OECR will develop a protocol to govern coordination between PIB, PAB, and the ACC over the investigation of complaints over which all three agencies have jurisdiction. Below is a list of activities that are in progress to work through some challenges and make the process more efficient:

- Bi-weekly meeting between PIB Command, BPD Consent Decree Implementation Unit (“CDIU”), and OECR Leadership;
- Monthly meeting between PIB Complaint Intake and Administrative supervisors, CDIU, and OECR staff;
- Data sharing - PIB sends OECR intake data and cases 30/60/90 days away from expiration.

Complaint Intake Testing Program (CD 406-408)

BPD has launched a program to assess BPD’s intake of civilian complaints against a BPD officer or employee. This is not only itself a key requirement of the Consent Decree, but also needed for compliance with several other Consent Decree requirements.

BPD's Performance Standards Section ("PSS") has started remote testing via email, mail and phone. The in-person testing is still in planning and poses several logistical challenges. The Monitoring Team and DOJ continue to collaborate with BPD on this project.

Sexual Misconduct Incident Reviews ("SMIR") (CD 345 and 346)

BPD has finalized a process for conducting an internal review at the conclusion of every PIB investigation involving a complaint of sexual misconduct by a BPD officer or employee, regardless of the disposition (referred to by the Department as "Sexual Misconduct Incident Reviews" or "SMIRs"). BPD holds monthly meetings and sends out case files two weeks before the meetings in order to give the review committee time to prepare to comprehensively discuss each case. BPD uses a project management tool to track the cases that comprise the SMIR caseload.

BPD Internal Affairs Audit (CD 405)

BPD's Performance Standards Section ("PSS") has completed 147 case audits. In December 2024, PSS will shift to drafting a report and revising the methodology for the case reviews based on what they have learned during the audit and from the Monitoring Teams Misconduct and Discipline Assessment.

Challenges Ahead

BPD continues to face severe staffing shortages, as evidenced by recent Department-wide recruitment and attrition data, but the Department must continue to prioritize staffing at PIB. BPD must endeavor to maintain a full complement of high-quality investigators, supervisors, and commanders at PIB. Among other things, this staffing shortage continues to prevent BPD from complying with the Consent Decree's requirement that BPD complete administrative investigations within 90 days of the initiation of the investigation unless an extension is obtained from the director of PIB. While the Monitoring Team has focused primarily on the quality of PIB investigations, it increasingly looks to help BPD problem-solve delays and look for strategies to speed up the investigative process.

The Next Six Months

In the next six months, the Monitoring Team plans to use the action plan to work with BPD to take the steps necessary for it to come into compliance in the areas where the Monitoring Team found BPD to be deficient in its recent assessment, and in particular to shorten the length of time it takes PIB to complete investigations.

The Monitoring Team will also develop a methodology for the next Misconduct and Discipline Assessment based on lessons learned in the last assessment.

TECHNOLOGY

Section XII of the Consent Decree requires BPD to “provide its officers with the Technology necessary to implement the Material Requirements of this Agreement” Paragraphs 268-278 then outline the Consent Decree’s technology requirements. As the Consent Decree bluntly states, compliance with the Consent Decree is “dependent upon BPD acquiring or developing the appropriate technology.” (CD 267).

BPD and the City previously completed and submitted a [Resource Study](#) (CD 268, 270), which identified then-existing BPD systems, described the state of those systems, and made preliminary recommendations for improvements. Following completion of the Resource Study, BPD and the City produced and submitted a [Resource Plan](#) (CD 269-70, 272), and the Monitoring Team filed its notice of approval on December 1, 2018. *See* ECF No. 164. The Resource Plan, which must be updated annually (CD 275), addresses how BPD will provide the necessary computer equipment and access required for personnel to discharge their duties, acquire a centralized records management system, and ultimately develop an early intervention system (“EIS”). BPD is required to use its best efforts to implement the Resource Plan (CD 274).

The technology provisions of the Consent Decree also require BPD to disclose to the public the acquisition of certain new equipment or activity to be used in enforcement activities (CD 278). Further, data collection and data analysis are required in nearly every area of the Consent Decree, not only to enable the Monitoring Team to assess compliance, but to enable BPD leadership to better manage the Department. BPD must review and analyze data in various subject areas, including investigatory stops and detentions (CD 41), vehicle stops (CD 46), stops, searches and arrests (CD 82-86), use of force (CD 211-217), transport of persons in custody (CD 232), and misconduct investigations (CD 392), among others.

BPD continues its steady progress in implementing the Resource Plan. In this reporting period, BPD enhanced the case management capabilities of its new records management system (“RMS”). The RMS now enables investigators to review case information in the RMS, document their investigations, and manage their workload.

BPD also completed the procurement of an EIS, which will be used as a supervisory tool to track officer performance and intervene with officers at risk of engaging in misconduct and is currently in the discovery phase with the vendor whom BPD has retained to provide the EIS software. Based on BPD’s progress thus far in the area of Technology Modernization, its compliance score is “4c” (implementation – on track).

**TECHNOLOGY
MODERNIZATION**

COMPLIANCE SCORE

4c

**Implementation
– On Track**

| Areas of Progress

Records Management System

As stated in previous reports, an RMS implementation is typically one of the most complex IT initiatives an organization will undertake, as an RMS touches nearly every part of an agency (e.g., patrol, investigations, evidence, etc.) and its business processes. During this reporting period, BPD enhanced the case management functionality of its RMS, which all detective units currently use to manage and document their investigations. BPD also continues to improve its reporting within the RMS, including its National Incident Based Reporting System (“NIBRS”) reporting. BPD continues to work to provide more in-depth reporting capabilities to commanders across the Department.

Early Intervention System

During this reporting period, BPD completed its procurement of an EIS, a tool that uses metrics to identify potentially problematic behavior among officers and to allow intervention and correction with the officer before serious misconduct occurs. BPD has spent the past several months planning and implementing phase one of the EIS deployment, which involves integrating source data into the EIS and automating BPD’s existing EIS practices. BPD has also begun planning for the next phase of its EIS deployment, which will encompass the EIS requirements of the Consent Decree.

BPD is also working to revise a draft EIS policy and continued its implementation of a data warehouse. Both steps will prepare BPD personnel to use the system once it is ready for implementation.

| Challenges Ahead

BPD’s challenges remain in the same key areas where it is making good progress—RMS and EIS implementation.

With respect to the RMS, BPD must continue to work with the RMS vendor to ensure investigators are able to use the system to properly manage and document investigations. Further, as part of compliance in the area of stops, searches, and arrests, BPD must continue to monitor whether officers’ reporting complies with BPD policy, accurately documents stops, searches, and arrests, and allows for auditing of those activities. BPD must continue to ensure supervisors are holding officers accountable when their reporting falls short.

As for the EIS, BPD must continue to plan for the next phase of its implementation, which, if successful, will satisfy the requirements of the Consent Decree. BPD must integrate intervention and officer wellness tools into the EIS process. BPD must also finalize its draft policies and procedures and develop Department-wide training across all ranks.

| The Next Six Months

BPD will focus on its EIS implementation, including the related policy, procedures, and training, to ensure a successful deployment. BPD must also continue to monitor and review the use of the RMS to ensure investigators have the tools they need, and to comply with the requirements of the stop, search, and arrest area of the Consent Decree, that all ranks are using the system according to policy and training and in a manner that allows for proper documentation and auditing of those interactions.

STAFFING, PERFORMANCE EVALUATIONS AND PROMOTIONS

The Consent Decree requires BPD to complete a comprehensive staffing study to determine the appropriate number of sworn and civilian personnel needed to effectively provide police services, enable supervision, and satisfy the requirements of the Consent Decree (CD 428). The Consent Decree further requires that, based on the staffing study, BPD develop a staffing plan that will ensure a sufficient number of deployed personnel to, among other things: implement and sustain effective community and problem-oriented policing; conduct timely misconduct investigations; supply sufficient patrol officers to each District without resorting to drafting (*i.e.*, forced overtime), except in unforeseeable circumstances; promote unity of command when feasible; provide a sufficient number of supervisors; and account for BPD's and the City's existing and projected resources (CD 429). BPD must implement the Staffing Plan but may do so in a phased manner that reflects the City's and BPD's fiscal resources (CD 430).

As for performance evaluations and promotions, the Consent Decree obligates BPD to have supervisors meet with officers to discuss their annual performance reviews, which must include written discussions of the officers' performance during the rating period, any areas for growth and achievement, and any areas requiring further training and supervision (CD 431). Direct supervisors must use a formalized system to document annual performance evaluations for each officer and quarterly evaluations of probationary employees (CD 432). In addition to these formal evaluations, supervisors must meet with their subordinates on an ongoing basis to discuss performance and must document their communications regarding performance challenges and areas for growth (CD 433).

The Consent Decree further requires BPD to conduct performance evaluations of each supervisor (from first-line supervisor through commander), which will include assessments of ability and effectiveness in conducting performance reviews, including monitoring, deterring, and addressing misconduct by officers they supervise (CD 434). Finally, BPD must ensure its promotional system has clear criteria prioritizing effective, constitutional, and community-oriented policing as factors for promotion (CD 435).

On Staffing: BPD completed the staffing study required by the Consent Decree (the "Staffing Study") and developed an initial staffing plan (the "Staffing Plan") which it has updated in 2021, 2022, and 2023. BPD submitted the Staffing Study to the Court on February 27, 2020, as required by the Consent Decree (CD 428). The Department filed Staffing Plan Updates in 2021, 2022, and 2023. The 2023 Staffing

Plan was filed with the Court in May of 2024. Each of the three updates reflected changes in organizational structure, workload demands, and increased use of non-sworn professional staff. The 2023 Staffing Plan identified a need for 2,600 sworn staff and 990 civilians for a total of 3,580 personnel. BPD has been unable to achieve this staffing level. BPD's sworn headcount between December 31, 2019 and July 31, 2024 dropped by 472. Recruitment of officers is the only way to close this gap significantly, and despite the best efforts of BPD, sworn attrition still outpaced hires in the first six months of 2024. Recruitment is covered in another area of this report. As in previous periods, however, because BPD has worked diligently to recruit new officers, reduce the demand for sworn members, and stem the tide of separations, its compliance score in Staffing remains "4c" (implementation – on track).

On Performance Evaluations: BPD adopted new performance evaluation policies and manuals in 2021, *see* ECF No. 372, and developed and delivered e-learning in 2022 to educate officers about the new system. The new system was first used to evaluate performance in 2023. The annual performance evaluation for 2023 closed in the first quarter of 2024. A total of 1,829 sworn performance evaluations were expected, with 83 percent completed. The remaining 17 percent are either in progress or pending, and BPD's human resources department is following up with this group. Improvements in engagement, training, regular checks on submission status, and analysis should be in place for 2024 to enhance compliance. Accordingly, BPD's compliance score in Performance Evaluations remains "4c" (implementation – on track).

On Promotions: BPD adopted new policies for commander (Captain and Major) and classified ranks (Lieutenant and Sergeant) promotions in 2020. *See* ECF Nos. 340 and 349. In 2023, 72 supervisors were promoted under these new policies. As of August 2024, eleven sergeants, seven lieutenants, three captains, and four majors were promoted. As a result of these developments, BPD's compliance score in this area remains "4c" (implementation – on track).

STAFFING	COMPLIANCE SCORE 4c Implementation – On Track
PERFORMANCE EVALUATIONS	COMPLIANCE SCORE 4c Implementation – On Track
PROMOTIONS	COMPLIANCE SCORE 4c Implementation – On Track

| Areas of Progress

Staffing

BPD continues to improve its recruitment efforts. BPD has streamlined the hiring process, increased marketing efforts, implemented alternatives to a police response to service calls, and hired more professional staff. BPD has plans to begin using a hiring dashboard to track the time it takes applicants to complete each phase of the hiring process. BPD intends to use this data to identify and improve the parts of the process that are causing delays and otherwise monitor the performance of BPD hiring staff.

BPD expects to move sixty or more sworn officers from administrative jobs to patrol by the end of 2024. BPD plans to either hire civilians to replace the departing officers or eliminate those positions. BPD is also working to increase the number of civilian professionals who can perform some of the duties that sworn personnel are now doing, including roles involving administration, background checks, and criminal investigations. BPD is developing a comprehensive civilianization program that includes developing job descriptions, focused recruitment efforts, hiring, training and onboarding, and continual support. The Monitoring Team will closely watch the implementation of this effort.

BPD made significant progress in officer safety and wellness, training, and technology, along with the implementation of the new records management system and deployment of new police vehicles. More generally, BPD has done a better job of ensuring that officers feel valued, appreciated, and capable of contributing to the mission. All of these things should improve officer morale and retention.

Performance Evaluations

The new performance evaluation system, which, as stated above, was first used to assess 2022 performance, complies with the requirements of the Consent Decree. The system is designed to ensure that BPD personnel receive fair, objective, and impartial evaluation, to recognize superior performance, and to provide guidance to address performance deficiencies. BPD is in the process of identifying improvements to the system by reviewing lessons learned from the system's first year of use.

The table below shows the outcome of the 2023 sworn annual performance evaluation.²

² As stated above, BPD has completed 83% of its evaluations for 2023 and is working to complete the remaining 17%.

2023 Sworn Annual Performance Review Overall Rating Results						
Overall Manager Rating						
Rank	Exceptional	Exceeds Expectations	Meets Expectations	Improvement Needed	Unsatisfactory	No Rating
Officers	4%	35%	45%	0%	0%	15%
Officer-FTOs	3%	45%	40%	0%	1%	10%
Sergeants/Lieutenants	5%	43%	28%	0%	0%	24%
Captains and Above	7%	32%	20%	0%	0%	41%
Total	4%	37%	41%	0%	1%	17%

Promotions

BPD continues to follow two promotion policies updated to comply with the Consent Decree that were implemented in 2021, Policies 1721, Promotions to Classified Ranks, and 1738, Command Promotions and Promotion Committee Policy. These new policies incorporated concepts of community-oriented policing, accountability, integrity, critical thinking and problem-solving, fairness, and procedural justice into BPD promotion practices. Twenty-five promotions were made between January 2024 and August 2024, and 72 were made in 2023.

Challenges Ahead

Staffing continues to pose the biggest challenge facing BPD and is perhaps the biggest impediment to BPD's progress toward full compliance with the Consent Decree. As of August 1, 2024, BPD employed 1,981 sworn officers and 484 civilians, while the Staffing Plan called for 2,600 sworn officers and 990 civilians (meaning staffing levels are approximately 35% below the levels in the Staffing Plan). There are 250 fewer staff in patrol than what is called for in the Staffing Plan and 55 fewer staff in training and education.

BPD must also continue to work to ensure performance evaluations are a priority for supervisors and not a "check-the-box" exercise.

The Next Six Months

The Monitoring Team looks forward to working with BPD to address its staffing shortages and reach the staffing levels called for by the Staffing Plan. In particular, the Monitoring Team is currently encouraging BPD to adjust its Staffing Plan, while maintaining roughly the same staffing goals, to focus on ways to improve the mix of sworn and professional members, contractual employees, and City assistance in administrative roles to allow more sworn officers to be shifted to core areas critical to Consent Decree compliance such as patrol, PIB, and supervision. The Monitoring Team also looks forward to working with the parties to review the 2023

performance evaluation efforts and find ways to improve the 2024 process and outcomes.

STOPS, SEARCHES, ARRESTS AND VOLUNTARY POLICE-COMMUNITY INTERACTIONS AND IMPARTIAL POLICING

A key goal of the Consent Decree is to ensure that the conduct of BPD's officers in their routine law enforcement-related encounters with members of the public is consistently constitutional as well as perceived as fair and impartial by members of the public. Since the beginning of the Consent Decree process in 2018, BPD has revised its policies and training regarding stops, searches, arrests, and voluntary police-community interactions ("SSA"), and it has also adopted policies and associated training pertaining to fair and impartial policing. Consent Decree paragraphs 29-86 pertain to SSA and Consent Decree paragraphs 87-94 pertain to impartial policing.

BPD has been on the path to compliance in these areas. BPD has adopted relevant policies, trained on these policies, and developed a new Record Management System that should facilitate the recording and maintenance of the SSA data necessary to ensure officer accountability, effective supervision, robust internal auditing, and meaningful external Monitoring Team and community evaluation. In 2023, the Monitoring Team issued a report on an assessment on arrests in which it found BPD in compliance with the requirement that its arrests be supported by probable cause but found that BPD was not yet in compliance with the requirement that it sufficiently document those arrests. The Monitoring Team is now in a position to begin comprehensive assessments of stops, weapons pat-downs, and searches.

STOPS, FIELD INTERVIEWS AND VOLUNTARY CONTACTS	COMPLIANCE SCORE	4c	Implementation – On Track
SEARCHES	COMPLIANCE SCORE	4c	Implementation – On Track
ARRESTS	COMPLIANCE SCORE	4c	Implementation– On Track
REVIEW AND SUPERVISION	COMPLIANCE SCORE	4c	Implementation – On Track

IMPARTIAL POLICING	COMPLIANCE SCORE	
	4c	Implementation – On Track

| Areas of Progress

Policies and Training

BPD worked with the Monitoring Team to develop re-training on SSA policies with a focus on proper report writing. That training was completed in August of 2024.

Reporting

The Monitoring Team and DOJ have worked closely with BPD in the months leading up to this review to fine-tune BPD's new records management and reporting systems to accurately record data on stops, searches, and arrests. Because of that work BPD is now in a position where the Monitoring Team can begin a full assessment of this area.

| Challenges Ahead

Although BPD has improved its reporting through the new records management system, BPD will need to continue to monitor its officer's reporting to ensure that it captures all relevant data. Additionally, should the Monitoring Team identify areas of non-compliance in its upcoming assessment, BPD will need to develop a plan to address those shortcomings.

| The Next Six Months

Comprehensive Assessment of Stops, Weapons Pat-Downs, and Searches

BPD, DOJ and the Monitoring Team worked together to create a methodology for a compliance review and outcome assessment of stops, searches, and voluntary police-community interactions and for impartial policing.³ The methodology focuses on a quantitative and qualitative assessment of six types of encounters:

1. Stops of persons;
2. Stops of vehicles;
3. Stops resulting in searches of persons;
4. Stops resulting in vehicle searches;
5. Stops for which the stopping officer requests consent to search; and
6. Stops for which the officer conducts a search without requesting consent.

³ Because arrests were the subject of the recent 2023 assessment, the current assessment is not examining them.

The Monitoring Team currently contemplates that ten (10) current members of the Monitoring Team will review the sample of 200 to 233 stop encounters in total from these six categories.

The statistical analysis for the quantitative component of the assessment comprises state-of-the-art approaches developed by the leading thinkers in the field, who are among the experts supporting the parties. Those approaches are reflected in the recently released National Academies Report, “Reducing Racial Inequalities in the Criminal Justice System (National Academies, 2024). <https://www.nationalacademies.org/our-work/reducing-racial-inequalities-in-the-criminal-justice-system>.

With respect to impartial policing, in addition to analyzing and incorporating the results of the qualitative and quantitative analyses described above, to complete a comprehensive compliance review of all provisions in the Impartial Policing section of the Decree, the Monitoring Team will:

- Review assessment findings relating to the documentation of information about demographic categories in prior assessments of arrests and external complaints (Paragraph 88);
- Summarize prior policy changes and training (Paragraph 89–94);
- Review assessment findings relating to use of force (Paragraph 89(b));
- Review assessment findings relating to misconduct complaints relating to bias, including those relating to race, gender identity, and other identified demographic characteristics (Paragraphs 89(d)–(f));
- Assessment of BPD’s procedural justice audits (Paragraphs 89(d); and
- Review assessment findings in the Recruitment, Hiring, and Retention Assessment relating to the consideration of discriminatory policing, bias, sexual harassment, and discrimination (Paragraph 95).

The Monitoring Team began this assessment in the fourth quarter of 2024.

USE OF FORCE

The Consent Decree requires BPD officers to use force only when necessary, proportional to the threat posed, and objectively reasonable under the circumstances, and only after attempting all reasonably available de-escalation techniques. The Consent Decree further requires that officers avoid unnecessary injury and risk of injury to themselves and others when using force, must intervene to prevent other officers from using inappropriate force, and must report all uses of force (CD 124). To accomplish these objectives, the Consent Decree's section on use of force contains requirements regarding policies on use of force (including weapons-specific policies) (CD 125-65), training on use of force (CD 166-68), reporting, reviewing and investigating use of force incidents (CD 169-210), and collecting, analyzing and reporting data on use of force incidents (CD 211-17).

As previously reported, BPD completed revisions of its policies on the use of force in 2018, designed and delivered use of force training to all sworn personnel in 2019, and recently further revised its policies. The new Consent Decree-mandated use of force policies have been in effect since then. In 2021 and 2022, BPD completed delivery of Department-wide refresher training on use of force, which was paired with training on fair and impartial policing and First Amendment protected activity. In October 2022, BPD also delivered specialized training to members of its Performance Review Board, which evaluates serious use of force incidents.

The Monitoring Team published our [first report](#) on use of force in January 2021. That report focused exclusively on evaluating BPD's reported force data and did not qualitatively evaluate force incidents for compliance with law and policy. In December 2022, the Monitoring Team issued our [first in-depth compliance assessment](#) regarding use of force. The Monitoring Team concluded that BPD made notable progress toward compliance with many Consent Decree provisions. BPD officers used force less frequently, and when they used force, it was more consistent with BPD policy and the law—that is, in most cases, officers attempted to de-escalate when feasible and only used force that was necessary, reasonable, and proportional.

At the same time, in the limited number of cases involving the most serious (or “Level 3”) uses of force, BPD officers violated policy more often than is acceptable to warrant a finding of initial compliance. Further, in the diminishing number of cases where officers used force improperly, BPD supervisors and commanders too often failed to identify and address the deficiencies. The Monitoring Team found that it will be able to certify initial compliance when we see evidence that (1) BPD officers are consistently refraining from using Level 3 force when less or no force is appropriate and (2) BPD itself is identifying problematic uses of force and addressing them properly.

Additionally, in October 2023, the Monitoring Team issued its [first review](#) of BPD compliance with the Consent Decree’s requirements related to BPD’s internal review and oversight of its uses of force, namely the requirements that BPD maintain a “Performance Review Board” (“PRB”). As discussed more fully below, BPD is close to compliance with the requirements related to the PRB but must complete reports related to reviews in a timelier manner to achieve full compliance.

Finally, the Monitoring Team is currently conducting a second comprehensive assessment of BPD’s use of force. The Monitoring Team expects to issue a report on its findings soon.

Based on the Monitoring Team’s first comprehensive use of force assessment, BPD’s compliance score is “4c” (implementation – on track).

USE OF FORCE	COMPLIANCE SCORE	
	4c	Implementation – On Track

| Areas of Progress

Use of Force Policies

BPD has revised a number of policies related to use of force. The DOJ and the Monitoring Team approved those policies on February 7, 2024 (ECF No. 689). Having completed training on those policies, BPD activated them on March 11, 2024. The revised policies are as follows:

- [Policy 409 \(Firearms Regulations\)](#)
- [Policy 412 \(Patrol Rifle/Shotgun Program\)](#)
- [Policy 414 \(Less Lethal Munitions and Chemical Agents\)](#)
- [Policy 710 \(Level 3 Use of Force Investigations\)](#)
- [Policy 719 \(Conducted Electrical Weapon\)](#)
- [Policy 725 \(Use of Force Review and Assessment\)](#)
- [Policy 1005 \(Non-Uniformed Policing Standards\)](#)
- [Policy 1107 \(De-Escalation\)](#)
- [Policy 1111 \(Batons\)](#)
- [Policy 1115 \(Use of Force\)](#)
- [Policy 1118 \(Oleoresin Capsicum Spray\)](#)
- [Policy 1503 \(Emergency Vehicle Operation and Pursuit Policy\)](#)
- [Policy 1602 \(Canine Procedures\)](#)

Use of Force Data Analysis

BPD issued a [use of force data analysis report on the years 2021 to 2022](#) pursuant to paragraphs 211-217 of the Consent Decree on June 4, 2024. (ECF No. 723). The report found that in 2021 and 2022:

- Between 2021 and 2022, the total number of uses of force increased by 14%.

- The most common force type each year was “Hands” (the use of the officer’s hands to gain control of the subject, as opposed to a weapon, and does not include fists), used 64% of the time over the two-year period.
- The pointing of a firearm increased by 38% between 2021 and 2022, however there was an 80% decrease of firearm discharge at a person.
- Over the course of the two-year period, the most likely citizen involved in a UOF event is a black male between the ages of 25 and 34 years old, which is consistent with previous years analyzed.
- The C-shift (3pm to 11pm) in patrol continues to experience the most uses of force, which is in alignment with increased activity found in calls for service (“CFS”) metrics.
- A 13% decrease in the total UOF used on those perceived as experiencing a Mental Illness/Crisis from 2021 – 2022.
- Officers injured in use of force incidents remained at 21%, and subjects injured in use of force incidents increased by 6% between 2021 and 2022.
- Officer-involved shootings were less than 1% of total UOF incidents (15 of 1,551) over the two-year period, and all subjects were armed.

BPD plans to issue a use of force data analytics report for 2023 by the end of the year.

| Challenges Ahead

As noted in the last reporting period, the Monitoring Team’s comprehensive assessment of force incidents from 2018-2021 identified specific improvements BPD must make to achieve initial compliance with the requirements of the Consent Decree. Most importantly, BPD supervisors and commanders must identify and take remedial action to correct uses of force that are inconsistent with policy. The Monitoring Team found too many use of force events that it believed were “out of policy,” but which were not identified as such by BPD. As the Monitoring Team has repeatedly emphasized, BPD’s ability to identify and correct deficient performance on its own is essential to establishing compliance.

With respect to the PRB, BPD must work to complete written reports with its findings and recommendations as to the cases it reviews in a timelier fashion. To

reach compliance, BPD must get to the point where it can regularly meet the Consent Decree's 14-day deadline.

The Monitoring Team will be assessing BPD's progress to address these deficiencies in the current assessment. Regardless of the outcome of that assessment, BPD will need to continue to improve its work in this regard, and to maintain the progress it has achieved in the other use of force requirements with which the Monitoring Team has found them in compliance.

| The Next Six Months

As stated above, the Monitoring Team is currently conducting a second comprehensive assessment on BPD's use of force. This assessment will review use of force incidents from 2021 through 2023. BPD will complete its own report on use of force incidents from 2023. The Monitoring Team plans to issue a report with its findings by the end of this year.

TRANSPORTATION OF PERSONS IN CUSTODY

Safely transporting individuals in custody is among the most important obligations of any law enforcement agency. The Consent Decree requires BPD to: (1) equip all transport vans with transport vehicle cameras (“TVCs”) and seatbelts, as well as holding straps located along the rear area of each seat so that individuals being transported may have a grip for security during transport, and also equip all transport cruisers with seatbelts (CD 223-24); (2) inspect transport vehicles monthly and create logs to memorialize the inspections (CD 225); (3) establish and adhere to appropriate procedures for transporting prisoners (including using seatbelts, straps, and TVCs) (CD 226-33); (4) establish and adhere to protocols for documenting and comprehensively auditing prisoner transport events (CD 234-37); and (5) revise policies and training curricula to ensure safe, effective prisoner transport (CD 238).

Last year, the Monitoring Team completed its second comprehensive assessment of BPD’s compliance with requirements of the Consent Decree related to transporting individuals in custody. The Monitoring Team found that BPD is in full and effective compliance, but nevertheless noted certain areas, described below, where BPD must continue its work to remain in compliance.

The assessment found that BPD has made all required equipment changes, has been conducting routine equipment and transport audits, and has been making repairs when equipment audits find problems. Further, the assessment found that transport drivers are consistently securing passengers with seatbelts, providing van passengers access to grip straps, and routinely monitoring passenger safety through either direct or video (TVC) observation. BPD also has been taking remedial action against drivers when transport event audits find non-compliance with policy. Finally, the most recent assessment found that BPD documented vehicle inspections, introduced new vehicles to the fleet with new wagons to arrive soon, and rolled out improved digital transportation event reporting using Axon Records.⁴

Earlier this year, the Court granted the parties’ joint motion finding BPD in Full and Effective Compliance with this area. *See* ECF No. 687. BPD is thus now in a one-year period in which it must maintain compliance in order to complete the requirements of this section of the Consent Decree. CD ¶¶ 504, 506.

⁴ BPD introduced new transport vans with updated TVC equipment in February 2024.

TRANSPORTATION OF
PERSONS IN
CUSTODY

COMPLIANCE SCORE

5a

Full and Effective
Compliance

| Areas of Progress

Now in the sustainment period, BPD, according to an agreement with the parties and the Monitoring Team, is in the process of completing quarterly reports documenting evidence of their continued compliance. The Monitoring Team and the DOJ will review these reports. BPD plans to file an annual report with the Court.

| Challenges Ahead

While BPD has reached full and effective compliance, it must continue its work on several areas identified in the Monitoring Team's final assessment or risk regression. BPD must sustain all the improvements it has made in its transport and transport auditing practices. It also must reinforce messaging about safe driving practices and medical aid policies and continue holding those who violate them accountable. Finally, BPD continues to hone its record-keeping practices to ensure that equipment inspections and transports are documented consistently to capture all required information and are fully verifiable.

| The Next Six Months

As discussed above, BPD will continue to provide the Monitoring Team and DOJ quarterly reports on its sustainment of compliance. BPD will then file an annual report on its sustainment covering all of 2024.

INTERACTIONS WITH INDIVIDUALS WITH BEHAVIORAL HEALTH DISABILITIES AND IN CRISIS

As discussed in previous reports, the Consent Decree highlights the commitment of BPD and the City “to responding to individuals with behavioral health disabilities or in crisis in a manner that respects individuals’ civil rights and contributes to their overall health and welfare.” Two key paragraphs further define that commitment. Paragraph 96 envisions that BPD and the City will accomplish this goal by using appropriate crisis response techniques, with a preference for the least police involved response utilizing techniques that will help prevent situations that could lead to the unreasonable use of force, promote utilization of the health system for individuals with behavioral health disabilities and in crisis, and diminish inappropriate utilization of the criminal justice system for such individuals.

As part of this approach, BPD should maintain a Crisis Intervention Team (“CIT”) whose officers have primary responsibility for responding to incidents involving individuals in crisis (CD 101-03, 110, 119); develop a Crisis Intervention Plan and CIT Officer Selection Process to ensure the efficacy of the CIT (CD 120); appoint and train a Crisis Intervention Coordinator (CD 115-18); train all officers on responding to individuals with behavioral health disabilities and in crisis, and provide specialized training for CIT officers and dispatch personnel (CD 106-13); revise policies, including a police emergency dispatch policy, for responding to incidents involving individuals in crisis (CD 98, 114); and identify quantitative and qualitative performance measures for the CIT program and collection of data needed to make those assessments (CD 121-22).

Paragraph 97, unlike in most other areas of the Consent Decree, necessitates assistance involving other City agencies alongside BPD. These unique obligations include working with a community-based planning and implementation committee (now known as Baltimore City Behavioral Health Collaborative “BCBHC”) to improve crisis response (CD 104-05) and an analysis of gaps and recommendations for improvements in the City’s behavioral health system (the “Gap Analysis”) (CD 97). Additionally, last year the City and the Department of Justice agreed to a set of guidelines designed to clarify the City’s obligations under Paragraph 97 of the Consent Decree (the “Paragraph 97 Agreement”).⁵ Those obligations include:

⁵ See ECF No. 643-1 (titled “Implementing Paragraph 97 of the Consent Decree.”)

1. Establishing a program with specified attributes to divert 911 calls and police contacts involving behavioral health emergencies to behavioral health crisis responders instead of police;
2. Creating mobile crisis teams with specified qualifications and attributes capable of meeting a number of specified goals;
3. Buttressing peer support through funding and other efforts;
4. Strengthening housing and homeless services through funding, education, advocacy, and outreach;
5. Auditing and reviewing significant behavioral health events that resulted or nearly resulted in serious negative outcomes;
6. Establishing a multi-agency quality assurance and quality improvement process with certain specified characteristics that has the goal of reducing police interventions in behavioral health crises and providing wraparound services; and
7. Negotiating, executing, and implementing a revised memorandum of understanding between the City (including BPD) and the City's behavioral health system manager, Behavioral Health System of Baltimore ("BHSB"), including how BCBHC will be funded.

The City has published a Gap Analysis Implementation Plan to address the recommendations in the Gap Analysis. The City's effort to reform and increase capacity in its behavioral health services delivery system includes working with BHSB. To this end, the City has strengthened its relationship with BHSB which is essential to the multi-agency approach to behavioral crisis intervention. BHSB, working with the City, has increased awareness of alternatives to 911, particularly "988," the new national behavioral health crisis line. This work appears to have contributed to an increase in calls to the behavioral crisis system (988) and a decrease in behavioral health-related calls to 911. The City has also developed a program for diverting certain 911 calls to community-based behavioral health specialists instead of BPD. Initiatives that strengthen inter-agency cooperation and the City's work on meeting the behavioral health system gaps are underway.

BPD has completed core policy revisions and delivered essential training across the Department, including training for CIT officers. Given this, and the impressive performance the Monitoring Team has observed during its assessment of responses to calls for service involving individuals in crisis, BPD has been making meaningful progress in the Behavioral Health-General categories with most ratings being "4c" (implementation – on track). Unfortunately, audits of the Behavioral Health CIT Officers' documentation and on-scene responses have indicated that several parts of the CIT program were deficient. BPD was not adequately interviewing and reviewing potential CIT officers. BPD was not ensuring the presence of CIT officers at behavioral crisis events. As a result, the compliance score

for this work was 4b (implementation – off track) and the overall Behavioral Health score was “4c” (implementation – on track). BPD has reported these deficiencies have been addressed. A re-assessment is planned for early next year.

In the Behavioral Health-System Coordination and Improvement category, the compliance score for BPD and the City is “4c” (implementation – on track), as the City and BPD have begun collecting data on systemic efficacy, completed an implementation plan for the Gap Analysis, and have begun implementing the Gap Analysis recommendations and are working to make a series of behavioral health system improvements.

BEHAVIORAL HEALTH – GENERAL	COMPLIANCE SCORE 4c Implementation – On Track
BEHAVIORAL HEALTH – CIT OFFICERS	COMPLIANCE SCORE 4b Implementation – Off Track
BEHAVIORAL HEALTH – SYSTEM COORDINATION & IMPROVEMENT	COMPLIANCE SCORE 4c Implementation – On Track

| Areas of Progress

BPD Behavioral Health Policies and Training

During the current reporting period, BPD provided training on updated policies related to officer interactions with individuals with behavioral health disabilities and those individuals experiencing a behavioral crisis. The training on this policy included expanded guidance for officers to use to determine whether a response by police or by community-based or behavioral health-trained responders were more appropriate.

BPD also continued to provide a 40-hour in-service training course to officers who have volunteered to become CIT members. The Consent Decree requires these CIT officers to take a lead role in responding to calls for service involving individuals in crisis. See ECF No. 450. BPD has reported they are at their revised goal of 20%.

All incoming recruits receive 24 hours of behavioral health training at the police academy and the annual eight hours or more of behavioral health work provided during in-service training for all officers. So, for example, all officers who joined the Department in 2019 will, by the date of this report, have received over 58 hours of behavioral health training. This year the in-service training given to all officers was conducted jointly with the Baltimore City Fire Department (“BCFD”), which often works with the officers during behavioral crisis events. This training includes cutting-edge strategies and helped better define the roles and responsibilities of police and fire department personnel when on the scene of a behavioral crisis incident.

Quality Assurance Review for Sentinel Events

As part of the Gap Analysis, the Consent Decree required BPD and the City to assess a sample of police interactions with people with behavioral health disabilities (CD 97). To perform the required assessments, the City developed a protocol for “Behavioral Crisis Incident Review for Sentinel Events and Quality Assurance Audits.” This review and audit process examines critical incidents to identify and remedy the shortcomings in both BPD responses to individuals in crisis and the larger behavioral health system. Previously, the City worked with state officials to secure legislation that enables designated members of the review committee to perform these assessments without violating laws protecting individual privacy. The City has now held six sentinel event reviews and additional comprehensive reviews are planned for this year. This formal review is unique and highlights why the progress in Baltimore has been recognized nationally. The Quality Assurance and Sentinel

event process will be part of an overall compliance review for Paragraph 97, scheduled for early next year.

Monitoring Team and BPD Compliance Assessments

The Consent Decree requires both BPD and the Monitoring Team to assess BPD responses to individuals in crisis for compliance with Consent Decree provisions addressing such responses. The methodology for this assessment required reviewing training records; reporting and maintenance of data on responses to crisis events; and a random, statistically representative sample of BPD responses to individuals in crisis. The assessments will gauge compliance with Consent Decree paragraphs 98 through 122 with the assessment of paragraph 105 delayed until a later point. The assessment also included the analyses required by Consent Decree paragraph 459(h).

These paragraphs address, among other things, equipping officers with the skills to properly interact with individuals in crisis, and officer leadership during crisis events. The assessment reviewed the work of BPD and BCBHC to revise policies related to responding to and interacting with people with behavioral health disabilities or in crisis, their work on police curriculum and training for behavioral health, and the development of the Crisis Intervention Team (“CIT”). Five of the relevant Consent Decree paragraphs introduce later material or refer to requirements that will be studied in the compliance assessment for Paragraph 97. As a result, 23 of the 28 Consent Decree paragraphs related to behavioral health were examined.

In selecting the sample for the review of available body-worn camera video (“BWC”) it became apparent that the domain of BPD behavioral crisis response calls included a broader range of BPD patrol responses that could only be assessed through a more complex process than originally identified in the initial methodology. The decision was made to proceed with the initial target group of approximately 5,000 calls and then to study a second group of about the same size in a follow-up study. The results of the first part of the compliance assessment have been reported⁶ and the study of the second sample has also been completed and the review is being finalized. Preliminary results indicated that the conclusions about compliance from the second sample are consistent with those from the first sample of BWC.

Overall, the results of the compliance assessment are encouraging and suggest the officers are responding to individuals in behavioral health crisis in a manner envisioned by the Consent Decree. The compliance report examined twenty-three Consent Decree paragraphs and found that in 16 of the 23 paragraphs BPD reached “4d” (implementation – initial compliance). Two more paragraphs were rated on

⁶ Compliance Review & Outcome Assessment Regarding Crisis Intervention (2024).

track, but not in initial compliance, five were rated as off track. This is a good result for a first assessment. Paragraphs related to policies (98-100), the goals of the CIT program (102-103, 106-107, 110,112, 115-117), the BCBHC (104), communications and dispatch (113-114), and data collection (121-122) were found to be in initial compliance. Additionally, the process of assigning CIT officers and CIT data analysis (110,120) were found to be on track. Paragraphs related to the CIT selection process, goals set by BPD for on-scene availability of CIT officers, the CIT on-scene response, and the coordinator selection and capacity role (108-109, 111,118, 119) were viewed as off track. As mentioned earlier, BPD reports that the issues related to these paragraphs are being addressed and these paragraphs will be re-evaluated in a second assessment. Many of the issues related to these paragraphs are procedural or administrative in nature and should not detract from the impressive results in the other eighteen areas.

The City's Role in Implementing Gap Analysis Recommendations and Expanding Community Resources

The City has published a Gap Analysis Implementation Plan to implement the recommendations in the Gap Analysis. Under the Plan, the City will work in partnership with Behavioral Health Systems Baltimore (“BHSB”) and a range of community stakeholders to achieve the Plan’s goals. The City has already reported progress on a number of the obligations in the Paragraph 97 Agreement described earlier in this document. Recently, the City has submitted an updated implementation plan covering the first part of the year that is under review with the parties. Some of the progress reported by the City is described below, including public education about 988, a 911 diversion program, expanding the coverage of the services at Baltimore Crisis Response, Inc. (“BCRI”), improving system capacity for peer support, expanding affordable housing programs, and developing a quality assurance system.

The City notes that a public education campaign was launched (“Call 988”)⁷, ongoing efforts to identify existing structure to promote 988 are underway, permanent funding has been obtained for 988, and a behavioral health clinician was hired to work in the 911 call center to assist with the diversion process. 911 communication specialists have received training on how to make use of the staff clinician. A public dashboard has been developed to report on 911 diversion efforts. Additionally, a MOU has been executed between the City and BCRI, expansion of the pilot program is underway, and additional 911 calls are eligible for diversion, including calls for youth in crisis.

⁷ [CALL 988 is here to help | 988 Helpline](#).

Mobile response team standards have been promulgated and team capacity has been expanded to eighteen shifts per day for the Baltimore area. This included federal funding for a youth-focused mobile crisis team and state funding for a consultant to develop a guide for dispatching mobile crisis teams. Mobile team capacity has been significantly increased since the start of the Consent Decree.

Peer support services are now reimbursed through Medicaid, and peer run organizations have received technical assistance from BHSB. State regulations now require peer specialists to be part of mobile crisis team programs. These developments will have a major impact and will make the use of peer specialists a part of the Maryland Behavioral Health System.

The City has created a housing fund and a supportive housing institute. The goal of this initiative is to provide permanent supportive housing. The funding and institute are part of the City's efforts to provide an overall structure in addressing housing and homeless services in Baltimore.

The City has implemented a Sentinel Event Review Process based on an earlier protocol developed in 2022. The City was able to work with its partners and with the Maryland legislature to resolve confidentiality concerns. This Crisis Incident Review Team provides for an innovative strategy for improving behavioral health services. There have been six reviews conducted by the multi-agency committee. Recently a mechanism was established to track progress on the committee's recommendations. Overall, when compared with the starting point at the beginning of the Consent Decree, considerable progress has been made, and important foundational work has been accomplished in improving resource availability, service capacity, and system accountability.

| Challenges Ahead

BPD Challenges

BPD and 988. The recent Monitoring Team compliance review intentionally avoided addressing the requirements of Paragraph 97 of the Consent Decree. This paragraph focuses on the City's agreement to implement changes which will provide community behavioral health services that will reduce reliance on police-based intervention strategies. However, in order for the changes to community services such as the 988 helpline and the mobile crisis team to work, officers will have to make use of these services in responding to behavioral crisis events. The BWC review suggests that officers are not making consistent use of these community options.

Review of officer BWC video and other evidence suggests that both the officer and some members of the community have not yet developed confidence in these options. Officers appear to recommend the Baltimore Court system to family members frustrated by emergency room services rather than recommending 988 and the community based mobile response teams. Informal feedback has suggested that officers do not get a timely response to requests for service. Without systematic data on this issue, BPD could have a difficult time reaching compliance with these requirements. Recently, BPD has made an effort to have officers complete the Behavioral Health Form which includes documentation of the disposition of the crisis event. BPD should be able to determine if officers are making use of community resources and community-based referral options through reviewing these forms.

The use of community resources at the patrol level is a critical issue as BPD is obliged under the Consent Decree to have a “preference for the least police-involved response possible consistent with public safety.” CD ¶ 98. Recent BCRI data suggests that the mobile team is meeting the goal of a timely response to calls. Yet even advocates and local professionals do not seem to realize that capacity and response times may have changed. Changing what appear to be long-held attitudes will be a challenge for BPD. BPD cannot be expected to change the attitudes of advocates and professionals, but, hopefully, officers will develop a belief in the efficacy of calling 988 when appropriate as a disposition to a behavioral crisis event.

City of Baltimore Challenges

BCBHC’s Role. Last year, the City took on a larger role in the Collaborative Planning and Implementation Committee (“CPIC”), and to reflect that change the group was renamed BCBHC. BCBHC was to become an advocate for behavioral health resources and take part in the Sentinel Event protocol and the quality assurance programs that the City is developing pursuant to the Paragraph 97 Agreement. The attendance is still good at the monthly meetings. The role of the subcommittees in doing the demanding work necessary for overall success is just beginning to develop. Without support and a structure to support the subcommittees, it is not likely that BCBHC will become the force envisioned. As mentioned in the last report, BCBHC will need to continue serving as a conduit for healthcare professionals, those with lived experience, and advocates to contribute to this critical area of implementation in order to expand its mission to become an organization whose function outlives the Consent Decree.

Paragraph 97 Agreement. The City has taken on the worthwhile challenge of providing meaningful goals for implementing the Paragraph 97 Agreement. The City of Baltimore will benefit from the City supporting BHSB in continuing to make improvements to the behavioral health system. However, the scope of the Paragraph 97 Agreement requires a range of expertise and support for City agencies. The City’s

implementation timetable makes accomplishing some of the goals by 2026 challenging. As discussed in the last semiannual report, it is not clear that an infrastructure exists to support such a comprehensive program and create the transparent reporting mechanisms necessary to reach compliance with the Consent Decree.

Homeless Services. While the City has obtained an impressive level of funding for homeless services, the question remains whether the services are reaching individuals with behavioral disabilities. Federal housing programs realize that obtaining housing for individuals with disabilities can present unique challenges. For this reason, federal housing programs require information on applicants with disabilities. Often the stigma associated with a mental illness or addiction can present an undue barrier to obtaining housing. The City will need to identify the rate of progress for those facing behavioral disabilities. Additionally, advocates have pointed out that the police, hospital emergency rooms, and behavioral health service providers need 24/7 access to specialized outreach services. Under the Paragraph 97 Agreement, the City will be building out these comprehensive outreach services. This access will have a major impact on eventually decreasing police involvement in behavioral crisis events.

Quality Assurance. One area of implementation that has moved towards compliance is that of Quality Assurance. While the progress is impressive, the Paragraph 97 Agreement calls for an intensive quality assurance program that goes beyond the current case study approach. Such an intensive QA program will involve sampling police behavioral crisis events and a search for statistical trends, expected outcomes and anomalies that would highlight successful strategies and suggest a path for improvements. Hospitals and universities have examples of such QA processes. However, applying these strategies to interagency processes will be even more challenging.

Staffing. The City has added a new position to assist with progress under the Consent Decree which is a very positive development. However, a liaison among the City, BHSB, BCRI, and the hospital emergency rooms is needed to ensure that system improvements take root. Additional needs include a data analyst to report on the outcome measures critical for assessing the rate and depth of progress. Expertise on quality assurance, the behavioral health system, and homelessness would also help expedite the City's movement towards Consent Decree compliance. Finally, administrative support for the effort would also be valuable. The will to improve the city's behavioral health services appears present, but there may not be the staff necessary to see this ambitious program through to completion in a timely way.

| The Next Six Months

Over the next six months, BPD will: (1) prepare a new series of in-service training sessions for both the police and 911 communication specialists; (2) need to continue to recruit, train, and make use of CIT officers; and (3) ensure that the officers make consistent use of what appears to be the increased capacity of community-based services to take on a greater role in responding to the behavioral needs of Baltimore.

The City faces a number of challenges over the next six months. These include: (1) determining timelines for eventual compliance with the Paragraph 97 Agreement, (2) development of adequate staffing to increase the pace of reform, (3) determining if individuals with behavioral health disabilities are being served by additional funding for homeless services, (4) developing an outreach service to help connect individuals, including those who are homeless, with permanent housing and ongoing community-based care, and (5) creating a comprehensive quality assurance program to assure that new and existing services will have a mechanism for on-going improvement.

FIRST AMENDMENT PROTECTED ACTIVITIES

As the Consent Decree and BPD's revised policy on First Amendment Protected Activity explain, the exercise of First Amendment rights is fundamental to democratic governance because it promotes the free exchange of ideas. The preservation and protection of First Amendment rights is also vital to maintaining public trust in the rule of law because it fosters transparency and accountability in government functions, including policing (CD 239).

For these reasons, the Consent Decree requires BPD to protect several different First Amendment rights: the right to free speech and expression, which includes the right to criticize law enforcement and engage in speech in the presence of law enforcement without being subject to retaliation (CD 240-44); the right to freely organize and participate in lawful public assemblies (CD 245); and the right to observe and record the actions of BPD officers in the public discharge of their duties (CD 247). The Consent Decree also protects First Amendment rights by prohibiting the warrantless search and seizure of recorded video and images, except in limited circumstances (CD 249-50). The Consent Decree prescribes protection for all of these constitutional rights by obligating BPD to revise its policies and training programs (CD 239, 244, 246, 251); require supervisory approval for dispersing assemblies, seizing recording devices and recordings, and arresting individuals engaged in expressive activity (CD 252-54); and conducting annual assessments of its practices relating to First Amendment protected activity (CD 255).

BPD has continued to make significant progress toward fulfilling these requirements. As reported in prior periods, it has revised its First Amendment policies—Policy 804 (First Amendment Protected Activity), Policy 1016 (Public Observation/Recording of Police Officers), and the standard operating procedure for its Public Order Forces, which consist of units that respond to public assemblies to maintain order while protecting First Amendment rights. BPD also has delivered e-learning and in-service training Department-wide on Policies 804 and 1016, and has completed a curriculum for Public Order Forces training, which was delivered in 2023. Further, BPD has published annual self-assessments of its performance in response to First Amendment activity in four consecutive years—2019, 2020, 2021, and 2022.

The Monitoring Team has completed its first comprehensive assessment of BPD's compliance with the First Amendment provisions of the Consent Decree and issued its [report](#). Based on the finding of the assessment, BPD's compliance score is "4d" (implementation – initial compliance).

FIRST AMENDMENT PROTECTED ACTIVITIES	COMPLIANCE SCORE	
	4d	Implementation – Initial Compliance

Areas of Progress

Monitoring Team Assessment

The Monitoring Team’s recent assessment involved multiple elements. First, to gauge whether BPD officers are respecting the right to free speech, including the right to criticize police conduct, we reviewed reports and associated body-worn camera footage of arrests for disorderly conduct or loitering from January 1, 2020 through June 30, 2022. With the agreement of DOJ and BPD, we reviewed these types of incidents because DOJ found during its investigation that BPD officers often used arrests and citations for such low-level offenses to retaliate against individuals who lawfully criticized police actions. That review included an analysis of whether officers were obstructing individuals’ ability to observe or record those arrests and citations. Second, to gauge whether BPD is honoring the right to assemble and protest, we reviewed all arrests and uses of force during the large-scale racial justice protests that took place following the murder of George Floyd in May and June 2020 and other protests during that year. Third, for the outcome assessment portion of our analysis, we reviewed all internal affairs complaints alleging First Amendment violations from January 1, 2020 to June 30, 2022, as well as all arrests during protest activity that required supervisory approval.

The Monitoring Team made the following key findings:

- **In its review of specific cases potentially involving First Amendment protected activity, the Monitoring Team found almost no cases in which BPD officers violated the First Amendment.** To begin, the Monitoring Team identified only one case in its review of Disorderly Conduct cases (4.3% of its sample) where an officer retaliated against an individual for exercising First Amendment rights—and in that case, the officer was eventually convicted of a crime for using force against and arresting an individual who criticized the officer’s conduct. Second, none of the 7 arrests that BPD made for failing to obey a dispersal order during the racial justice protests in 2020 violated the First Amendment. Third, during the review period, there were only 10 complaints lodged with BPD’s Public Integrity Bureau (“PIB”) alleging First Amendment violations, and of those, we found only three in which officers violated the First Amendment. In those, the officers retaliated against citizens for criticizing police conduct. Concerningly, BPD’s accountability function failed to sustain the allegations in two of those PIB

cases, but the violations nevertheless remained isolated occurrences over thousands of interactions.

- BPD demonstrated compliance with the Consent Decree’s requirements related to protest activity during the 2020 protests related to racial justice, in conjunction with a speech by the Vice President of the United States (“2020 Protests”), and in a separate protest in November 2023.** The Monitoring Team found no evidence that BPD officers failed to comply with the Consent Decree’s requirements for the handling of protest activity in its review of random officer body-worn camera (“BWC”) video footage, incident action plans (“IAPs”), after-action reports and other documentation, and video from BPD’s police helicopter “Foxtrot” from the 2020 Protests. Further, BPD did not interfere with protestors’ ability to assemble and demonstrate, although the Monitoring Team did identify isolated incidents of excessive use of force that went unaddressed by BPD. As noted above, all arrests that BPD made for failing to obey a dispersal order or for other offenses were approved by supervisors as required by the Consent Decree. Finally, there was no evidence that officers inappropriately seized any recording equipment used to capture police activity or otherwise interfered with video recording activity.
- The Monitoring Team found no evidence that BPD is obstructing individuals’ ability to observe or record police activity.** BPD is consistently permitting individuals wishing to observe police activity the opportunity to do so, providing them an alternative location if they are in a location that interferes with lawful police action, and arresting them only when they obstruct lawful police action by refusing to move. The Monitoring Team reviewed 38 arrests in which a person was arrested primarily because of their location. In all of those cases, officers provided the arrested individual an alternative location before making the arrest. In other cases that the Monitoring Team observed, officers required individuals to move back from a crime scene but did not prevent them from observing or recording from a safe distance. Moreover, in the BWC video footage that the Monitoring Team reviewed from the 2020 Protests, officers consistently allowed protestors to record police activity without interference. The Monitoring Team will continue to review and audit other types of interactions to ensure that officers are not improperly obstructing the ability to observe or record police activity. BPD’s ability to sustain compliance will depend, in part, on the Monitoring Team not finding evidence in other contexts of police infringing upon the rights of

individuals to observe and record officers. A finding of initial compliance at this time is, nevertheless, appropriate.

- **BPD has a well-operating internal audit function that provides feedback on how to improve protections for First Amendment activity.** BPD has conducted an annual internal audit of its compliance with the First Amendment for the years [2019](#), [2020](#), [2021](#), and [2022](#).⁸ The Monitoring Team reviewed those audits, confirmed the accuracy of their findings, and concluded they satisfy the Consent Decree’s requirements. BPD is currently drafting their 2023 internal audit.
- **BPD has implemented clear policies and conducted thorough training on protecting First Amendment rights.** BPD has revised its policies and conducted ample training to (1) prohibit retaliation against individuals exercising their First Amendment rights; (2) make clear what constitutes “interference with law enforcement,” providing scenario-based examples to ensure officers understand that presence alone does not constitute interference; (3) properly document all orders to stop recording for a law enforcement reason and prohibit the destruction of recordings; (4) provide guidance on when force may be used, and on exercising discretion to arrest, during protests; (5) require supervisory approval to declare an assembly unlawful, to order dispersal, and to make an arrest; and (6) require officers to protect protestors and to plan before known protest events to maximize individuals’ ability to engage in First Amendment activity.

Based on these findings, the Monitoring Team found BPD in initial compliance and recommended that the Court find BPD in Full and Effective Compliance in this area.

| Challenges Ahead

Should the Court find that BPD is in Full and Effective Compliance in this area, BPD’s challenge will be to maintain compliance for the required one-year sustainment period. The Monitoring Team looks forward to working with BPD to solidify the progress it has made to this point.

⁸ Available at <https://www.baltimorepolice.org/resources-and-reports>.

| The Next Six Months

Again, should the Court find BPD in Full and Effective Compliance, the Monitoring Team and the DOJ will work with BPD to develop a plan for BPD to conduct self-assessment during the sustainment period and to report on those efforts to the Court and the public.

INTERACTIONS WITH YOUTH AND COORDINATION WITH BALTIMORE SCHOOL POLICE

Police encounters with youth help shape the public perception of police officers and their effectiveness within a community. DOJ's investigation found that BPD's encounters with youth frequently led to inappropriate outcomes because officers too often failed to account for an adolescent's age and developmental maturation. Accordingly, the Consent Decree requires BPD to alter its approach to how it interacts with youth. The Consent Decree obligates BPD officers to account for the personal characteristics (age, size, developmental/mental status, disability status and maturity) of youth they encounter and, where practical, use alternatives to arrest (e.g., warn and release, counseling, referral to community services and resources, warnings, and civil citations) to divert youth from the criminal justice system (CD 218).

To accomplish this goal, the Consent Decree requires the City to conduct a comprehensive assessment of its effort to reduce youth involvement in the juvenile and criminal justice systems ("Youth Assessment") (CD 219). It requires BPD to revise its policies and training as needed and conduct training to properly guide officers in their interactions with youth (CD 220-21). The Consent Decree envisions that, in preparing the Youth Assessment, the City will obtain input from a collaborative consisting of City Officials, BPD representatives, and community stakeholders, including community organizations with experts in the field, as well as academic and youth advocates (CD 219).

BPD has completed the [Youth Assessment](#), revised its youth-related policies, completed e-learning on its Youth Interrogations policy, and completed in-service training on its core Interactions with Youth policy. The Monitoring Team has just completed an assessment of BPD's progress in this area. Based on the results of that assessment, BPD's compliance score is "4c" (implementation – on track).

The Consent Decree also contains several provisions addressing BPD's relationship with the Baltimore City School Police ("BCSP"). Paragraph 417 of the Consent Decree requires BPD to conduct an initial assessment of its memorandum of understanding ("MOU") with BCSP and evaluate how BCSP has used BPD's authorization to exercise law enforcement powers throughout the City. The assessment must include an analysis of data reflecting the frequency with which BCSP officers respond to calls, make stops, searches, and arrests, and use force under

the MOU. BPD is to use the assessment to identify deficiencies and opportunities for improvement, amend the MOU as needed, implement other appropriate corrective action, and document the changes it makes. Following the initial assessment and amendment of the MOU, BPD is required to conduct a biennial evaluation of its coordination with BCSP, and make any modification needed to ensure effective coordination.

In 2020, BPD completed the required assessment of its MOU with BCSP covering the years 2016-2019, and executed a new MOU that attempts to fix the shortcomings in the prior MOU. In April 2023, BPD published a revised MOU based upon the completion of its first biennial assessment (2020-2021). The ongoing biennial assessment period (2022-2023) concluded on December 31, 2023 and the second biennial report will be completed soon. In its recent assessment of this area, the Monitoring Team found BPD “4d” (initial compliance), and accordingly its status remains that here.

**YOUTH
INTERACTIONS**

COMPLIANCE SCORE

4c

**Implementation
– On Track**

**COORDINATION WITH
SCHOOL POLICE**

COMPLIANCE SCORE

4d

**Implementation –
Initial
Compliance**

Areas of Progress

In its recent assessment, the Monitoring Team found that BPD and its officers have made notable progress toward compliance with several Consent Decree requirements related to interactions with youth and coordination with BCSP:

- **BPD has revised its youth-related policies.** BPD has revised its Youth Interactions Policy (BPD Policy 1202), developed a new Youth Interrogations Policy (BPD Policy 1207), and revised its core Use of Force Policy (BPD Policy 1115), including sections related to Youth.
- **BPD has implemented training on youth interactions.** Most BPD members have completed academy or in-service training on Youth Interactions and an eLearning course on Youth Interrogations.
- **BPD has completed several Decree-required assessments relating to youth,** including a Youth Diversion Assessment and initial and biennial assessments of the partnership between BPD and BCSP.
- **BPD has implemented two rounds of revisions to the Memorandum of Understanding between BPD and BCSP based on findings from the initial assessment and again after the first biennial assessment.** The second biennial assessment was recently completed.
- **More than 80 percent of interactions complied with the requirements of the Consent Decree** and BPD protocols, and the officers interacted with youth in a developmentally appropriate manner.
- **BPD officers often use developmentally appropriate responses when engaging with youth.** They deployed force less frequently in situations involving youth in 2021 and 2022 when compared to 2018 and 2019.

Challenges Ahead

At the same time, the Monitoring Team's assessment found that continued progress is necessary in many areas to reach compliance with the requirements of the interactions with youth section of the Consent Decree:

- **BPD data has not yet been collected or maintained in a way that allows field interview interactions with youth to be reliably identified and retrieved.** The Monitoring Team expects that this will improve as the volume of data captured in the new records management system increases. Although this is not a requirement of the Consent Decree in and of itself, and thus this is not directly a basis for the Monitoring Team's ultimate compliance finding, better record keeping will assist BPD's audits of its officers' conduct and address the other issues identified in this report.
- **Not all BPD supervisors have a clear understanding of youth arrest policies.**

| The Next Six Months

In the next reporting period, the Monitoring Team will work with BPD and the City to address those areas identified in the recent assessment as needing improvement for BPD and the City to reach initial compliance in the area of interactions with youth.

COMMUNITY POLICING AND ENGAGEMENT

Community policing supports the systematic use of partnerships and problem-solving techniques to proactively address the immediate conditions that give rise to crime, social disorder, and fear of crime. (*Community Policing Defined*, (Washington, DC Office of Community Oriented Policing Services, 2014.)) Effective community policing depends on the trust and cooperation of community members. In some of Baltimore’s neighborhoods, mistrust in the police runs high, and collaboration with the police is infrequent. BPD thus faces considerable challenges in engaging in effective community policing in some of the City’s most underserved communities.

One of the overarching goals of the Consent Decree is to meet those challenges. The Consent Decree contains specific requirements that affect how BPD officers interact with community members when taking law enforcement action. These requirements—regarding, *e.g.*, use of force; stops, searches, and arrests; fair and impartial policing; First Amendment-protected activities; and interactions with youth and individuals with behavioral health disabilities or in crisis—are addressed in the other sections of this report. However, the Consent Decree *begins* with general requirements intended to promote both community policing and community engagement.

Preliminarily, the Consent Decree requires issuance of a new mission statement that integrates community-oriented principles into BPD “management, policies and procedures, recruitment, training, personnel evaluations[,] resource deployment, tactics and accountability systems” (CD 15). Further, the Consent Decree outlines the kind of community policing training BPD officers must receive, which includes eight hours of in-service training each year (CD 16-17); encourages patrol officers to be familiar with the geographic areas they serve, engage with community members, engage in problem identification and problem-solving activities around community priorities, and work proactively to address quality-of-life issues in a manner that minimizes stops, citations, searches, arrests, and uses of force (CD17); and identifies the data BPD should collect and evaluate to gauge whether community policing objectives are being met (CD 18).

The Consent Decree also requires the City and BPD to develop community engagement plans (CD 19), to obtain input from community groups on policies, practices, training, engagement programs, and enforcement strategies (CD 20), to develop a community outreach program to educate and communicate with City residents about the Consent Decree (CD 21), to publish annual reports on BPD’s

community policing efforts (CD 22), and to use the results of the Monitoring Team's community surveys to inform policies, training, and practices (CD 25).

BPD has made progress in implementing each of these requirements and has implemented several of them completely. In particular, among other things, BPD has:

- Issued a new mission statement and then revised it, ECF Nos. 119 & 239.
- Prepared a comprehensive [Community Policing Plan](#), issued in June 2020, with input from community members.
- Published annual reports for [2018](#), [2019](#), [2020](#), [2021](#), and [2022](#) on emergent community policing efforts and community engagement accomplishments.
- Piloted neighborhood policing plans in three Baltimore neighborhoods, with plans to expand the program to additional neighborhoods.
- Provided annual training of all officers on community policing principles.
- Incorporated community policing principles into revamped performance evaluations, which now assess whether officers know the Community Policing Plan, create community partnerships, build trust with the community through formal and informal engagements, and identify chronic conditions that spawn chronic crime and disorder and draw on problem-solving skills to address them.

In August 2023, the Monitoring Team issued [a compliance review regarding community policing and engagement](#). The assessment found that while BPD has made the foundational changes above, the Department had much work to do to demonstrate that its policies have been fully implemented in the field, as discussed more fully below. Accordingly, BPD's compliance score in the Community Policing and Engagement category is "4c" (implementation – on track).

COMMUNITY POLICING	COMPLIANCE SCORE	
	4c	Implementation – On Track

Areas of Progress

BPD's [Community Policing Plan](#), June 2020, is the department's strategic approach to implementing community policing. This Plan, approved by the Department of Justice and the Monitoring Team, guides the parties' work in this critical area.

BPD and the City have continued to make progress during this reporting period. BPD's reorganization in March 2024 increased the authority and visibility of the community policing division by placing it directly under the Deputy Commissioner for Patrol and Community Policing and appointing a civilian Deputy Chief to lead it. BPD also issued a Police Commissioner Memorandum that defined, reinforced, and supplemented the roles and responsibilities of all officers in the Patrol, Criminal Investigation, and Community Policing Bureaus. It also revised Policy 703, *Death and Serious Assault Investigations*, to require detectives involved in death notifications to receive trauma-informed death notification training.

The City also continues to make progress in implementing the Neighborhood Policing Plans ("NPP"). The Mayor's Office of Neighborhood Safety and Engagement coordinates the NPP effort, which involves multiple city agencies working with the community to address crime and disorder conditions in individual areas around the City. The City is nearing completion of the first two NPPs: 1) BPD expects the NPP for the Brooklyn and Curtis Bay neighborhoods to be complete by the end of this year; and 2) BPD anticipates that the Fayette Street NPP will be completed in 2025. The University of Baltimore is currently evaluating the impact of the Brooklyn and Curtis Bay neighborhood NPP. Finally, BPD is beginning work on an NPP for a third area, the North Avenue and Hilton Street neighborhood.

BPD also continues to develop and administer training on community policing. The DOJ and the Monitoring Team approved BPD's fourth refresher in-service training curriculum, and BPD plans to complete that training by the first quarter of 2025. Additionally, BPD provided refresher training to the Neighborhood Coordination Officers ("NCOs"), who lead a police district's problem-oriented policing efforts and support district officers in their daily problem-solving work.

Challenges Ahead

BPD's staffing shortage in its patrol bureau continues to hinder BPD from achieving its community policing goals and fully implementing the Community Policing Plan.

BPD is now capturing data on the number of times officers engage in foot patrol, conduct business checks, and attend community meetings. While important, BPD must still work to analyze the quality of these interactions and their impact on relations with the community.

BPD has made solid progress in developing NPPs. The first two NPPs were intended as pilots—initial, smaller scale efforts designed to identify issues to be addressed before the program is implemented city-wide. It is the Monitoring Team's hope that the pilot process will streamline and shorten the time needed to roll out the third and subsequent NPPs, as the first two, while productive, have been underway for two years and are not yet complete. BPD will need to accelerate its work with the subsequent plans, but the Monitoring Team believes that, with the lesson learned in the pilot, BPD will be able to do so.

BPD continues to struggle to comply with the Consent Decree's requirements that it develop advisory boards and youth programs. The Monitoring Team plans to work with BPD to meet these goals.

The Next Six Months

BPD is finalizing a draft of the 2023 Community Policing Annual Report, which the DOJ and the Monitoring Team will review before its publication. This will be BPD's fifth annual report in this area. BPD began its annual community policing training in September 2024 and plans to complete it by the first quarter of 2025. Additionally, the Monitoring Team will continue to assist BPD to address the shortfalls identified in the 2023 Community Policing Assessment. Self-assessment and measurement are essential in ensuring the department is progressing toward compliance with the Consent Decree. Finally, the Monitoring Team will provide technical assistance to BPD as they develop a Community Policing Policy, which BPD expects to publish in 2025. This policy will further institutionalize and operationalize BPD's community policing philosophy.

SEXUAL ASSAULT INVESTIGATIONS

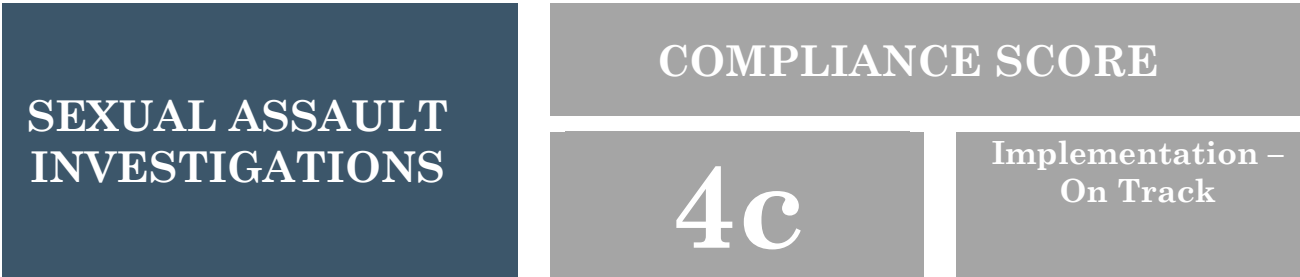
The Consent Decree requires BPD to enhance the trust of victims of sexual assault, to strengthen its response to and investigations of reports of sexual assault, and to combat gender bias (CD 257). To achieve these goals, the Consent Decree requires BPD to revise the policies and procedures for responding to and investigating reports of sexual assault (CD 258); provide initial and on-going annual training to support the revised policies and procedures (CD 259); ensure through proper supervision and internal oversight that reports of sexual assaults are thoroughly investigated (CD 260, 262, 263); ensure that officers transport victims to a medical facility for a forensic exam in all instances in which a forensic exam is warranted and the victim consents (CD 261); enhance its collection, analysis, and reporting of data regarding the nature and extent of sexual assault crimes (CD 264); and share information about its sexual assault investigations with other law enforcement agencies, the public, and the Sex Offense Unit (CD 265). The City and BPD will ensure that their policies and protocols with the Sexual Assault Response Team (SART) enable them to engage in periodic reviews of services provided by BPD and to review samples of open cases and those classified as unfounded (CD 266).

BPD has satisfied the foundational requirements for policy revisions and training and has taken additional compliance measures. Specifically, BPD has:

- Revised its policies and procedures on sexual assault investigations and created a policy on officer-involved sexual misconduct.
- Delivered department-wide e-learning and in-service training for all officers on responding to reports of sexual assault.
- Provided specialized in-service training for detectives who investigate sex offenses in late 2020, 2021, 2022, and on December 18 and 19, 2023.
- Published four annual reports on sexual assault investigations.
- Developed and began administering a victim survey in 2022.

The Monitoring Team conducted its initial compliance review and a third training and fourth annual report will be forthcoming. Accordingly, BPD's compliance

score is “4c” (implementation – on track) for paragraphs 258 and 259. The remaining paragraphs’, 261, 260-266, compliance score is 4a, implementation – not assessed.



Areas of Progress

BPD continues to provide annual e-learning and in-person training to investigators of sexual assaults and their supervisors. BPD is currently developing a 2024 training curriculum in consultation with the Monitoring Team and the DOJ. The in-person training will cover trauma-informed victim interviews and suspect interviews and interrogations—areas causing deficiencies that the Monitoring Team identified in its assessment. An e-learning component will cover evidence, report writing, and the foundational aspects of victim-centered, trauma-informed, and offender-focused investigations. This training will be designed with exercises and role-play opportunities to facilitate the practice of trauma-informed victim interviews. In addition, DOJ continues to provide to BPD detectives and their supervisors bi-annual technical assistance involving reviews of the quality of closed BPD cases to provide guidance on how to improve BPD's performance.

BPD is drafting a fifth annual data report on annual sexual assault investigations, and DOJ and the Monitoring Team will review and approve it before its publication. BPD's new record management and case management systems are now up and running and should improve the efficiency with which BPD can prepare these reports and its ability to analyze the nature, extent, and patterns of sexual assault in Baltimore.

The Monitoring Team is preparing to conduct a second assessment in this area and plans to complete that assessment in 2024. In that assessment, the Monitoring Team will review samples of (1) sexual assault investigations opened by BPD's Sex Offense Unit in 2021, 2022, and 2023 and closed by September 2024 and (2) fourth-degree sexual assault cases handled by BPD's patrol division. The Monitoring Team will assess whether BPD is complying with the Consent Decree's requirements that BPD investigate sexual assault cases using trauma-informed practices, and whether BPD is complying with the Consent Decree's requirements related to the documentation of those investigations. The Monitoring Team is optimistic that BPD's implementation of the new records management and case management systems will resolve the challenges the Monitoring Team encountered in conducting its first assessment caused by the limitations of BPD's prior system.

Challenges Ahead

The results of the first assessment were discussed in the 9th Semiannual Report. Since that time, the parties and the Monitoring Team have worked together to improve the quality of BPD's sexual assault investigations, the use of trauma-informed victim interview techniques, and the collection and documentation of all

evidence. This year's assessment will determine the impact of the new policies and training and the progress BPD has made since the first assessment.

A case management system replaced the antiquated Lotus Notes application used by detectives and supervisors to document case progress and improve supervisory review. Adaptation to the new system is ongoing, but should improve BPD's collection, documentation, and review of investigations and help BPD comply with the Consent Decree.

The Monitoring Team and DOJ are encouraging BPD to seek feedback from the State's Attorney's Office regarding cases not accepted for prosecution to improve BPD's sexual assault investigations. Feedback from the Baltimore City State's Attorney's Office on cases not accepted for prosecution is an essential source for improving investigations and BPD should seek to obtain that feedback when the State's Attorney's Office is willing and able to provide it. Prosecutors many times base those decisions on a lack of evidence, and feedback on such cases can help BPD improve its investigative techniques to ensure that its detectives collect all of the evidence necessary for a successful prosecution.

| The Next Six Months

BPD plans to publish its Annual Sexual Assault Investigations Data Report by the first quarter of 2025. In the fourth quarter of 2024, BPD plans to deliver another round of e-learning and in-classroom training for all detectives who conduct or supervise sexual assault investigations. The Monitoring Team and DOJ will continue to provide BPD technical assistance on both and will review and approve both before they are finalized.

The Monitoring Team plans to file a report on its second comprehensive assessment of BPD's investigations of sexual assault allegations for compliance with paragraphs 257-266 in the final quarter of 2024. The Monitoring Team will continue to provide technical assistance more generally as BPD continues to enhance its data collection and analysis capabilities and improve its sexual assault investigations.

RECRUITMENT, HIRING AND RETENTION

To satisfy the Consent Decree’s staffing goals, which are driven by its requirements for community policing, supervision, misconduct investigations, and training (among others), BPD must recruit, hire, and retain more qualified officers. Accordingly, the Consent Decree obligates BPD to: (1) develop and implement a Recruitment Plan with “clear goals, objectives and action steps for attracting and retaining a quality work force that reflects the diversity of the Baltimore Community” (CD 420-22); (2) review and reform its hiring processes (CD 423-25); (3) develop and implement a Retention Plan to “identify challenges and recommend solutions to improve BPD’s retention of employees” (CD 426); and (4) routinely assess its recruitment, hiring, and retention practices (CD 427).

As previously reported, BPD has satisfied all of the threshold requirements for recruitment, hiring and retention—a hiring report, a Recruitment Plan, and a Retention Plan. BPD is thus squarely in the implementation phase of reform, which includes continuing to refine and improve the policies and practices of its Recruitment Section and developing new incentives to retain high-quality officers. BPD’s overall compliance score in the Recruitment, Hiring & Retention category is “4c” (implementation – on track).

**RECRUITMENT,
HIRING AND
RETENTION**

COMPLIANCE SCORE

4c

**Implementation
– On Track**

Areas of Progress

Members of BPD, DOJ, and the Monitoring Team meet every other week to discuss updates on BPD recruitment efforts and review data related to those efforts to improve BPD strategies moving forward. BPD has improved its ability to present data relevant to recruiting at these meetings and otherwise, including, among other things, a hiring dashboard that allows BPD to track the amount of time it takes for applicants to complete the hiring process and which parts of that process are lagging.

Since the completion of the Monitoring Team's [Recruitment, Hiring, and Retention Assessment](#) in August 2023, those efforts have focused on work to address the deficiencies identified in the assessment. BPD has taken several steps to address those deficiencies. BPD improved its record keeping to ensure that it documents the completion of pre-employment investigation into the use of force history and training of applicants with prior law enforcement experience as required by CD 424(d). In the spring of 2024, BPD hosted separate meetings with Baltimore City finance and human resources personnel to identify ways that the City could assist with officer recruitment as required by CD 421(e). BPD is also working with the Mayor of Baltimore's Innovation Team ("I-Team") and the Greater Baltimore Committee (a non-profit organization representing Baltimore's business community) to develop alternative talent search and recruitment strategies. With support from the I-Team, BPD will be conducting a survey of its employees to gather information to inform those efforts.

BPD human resources personnel have also worked to assist with BPD recruitment efforts, joining the biweekly calls discussed above and hiring one full-time recruiter to assist with talent acquisition. BPD's human resources department is also working to fill positions with non-sworn employees to allow sworn officers, of which there is a shortage, to be moved to BPD's patrol division. BPD has identified sixty such positions that can be filled with non-sworn personnel. Approximately half of those hires, if filled with non-sworn personnel, will allow BPD to transfer sworn officers to patrol.

BPD's recruitment and retention strategies are consistent with best practices around the country, but BPD continues to struggle with recruiting due to nationwide law enforcement staffing shortages. Nevertheless, BPD's staffing levels have dropped by a smaller amount in 2024 than in prior years, and BPD had several large academy classes of new officers this year. BPD has also increased digital, billboard, radio, and in-person marketing and collaborated with Historically Black Colleges and Universities, among other efforts. Every person at the BPD is asked to make recruitment part of their job.

| Challenges Ahead

As discussed in the section of this report on staffing, BPD's difficulty in reaching the staffing levels called for by the 2023 Staffing Plan remains the most significant challenge for BPD. BPD efforts to fill positions with non-sworn personnel to allow sworn personnel to be transferred to patrol and other key positions will be central to BPD's effort to tackle its staffing problems. The Department and the City must also continue to analyze data and to partner with other City agencies and community-based organizations to improve its recruitment strategies.

| The Next Six Months

BPD is scheduled to issue an annual recruitment report in the first quarter of 2025 as required by ¶427 of the Consent Decree. Additionally, the Monitoring Team plans to conduct another assessment of the Recruitment, Hiring, and Retention sections of the Consent Decree during the coming period and looks forward to working with the BPD team on this process.

OFFICER ASSISTANCE AND SUPPORT

Under the Consent Decree, BPD must adopt several important measures to support the health and wellness of its officers. The Consent Decree requires BPD to: provide, review and revise, as needed, an Employee Assistance Plan (“EAP”) that furnishes no- or low-cost counseling and mental health wellness services (CD 436-437); develop peer support services (CD 438); offer all officers a voluntary mental health evaluation before returning to duty after a traumatic incident (CD 439); develop well-being protocols to be utilized during officer deployments in periods of civil unrest (CD 440); and develop protocols for annually assessing the efficacy of all of BPD’s officer assistance programs (CD 441).

Over the past five years, BPD has done extensive work and made considerable progress toward meeting these requirements. It refined its EAP (CD 436-437), its traumatic and high-stress incident protocols (CD 439-440), and its peer support program policy (CD 438). BPD’s Officer Safety and Wellness Section (“OSW”) continues to provide mental health support services to BPD officers. In addition to the wellness support its own officers provide, OSW has enlisted a cadre of approximately 20 outside vendors that furnish services ranging from stress management to addiction therapy to financial planning. BPD also has successfully completed department-wide peer intervention training, called “EPIC” (Ethical Policing Is Courageous). And BPD has developed a methodology for measuring the efficacy of its support programs and produced its first two reports (CD 441). *See* ECF No. 368.

In 2022, the Monitoring Team conducted its first comprehensive assessment of BPD’s compliance with the Officer Assistance and Support requirements of the Consent Decree. The Monitoring Team completed a second assessment and published its report in December 2023, in which the Monitoring Team concluded that BPD had reached initial compliance in this area. The Court granted the parties’ joint motion to find BPD in full and effective compliance on January 26, 2024. (ECF No. 687). BPD is in a one-year ‘sustainment period’ in which it must demonstrate continued compliance.

Based on our recent assessment, BPD’s overall compliance score in officer wellness is “5a” (full and effective compliance).

**OFFICER ASSISTANCE
AND SUPPORT**

COMPLIANCE SCORE

5a

**Full and
Effective
Compliance**

| Areas of Progress

The parties have agreed upon a methodology whereby BPD will conduct quarterly internal self-assessments to demonstrate to the DOJ and the Monitoring Team that they have continued to maintain compliance during the one-year sustainment period. BPD also continues to issue quarterly reports on its progress in this area.

BPD has conducted its first, second, and third quarterly self-assessment in this area and plans to conduct one more. The first three audits demonstrated that BPD has continued to promote its officer wellness resources among its officers. The audits further gathered data showing that officers continue to be aware of those resources and that a significant number of officers make use of them. Additionally, the audits have verified that BPD is appropriately evaluating traumatic incidents involving officers after the fact and providing sufficient wellness resources to officers during large scale events.

BPD has published four [Officer Safety and Wellness Annual Reports](#) for the years 2020, 2021, 2022, and 2023 (ECF Nos. 368, 545, 624, 741). The 2023 report provided data showing that BPD has continued roughly the same pace of early intervention to reduce problematic behavior as in 2022 and that officer use of support and guidance resources has increased over the past year. BPD has also conducted “pop-up health workshops” for officers in each of its districts, which the report described. Finally, BPD reported on the deployment of its peer resources to traumatic incidents involving officers in 2023.

| Challenges Ahead

BPD and the City have received national recognition for their work in this area. BPD’s challenge is to sustain their officer wellness programs and institutionalize officer wellness as a core element of the organization.

| The Next Six Months

The Monitoring Team and DOJ will review BPD’s quarterly self-assessments. During this time, BPD must maintain its progress to achieve “sustained compliance.” The Monitoring Team will also continue to provide training and assistance where needed, although the Monitoring Team expects this work will be significantly diminished now that the Department has reached compliance.



SUMMARY OF MONITORING TEAM ACTIVITIES

Since its appointment in October 2017, the Monitoring Team has sought to fulfill each of its prescribed roles under the Consent Decree—technical advisor, arbiter, and facilitator. The Monitoring Team’s work in each role is summarized below. The details of the Monitoring Team’s work, recorded on time sheets for each Monitoring Team member in 1/10 hour increments, are reflected in the Monitoring Team’s approved invoices, which are available on the Monitoring Team’s website at <https://www.bpdmonitor.com/monthly-statements>.

The Consent Decree provides that the Monitoring Team will be paid \$1,475,000 per year in fees and expenses. So far (from October 2017 through June 2024), the City has paid the Monitoring Team \$10,099,033.50 in fees and \$2,964,076 in expenses. In addition, from October 2017 through June 2023, the Monitoring Team contributed pro bono services for its work on the Consent Decree in an amount equal to \$2,881,380.45, meaning that 28.5% of the Monitoring Team’s work was at no cost to the City.

Engagement with Stakeholders

Community Engagement

From the beginning, the Monitoring Team has engaged in active, affirmative community outreach. A core group of Team members are devoted to community engagement: lead monitor Ken Thompson; deputy monitors Chuck Ramsey and Evan Shea; lead community liaison Wanda Watts; and community engagement specialist Jessica Drake. This group meets once every month to debrief and plan community engagement activity.

During this reporting period, as the Consent Decree requires, the Monitoring Team continued to hold quarterly community forums.

The Monitoring Team members also attended or convened community meetings with different organizations and individuals, including meetings of neighborhood associations, faith-based organizations, civic leaders, advocacy organizations, and affinity groups. We use these meetings to inform community members about the Consent Decree process, to obtain their input on improving the process, and to listen to their views about BPD.

The Monitoring Team's cohort of neighborhood liaisons continues to be the most essential aspect of our community engagement effort. The goal is for one liaison in each of the City's nine police districts. Several neighborhood liaison positions remain open, and the Monitoring Team is actively recruiting to fill them. The names of each liaison are on the Monitoring Team's website. The liaisons educate their neighbors about the Consent Decree and the work of the Monitoring Team and serve as points of contact for information and opinions about the performance and conduct of BPD officers. The neighborhood liaisons have maintained contact with the residents in their districts by attending community and other organizational meetings, leafletting neighborhoods with information about the Consent Decree, and other outreach activities.

In addition to conducting affirmative, localized outreach to inform and hear from community members about BPD and the reform process, the Monitoring Team has continued targeted engagement with community members around specific Consent Decree requirements, eliciting written community input on proposed BPD policies and training programs. Correspondingly, the Monitoring Team and BPD sought and obtained written public feedback on drafts of all policies and training curricula, which the Monitoring Plans required BPD to issue for two separate rounds of public comment—the first after collaborating with the Monitoring Team and DOJ and producing an initial draft, the second after addressing and incorporating feedback from the initial comment period. The Monitoring Team shared whatever feedback it received with BPD. In turn, BPD revised each deliverable in response to all feedback provided (that is, feedback provided to BPD and the Monitoring Team), collaborated with the Monitoring Team and DOJ to ensure that revised drafts properly reflected that feedback, and then published a final policy or curriculum following approval by DOJ and the Monitoring Team. The Monitoring Team followed a similar process with its monitoring plan, publishing a draft for public comment and making revisions based on the responses received.

Communications with the Parties

The Monitoring Team continues to communicate with BPD, the City and DOJ multiple times on a daily basis. These include, in-person meetings, virtual meetings, as well as conference calls and email. In this reporting period, the meetings, calls and emails have addressed every area of the Consent Decree, with a focus on the deliverables that came due under the Seventh-Year Monitoring Plan.

Police Engagement

In addition to conferring daily with members of BPD's Consent Decree Implementation Unit, City Law Department attorneys representing BPD, and BPD command staff, the Monitoring Team engages directly with rank-and-file BPD members. Among other things, members of the Monitoring Team have participated in ride-alongs several times a year. Monitoring Team members have established relationships with union leaders and continue to spend time at BPD's Training Academy and Public Integrity Bureau.

Soon after our appointment, the Monitoring Team established a protocol for notification and potential response to critical incidents involving BPD officers, such as officer-involved shootings and significant protests or other First Amendment activity. The notification is immediate and allows for local Monitoring Team members to go to the scene to observe BPD's response. The notification protocol was invoked several times during this reporting period so that lead monitor Ken Thompson could respond to the scene.

Meetings with the Court

The Monitoring Team's leadership, including Ken Thompson, Chuck Ramsey, Hassan Aden, Theron Bowman, and Evan Shea, communicate regularly with Judge Bedar—in person, by telephone, and by email—to update him on developments, to advise him, and to take direction.

Early on in the reform process, Judge Bedar determined that each month he would hold a three-hour working session with the Monitoring Team and the parties to discuss developments and challenges in specific areas of the Consent Decree. Every month, BPD, the Monitoring Team, and DOJ discuss what Judge Bedar and the Monitoring Team have identified as the four indispensable structural elements of the reform process: training, staffing, technology, and misconduct investigations and discipline. In addition, since December 2023, the meetings have covered use of force and First Amendment protected activities (February 2024), misconduct investigations and discipline and supervision (March 2024), stops, searches, and arrests, and fair and impartial policing (May 2024), community policing and engagement, staffing, and recruitment, hiring, and retention (June 2024), outcome assessments and compliance reviews and sexual assault investigations (July 2024), interactions with people with behavioral health disabilities or in crisis (September 2023), and misconduct investigations and discipline and supervision, First Amendment protected activities, and interactions with youth (October 2024).

Assessments and Technical Assistance

The Monitoring Team continues to assess BPD's performance and provide technical assistance on policies, training, and self-assessments or audits. In addition, as BPD moves toward completing training in each area, the Monitoring Team has undertaken several compliance reviews and outcome assessments. These reviews and assessments will increase in frequency and intensity as BPD satisfies additional training requirements and completes implementation of new technology enabling more comprehensive data collection and analysis, particularly in the critical area of stops, searches and arrests.

Policy Revisions

In this reporting period, the Monitoring Team has drawn on our expertise and knowledge of national best practices to review and provide feedback on policies on the following subjects:

- Behavioral Health
- Stops, Searches, and Arrests
- Small Unmanned Aircraft System
- Use of Force
- Disciplinary Process
- Promotion
- Performance Evaluations

Training

The Monitoring Team continues to assess and assist with BPD's development and delivery of classroom training curricula and e-learning. In this reporting period, the Monitoring Team has assessed, assisted with the preparation of, and/or observed training in all of the many areas listed in the Training section of this report.

Internal BPD Audits

The Consent Decree requires BPD to conduct a number of internal audits of departmental performance. In this reporting period, the Monitoring Team has assisted with the development of the methodology for, commented on draft reports of, and assessed BPD audits in the following areas, as explained in greater detail in the Findings section above:

- Transport vehicle equipment
- Transport events
- First Amendment protected activity
- Misconduct investigations

- Arrests resulting in release without charge
- Use of force

Compliance Reviews and Outcome Assessments

The Consent Decree requires the Monitoring Team to conduct both compliance reviews and outcome assessments. Compliance reviews are qualitative evaluations of BPD performance in different areas of the Consent Decree. They are conducted with an eye toward determining how far BPD has come, and how far it still needs to go, to achieve compliance with Consent Decree requirements (CD 454). For instance, over time, are the quality of internal investigations improving, are uses of force increasingly well-justified and well-reported, and are investigative stops more routinely supported by well-articulated reasonable suspicion and arrests more routinely supported by well-articulated probable cause?

Outcome assessments, by contrast, are quantitative assessments designed to determine whether the reforms required by the Consent Decree in each area are having a tangible, measurable impact—whether, independent and apart from BPD’s progress toward compliance with Consent Decree requirements, policing is changing in the real world (CD 456). For instance, are the policy revisions and training in the area of stops, searches and arrests producing a greater percentage of investigative stops that turn up evidence of prosecutable criminal activity and a lesser percentage of weapons pat-downs and searches that turn up no guns or contraband? Or are the policy revisions and training on use of force, which emphasize de-escalation, leading to fewer encounters requiring more serious Level 2 and Level 3 uses of force?

While providing technical assistance and evaluating policy revisions, training and plans for organizational change made up much of the Monitoring Team’s work in the early years of the Consent Decree, compliance reviews and outcome assessments will make up most of the work in later years, once the foundational reforms are in place. As a general matter, the Monitoring Team has determined that, in each area of the Consent Decree, it should combine compliance reviews and outcome assessments into one comprehensive assessment. Combining compliance reviews and outcome assessments will provide BPD, the City, Judge Bedar, and the community comprehensive, rather than piecemeal, reports on how BPD’s progress toward compliance in each area of the Consent Decree is making a real-world difference. BPD, the City, and DOJ agree with this approach.

As explained in the findings section above, the Monitoring Team has, in the reporting period, issued reports presenting the findings of its assessment in the following areas:

- Crisis Intervention
- First Amendment Protected Activity

- Training
- Misconduct Investigations and Discipline
- Interactions with Youth and Coordination with School Police
- The Community Oversight Task Force

The Monitoring Team has completed its assessment reviews in the following areas, and will be issuing reports presenting its findings shortly:

- Use of force (second assessment)
- Sexual assault investigations (second assessment)
- Stops and searches
- Impartial policing

Finally, the Monitoring Team intends to conduct assessments of the following areas in the next reporting period:

- Recruitment, hiring, and retention (second assessment)
- The City's obligations regarding behavioral health
- Supervision

CD
Monitoring
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Exhibit 1

Section	Implementation
Community Oversight Task Force	4d - Initial Compliance
Community Policing	4c - On Track
Stops, Field Interviews & Voluntary Contacts	4c - On Track
Searches	4c - On Track
Arrests	4c - On Track
Stops, Searches & Arrests: Review & Supervision	4c - On Track
Impartial Policing	4c - On Track
Behavioral Health: General	4c - On Track
Behavioral Health: CIT Officers	4b - Off Track
Behavioral Health: System Coordination & Improvement	4c - On Track
Use of Force	4c - On Track
Interactions with Youth	4c - On Track
Transportation	5a - Full/Effective Compliance
First Amendment	4d - Initial Compliance
Sexual Assault Investigations	4c - On Track
Technology Modernization	4c - On Track
Policies Generally	4c - On Track
Training Generally	4c - On Track
Misconduct: Intake	4c - On Track
Misconduct: Investigations	4c - On Track
Misconduct: Discipline	4c - On Track
Misconduct: Transparency	4c - On Track
School Police	4d - Initial Compliance
Staffing, Recruitment & Retention	4c - On Track
Employee Performance Evaluations	4c - On Track
Promotions	4c - On Track
Officer Assistance	5a - Full/Effective Compliance

Implementation Legend

4a - Not Assessed
4b - Off Track
4c - On Track
4d - Initial Compliance
5a - Full/Effective Compliance
5b - Sustained Compliance

Exhibit 2

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
COTF	10	Prefatory statement re the importance of community oversight	N/A
COTF	11	The City will create the COTF within 90 days of the Effective Date of the agreement, it will consist of five members, representative of diverse communities of Baltimore, it will review the functions of the Civilian Review Board, it will review whether there are impediments to the civilian complaint process, and the City will provide the COTF sufficient resources to fulfill its obligations	4d
COTF	12	The COTF will consider the current civilian oversight system, how it should function, what impediments there are to change, and the COTF will make recommendations based on that information; the COTF will consider models and promising practices from other cities throughout the nation	4d
COTF	13	The COTF's assessment will include recommendations on: (1) changes should be made to the Civilian Review Board in a number of categories; (2) impediments to the civilian complaint processes; (3) the community's access to access to information about the Civilian Review Board; (4) the need for any improvement to civilian-police communication and accountability structures and whether new structures are needed to provide a number of functions; and (5) the need for changes to increase cooperation between BPD and the community.	4d
COTF	14	The City will request that the COTF present a public report that is published and subject to public comment, with a final version published for the duration of the Consent Decree.	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
CP	15	BPD will revise its Mission Statement.	4c
CP	16	Annually the BPD will provide eight hour in-service training on community and problem-oriented policing methods that will include strengthening community and police partnerships; leadership and ethics; procedural justice; problem-oriented policing tactics; de-escalation; history of Baltimore communities; etc.	4d
CP	17	BPD will encourage patrol officers to familiarize themselves with their patrol districts, engage in problem-solving with community members, and work proactively to address quality of life issues so as to minimize law enforcement actions	4c
CP	18	Command staff must evaluate data on community policing efforts and outcomes	4c
CE	19	The City and BPD must develop community engagement plans, including micropolicing plans, for routine, frequent positive interactions between officers and community members, including those critical of BPD	4b
CE	20	BPD will ensure that it solicits input from its advisory boards and councils representing particular communities	4b
CE	21	BPD will develop, in each police district, a community outreach and information program regarding the CD, including two annual meetings per district, widely publicized at least one week in advance	4d
CE	22	BPD will prepare annual community policing/engagement reports, with a breakdown by district, including deficiencies and areas for improvement	4d
CE	25	BPD will use the results of the monitor's community surveys to modify and improve policies, training and practices	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
SSA - Intro	27	General objective: Proactive, community-focused policing, including friendly, professional, productive voluntary contacts	4c
SSA - Intro	28	General objective: Conduct all SSA in accordance with the Consitution, federal and state law, following community policing principles	4c
SSA - Principles	30	Revise SSA policies, practices and training to ensure officers respect civil rights and respect individuals' dignity	4d
SSA - Vol contacts	32, 33	BPD and its supervisors will encourage officers to interact with community members in a friendly, professional manner to build trust and enhance communication	4c
SSA - Vol contacts	33	BPD will develop training to teach officers skills for engaging in voluntary contacts that build rapport and explain the value of proactive, community policing	4d
SSA - Field interviews	34	Officers conducting FIs must introduce themselves by name and rank as soon as practicable, refrain from using words or actions indicating person is not free to leave or must answer questions, answer yes if person asks whether s/he is free to leave or may decline to answer questions	4c
SSA - Field interviews	35	Officers requesting ID during FIs must inform person that providing ID is voluntary	4c
SSA - Field interviews	36	Officers attempting a FI must not use a person's failure to stop or answer questions, end the encounter, or walk away to establish RAS to justify a stop, search, citation or arrest	4c
SSA - Field interviews	37	When FIs evolve into stops or arrests, officers must follow requirements for those encounters	4c
SSA - Ped stops	38	BPD will prohibit officers from conducting stops when they lack RAS	4c
SSA - Ped stops	39	BPD will require officers conducting stops to inform the person they are not free to leave	4c
SSA - Ped stops	40, 41	BPD will ensure consistent documentation of stops, to include: (a) race, ethnicity, gender, age; (b) location, including address or nearest intersection; (c) central identifying report number to allow documentation of the stop to be matched with documentation of any resulting criminal or civil citation or arrest;(d) specific, individualized description of facts supporting RAS, without boilerplate language; (e) approximate duration; (f) outcome, including whether a civil or criminal citation, arrest, or warning; (g) whether officer conducted weapons pat down and, if so, the RAS that the person was armed and dangerous; (h) whether officer conducted a searched based on PC and, if so, the facts establishing PC; (i) whether officer asked for consent to search and whether consent was given; (j) whether officer found any unlawful weapons, narcotics, or other contraband; and (k) whether the stop began as a voluntary contact or FI.	4c
SSA - Ped stops	42	BPD will use a documentation system that provides person stopped with a record of the encounter, which must describe the basis for the stop in "a summary way" (e.g., "suspected of criminal activity") and include the central identifying report number and the officer's identifying information	4c
SSA - Ped stops	43.a	BPD will prohibit officers from conducting <i>Whren</i> pretext stops that violate the 14th A or Safe Streets Act	4c
SSA - Ped stops	43.b	BPD will prohibit officers from conducting pretext stops justified by loitering or misdemeanor trespass, though non-pretextual stops based on those offenses, including in response to calls for service, are allowed	4c
SSA - Ped stops	43.c	BPD will prohibit using conclusory language without supporting detail in stops documentation	4c
SSA - Ped stops	43.d	BPD will prohibit reliance on information known to be false or incorrect to effectuate stops	4c
SSA - Ped stops	43.e	BPD will prohibit "using an individual's geographic location, such as presence in a high crime area, or proximity to the scene of suspected or reported crimes - without any other reasonable articulable facts that an individual is, has, or is about to be engaged in criminal activity - as a basis" for a stop	4c
SSA - Ped stops	43.f	BPD will prohibit basing a stop "only on an individual's response to the presence of police officers, such as an individual's attempt to avoid contact with an officer"	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
SSA - Ped stops	43.g	BPD will prohibit basing a stop on "an individual's presence in the company of others suspected of criminal activity without any additional reasonable articulable facts" of the individual's involvement in criminal activity	4c
SSA - Ped stops	43.h	BPD will prohibit transporting the subject of a stop for questioning, fingerprinting or other investigatory purposes without PC for an arrest, though officers may transport the subject of a stop to a different location for questioning if the subject so requests; officers must document any such request and the document must be signed by the subject	4c
SSA - Vehicle stops	44	BPD officers must stop and detain vehicles only upon PC of a traffic violaton or RAS that the vehicle or an occupant has been, is or is about to be engaged in crime	4c
SSA - Vehicle stops	45	BPD officer must use CAD (or a similar system) to accurately record all traffic stops, including the location	4c
SSA - Vehicle stops	46	BPD must memorialize data on traffic stops on "auditable forms," and officers must provide "specific and individualized" facts indicating the basis for traffic stops and must not rely on boilerplate language. The system BPD uses to store data on traffic stops must "allow for summarization and searches" and require officers to document: (a) officer names and sequence number; (b) date and time of stop; (c) location of violation and/or stop; (d) duration of stop; (e) driver's demographic category; (f) reason for stop; (g) whether driver and/or occupants were ordered to exit the vehicle and the reason; (h) whether any officer approached the vehicle with weapon drawn; (i) whether a weapons pat-down was conducted and, if so, the RAS that the person was armed and dangerous; (j) whether a search was conducted and, if so, the facts supporting PC; (k) whether the officers asked for consent to search and whether consent was given; (l) whether any unlawful weapon, narcotics or contraband was found; and (m) disposition of the stop, including issuance of any citation or warning or arrest	4c
SSA - Searches	47	BPD will prohibit officers from conducting weapons pat downs during stops unless they have RAS that the person is armed and dangerous. BPD will revise its "characteristics of an armed person" training accordingly	4c
SSA - Searches	48	BPD will prohibit warrantless searches unless (1) officers have consent, (2) officers have PC that a stopped vehicle contains contraband, (3) incident to arrest, (4) another exception to the warrant requirement is met	4c
SSA - Searches	49	BPD will train officers on strip searches and body cavity searches	4d
SSA - Searches	49	Reports re strip and body cavity searches must be submitted by the officer and reviewed by commander within 48 hours of the search	4c
SSA - Searches	50	BPD will ensure strip searches are conducted only when officers have PC that the person is concealing contraband or a dangerous weapon	4c
SSA - Searches	50, 51	All strip searches must receive prior approval from LT or above (unless dangerous weapon suspected)	4c
SSA - Searches	50, 51	All strip searches must be conducted in private setting absent exigent circumstances	4c
SSA - Searches	50, 51	Officers will explain to the subject the reason for a strip search and give the subject an opportunity to voluntarily produce the suspected item unless it would risk officer safety or evidence destruction	4c
SSA - Searches	52	Other than visually inspecting mouth, nose and ears based upon observation that a suspect is attempting to hide items pertinent to an investigation, BPD will ensure that body cavity searches are only conducted with a warrant; officers must consult immediate supervisor to determine existence of PC	4c
SSA - Searches	52	Body cavity searches will be performed with recognition of suspect's privacy and hygienic interests by a licensed medical professional under sanitary conditions	4c
SSA - Searches	53	Officers are prohibited from searching LGBTQ individuals to view or assign gender based on the person's anatomy, and LGBTQ individuals may not be subject to more invasive search or pat-down procedures than others based on their gender expression or sexual orientation	4c
SSA - Searches	53	Absent exigent circumstances, pat-downs of women, including transgender women, shall be conducted by female officers, and LGBTQ individuals' preferences as to the gender of searching officer must be honored	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
SSA - Searches	54	BPD will prohibit officers from relying on known false or inaccurate information to justify a warrantless search or seek a search warrant	4c
SSA - Searches	55	BPD will ensure that consent searches are not requested or performed absent "individualized reason" (RAS) to conduct a search, and that consent, when requested, is freely given and not coerced	4c
SSA - Searches	56, 57	BPD will require officers to provide individuals a consent to search form and explain the purpose of the form prior to any consent search; the form will explain the right to refuse to, limit or withdraw consent and will include an affirmation of understanding with a signature line; officers will not conduct a consent search until the subject signs the form, unless the subject refuses to sign and gives oral consent, though the officer must document oral consent and the refusal to sign; if the subject requires further explanation, the officer must affirmatively explain the right to refuse to, limit or withdraw consent; training must emphasize the right to refuse, limit or withdraw consent	4c
SSA - Searches	58	BPD will require any declaration supporting a search warrant application include accurate, complete and clear description of the offense, the place or thing to be searched, and the scope and time of the search, and state whether a knock-and-announce or no-knock warrant is sought	4c
SSA - Searches	59	BPD will record all searches conducted during all stops	4c
SSA - Arrests	60	BPD will ensure that officers issue citations or make arrests only with PC and without relying on known false or incorrect information	4d
SSA - Arrests	61, 63	Officers must must obtain permanent rank supervisor approval before arresting for the following offenses, unless impracticable, in which case they must notify a permanent rank supervisor ASAP after the arrest: (a) obstructing, hindering, or resisting an officer; (b) disorderly conduct; (c) failure to obey; (d) gambling; (e) making a false statement to an officer; and (f) misdemeanor trespass	4c
SSA - Arrests	62	BPD will enforce its Quality of Life Offenses policy ensuring "the least intrusive response under the circumstances as reasonably understood by the officer at the time," by (1) developing a system for tracking all citations for offenses listed in para. 61 that will be approved in advance by the MT, (2) reporting the collected citation data to the MT quarterly, (3) analyzing the citation data using "Peer Group Analysis on at least an annual basis" and using the analysis to identify officers who may benefit from additional guidance on least intrusive charging	4c
SSA - Arrests	64	BPD will require supervisors to take and document appropriate remedial action to address deficiencies or rule violations in officers' arrest requests, including release or referral for internal or criminal investigation.	4c
SSA - Arrests	65	BPD will require officers to complete arrest reports documenting PC for the arrest by the end of the shift	4c
SSA - Arrests	66	BPD will ensure it tracks all data from CBIF re arrestees at the time of presentment at CBIF, including evaluation of injury and results of any searches.	4c
SSA - Arrests	66	If emergency treatment is necessary, officers will ensure arrestee receives medical attention from appropriate provider and will advise duty supervisor ASAP, and no later than 24 hours after presentment at the medical facility, that medical attention was sought and why.	4c
SSA - Training	67, 68	BPD will provide all officers with at least 16 hours of SSA training and at least 4 hours annually thereafter, taught by a qualified legal instructor, to include instruction on, e.g., the difference between the types of police contacts and the legal standards governing each, and will review curriculum annually and update as needed	4c
SSA - Supervisor review	69	BPD will ensure supervisory review of all SSA documentation is completed within 72 hours of the encounter, unless the review finds deficiencies and additional investigation or corrective action is required	4c
SSA - Supervisor review	70	Supervisors must document and report (a) stops unsupported by RAS or otherwise in violation of policy, (b) searches without legal justification or in violation of policy, and (c) stops or searches that, even if compliant with law and policy, indicate a need for corrective action or review of agency policy, tactics or training	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
SSA - Supervisor review	71, 72	Supervisors must review every arrest report and document their review, indicating any need for corrective action, within 72 hours of the arrest, absent exceptional circumstances (which must be documented), and the review should be for deficiencies, including: boilerplate language, inconsistent facts, lack of articulation of specific facts justifying action, etc.; arrests based on information discovered only after initiation of a stop; arrested unsupported by PC	4c
SSA - Supervisor review	73	BPD will conduct training on and audits of supervisory reviews of SSAs to evaluate reviews and conclusions "within seven days of their completion" and, if misconduct is identified, a commander will evaluate the supervisor's assessment and ensure corrective action is taken	4c
SSA - Supervisor review	74	BPD will consider quality of supervisory and commander SSA reviews in performance evaluations	4c
SSA - Supervisor review	75, 76, 77, 78	BPD will identify all arrests in which District Court Commissioner [now SAO/CBIF] provides data showing RWOC, released based on identity issue, declined to charge, and lack of PC; will have someone other than the supervisor who reviewed such cases review the PC determinations in such cases; will take appropriate action, including training or other corrective action for involved officers or referral for administrative or criminal investigation; and where review finds lack of PC, will document either corrective action taken or the reason for no corrective action	4d
SSA - Supervisor review	79	BPD will maintain searchable electronic record of all RWOC (etc) arrests and, on a quarterly basis, will review the data to assess arrest patterns by officer, shift, unit and district	4d
SSA - Supervisor review	80	For every search or arrest leading to the recovery of contraband, BPD will require supervisory review and documentation of whether PC supported the encounter	4c
SSA - Supervisor review	81	BPD will ensure supervisors take appropriate action (e.g., training, corrective action, referral to PIB) to address all violations or deficiencies in SSAs, including reporting deficiencies, and record each violation or deficiency in the Early Intervention System	4c
SSA - Data collection	82	BPD will modify its SSA data collection and review procedures to permit determination of "the nature and scope of demographic disparities" in SSA practices, as well as SSA practices that are most effective	4c
SSA - Data collection	83	BPD will develop a written or electronic report form, which officers will use for all stops and searches, whether or not they result in an arrest, citation or summons, and will permit the collection of all required stop and search data in a searchable system that will be integrated into the Early Intervention System and must be approved by the MT and DOJ	4c
SSA - Data collection	84	Once the technology is in place, BPD will develop a protocol for analyzing and reporting on SSA data, to include whether SSAs are properly documented with sufficient factual predicates, what percent of stops results in weapons pat-downs (and of those, in recovery of weapons), searches and arrests.	4c
SSA - Data collection	85 (duplicates 69-80)	BPD will ensure supervisors establish a system for reviewing assigned officers' stop, search, citation and arrest documentation for completeness, accuracy, legal sufficiency and compliance with BPD policy and the CD	4c
SSA - Data collection	86	BPD will assess SSA practices quarterly, including (a) the percentage of stops that uncover evidence of criminal activity and the nature of the activity (e.g., felonies) uncovered, (b) the percentage of weapons pat-downs resulting in the seizure of unlawful weapons, and (c) the percentage of searches resulting in the seizure of contraband and the nature of the contraband seized	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Impartial policing	88	BPD will ensure that officers document the demographic category of all persons who are subject to pedestrian stops, vehicle stops, weapons pat-downs, searches, arrests, and civilian complaints, and will revise its form documents accordingly, as needed. Info re transgender status should be included only if relevant and necessary to an investigation.	4c
Impartial policing	89	BPD policies will prohibit discrimination on the basis of demographic category by, among other things: ensuring that its Fair and Impartial Policing policy extends to all protected classes under state, federal and local law; prohibiting officers from considering demographic category when taking or refraining from taking law enforcement action, unless part of a credible description of a specific subject in an ongoing investigation that includes other appropriate, non-demographic identifiers; reaffirming officers will report other officers who engage in discrimination; ensuring officers address and in documentation refers to all individuals (including LGBTQ individuals) using the names, pronouns and titles of individuals' choice without requiring proof of gender identity; and prohibiting officers from asking about the details of an individual's sexual practices, anatomy, etc., except for valid law enforcement purposes	4d
Impartial policing	90, 91, 92, 93	BPD will provide officers training on non-discrimination in police actions, including SSA and UOF, and on FIP, which should include a combination of modalities, and cover, among other things, implicit bias and minimizing its impact, police legitimacy, policing based on nondiscriminatory factors, police and community perspectives on discriminatory policing, legal requirements, importance of protecting civil rights, data collection instruction, history of race and policing in Baltimore, procedural justice principles, and interactions with LGBTQ individuals	4d
Impartial policing	94	BPD will have community members participate in FIP training, including leading/co-facilitating	4c
Impartial policing	95	BPD will consider officer/officer candidate's bias/discriminatory policing history in evaluating performance, hiring and promotions	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
BHD response - general	97	BPD will coordinate with CPIC to conduct analysis to identify gaps in behavioral health service system (to include sample of BPD interactions with individuals with BHD, including what precipitated crisis, what serices could have prevented crisis, how BPD became involved, how the response could have been improved, and what can be done to prevent such crises), recommend solutions, and assist with implementation of recommendations	4c
BHD response - CI	98, 99	BPD will revise policies re interacting with individuals with BHD or in crisis to establish preference for least police-involved response consistent with public safety, including diverting individuals to BH service system rather than jail or emergency room in situations not requiring emergency petitions	4d
BHD response - CI	100	BPD will train officers not to make assumptons re dangerousness based on disability	4d
BHD response - CIT	101	BPD may continue to operate BEST program if consistent with CD requirements	N/A
BHD response - CIT	102, 103	BPD will implement a CIT first-responder model of crisis intervention with community, health care and advocacy partnerships, with the goal of equipping officers with methods to interact safely with individuals in crisis, de-escalate, reduce unnecessary UOF, minimize arrests, improve safety for all parties; refer individuals in crisis to the behavioral health system; and reduce inappropriate involvement of individuals in crisis with the criminal justice system	4d
BHD response - CPIC	104	BPD will expand CPIC membership to include reps from MDHMH, City Mental Health Court, City SAO, City OPD, City jails, relevant City officials, DRM, community mental health providers, substance abuse service providers, local hospitals, advocates, and BHSB	4d
BHD response - CPIC	105	CPIC will identify and implement strategies to reduce number of people with BHD who have encounters with police	4c
BHD response - CIT officers	106, 107	BPD will provide specialized 40-hour training, plus annual 8-hour follow up training, in responding to individuals in crisis to CIT officers, in addition to crisis intervention training provided to all officers, to include, among other things, conducting field evaluations, suicide intervention, community BH resources, common BH and intellectual and development disability diagnoses, effects of subsance misuse, civil commitment criteria, and crisis de-escalation	4d
BHD response - CIT officers	106	CIT officers will remain in Patrol and retain standard Patrol duties, except when called to crisis events	4d
BHD response - CIT officers	108	Qualifications for CIT officers include at least one year as BPD officer; BPD will assess each applicant to determine fitness to serve, including review of application, supervisor recommendations, UOF history, history of complaints, disciplinary file, and interview	4b
BHD response - CIT officers	109	Supervisors will identify and encourage officers to apply	4b
BHD response - CIT officers	110	BPD will ensure that CIT officer capacity is sufficient so that, at all times and in all districts, CIT officers are available to respond to individuals with BHD and in crisis; absent unusual circumstances, at least one CIT officer will respond to incidents where BPD reasonably should know an individual with BHD or in crisis is involved	4c
BHD response - CIT officers	111	CIT officers disptached to incident involving individual in crisis will have primary responsibility for the scene unless a supervisor has assumed responsibility and, if supervisor has done so, s/he will seek input of CIT officer re proper response	4b
BHD response - all officers	112	BPD will provide 8 hours of annual IST in crisis intervention to all officers, to include, e.g., recognition of common characteristics and behaviors of individuals with BHD or intellectual or developmental disabilities, proper interaction and communication with such individuals, de-escalation, information about BH system resources, and circumstances requiring CIT officer involvement	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
BHD response - recruits	112	BPD will provide at least 16 hours of crisis intervention training to recruits	4d
BHD response - dispatch	113	BPD will provide dispatchers and their supervisors with crisis intervention training enabling them to identify, dispatch and respond to calls for service involving individuals in crisis	4d
BHD response - dispatch	114	BPD will revise dispatch policies, with input from CPIC, MT and DOJ, with goal of limiting police involvement in crises where appropriate and ensuring that, where police response is required, CIT officers are dispatched	4d
BHD response - CIT coordinator	115	BPD will designate as CIT coordinator an officer ranked Sergeant or above and will ensure CIT coordinator is empowered to fulfill CD requirements	4d
BHD response - CIT coordinator	116	CIT coordinator will receive at least 8 hours of training re coordinator role and responsibilities, in addition to CIT officer training	4d
BHD response - CIT coordinator	117	CIT coordinator will develop and maintain partnerships with stakeholders and serve as point of contact for advocates, individuals with lived experience, caregivers, and others in BH system, and will consult CPIC for input	4d
BHD response - CIT coordinator	118	CIT coordinator will ensure selection of qualified CIT officers	4b
BHD response - CIT coordinator	119	BPD, through the Crisis Intervention Coordinator, shall also ensure that CIT officer capacity is sufficient to ensure that, at all times of the day and in all districts, CIT officers can respond to individuals with Behavioral Health Disabilities and those in crisis	4b
BHD response - CIT coordinator	120	BPD, through the CIT coordinator, will develop and implement a crisis intervention plan to ensure a CIT officer responds to all calls/incidents involving an individual in crisis; the plan will include an assessment of the number of CIT officers needed to have at least one respond to every crisis event, the gaps in shift and district coverage, and the measures needed to fill the gaps; BPD will review and revise the plan, as needed, to address any barriers to full coverage	4c
BHD response - CIT coordinator	120	On annual basis, BPD will conduct analysis of crisis intervention incidents to determine whether BPD has enough CIT officers, whether CIT officers are being deployed effectively, and whether CIT officers, call-takers and dispatchers are appropriately responding to individuals in crisis, and will make changes in policies and training as needed	4c
BHD response - CIT coordinator	120	BPD will adopt performance measures, including quantitative data on key aspects of program operation and qualitative data on officer and community member perceptions of the program	4c
BHD response - data	121	BPD will collect data on law enforcement actions involving individuals with suspected BHD or in crisis, including SSA, UOF, injuries and in-custody deaths and any other event requiring data collection, analysis or reporting under the CD	4d
BHD response - data	122	BPD will collect and produce quarterly reports regarding data on calls for service involving individuals with possible BHD or in crisis; the data will include the number of calls, the nature of the crisis, the extent to which the individuals previously interacted with BPD, the disposition of the calls, including whether referred to community services, an emergency room, an emergency petition, arrest or booking, whether force was used, the type of force used, and any steps taken to de-escalate	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
UOF - Principles	123	General requirements: BPD will revise its policies, implement training, and make improvements in the investigation and review of officer use of force.	4c
UOF - Principles	124	General requirements: BPD must ensure that officers adhere to 8 specific UOF principles.	4c
UOF - Policies	125	"BPD will require officers to use de-escalation techniques"	4c
UOF - Policies	126	"BPD officers shall be required to use . . . A critical thinking, decision-making framework" with specifically-identified elements.	4c
UOF - Policies	127	"Officers will use only the amount of force necessary to control the person and immediately reduce the level of force as the threat diminishes."	4c
UOF - Policies	128	BPD policy must be "clear and comprehensive" and "include[] all critical components to guide officers on using force constitutionally."	4d
UOF - Policies	129	BPD policies must "guide officers on all force techniques, technologies, and weapons . . . available to BPD officers" and define/describe when each option is appropriate in light of "potential types of resistance."	4d
UOF - Policies	130	BPD policy must provide guidance on foot pursuits and UOF at "conclusion of a foot pursuit."	4c
UOF - Policies	131	BPD policy must "provide[] guidance on specific protocols and practices to use when engaging with Youth," including several specifically-identified practices.	4d
UOF - Policies	132	BPD must "ensure that officers do not use more force than necessary to detain a restrained person" and ensure that any force against restrained individuals is "necessary and proportional given" the subject's offense and danger posed to others.	4c
UOF - Policies	133	BPD must "prohibit the use of retaliatory force by officers" against "persons engaged in First Amendment protected activity."	4d
UOF - Policies	134	BPD must "prohibit the use of force for punishment," including for fleeing, resisting or assaulting officers.	4c
UOF - Policies	135	"BPD will prohibit the use of tactics that unnecessarily escalate an encounter and create a need for force."	4c
UOF - Policies	136	BPD officers can "only use the weapons that are enumerated in policy and force techniques on which they are trained"	4d
UOF - Policies	137	BPD "will prohibit the use of chokeholds or neckholds unless deadly force is authorized and no reasonable force alternative exists that is within BPD policy."	4c
UOF - Policies	138	BPD policies must "specify that use of force that is not objectively reasonable will subject officers to" various identified consequences.	4c
UOF - Policies	139	BPD must require officers to carry "at least one less-lethal weapon" whenever on duty.	4c
UOF - Policies	140	BPD must "categorize Reportable Force into levels for the purposes of reporting and reviewing each use of force," with Levels specifically defined.	4d
UOF - Policies	141	BPD will require officers to "intervene in incidents in which another officer uses excessive force."	4c
UOF - CEWs	142	"[O]nly officers who have successfully completed approved annual training on CEWs . . . and are currently certified may be issued, carry, and use CEWs."	4d
UOF - CEWs	143	CEWs may only be used "where grounds for Arrest or detention are present, and such force is necessary to protect the officer, the subject, or another party from immediate physical harm."	4d
UOF - CEWs	144	Each CEW application/standard five-second cycle must be separately justified.	4d
UOF - CEWs	145	Officers may "not employ more than three cycles or 15 seconds of a CEW against a subject during a single incident unless lethal force is justified."	4d
UOF - CEWs	146	Various, specific requirements for use of CEWs.	4d
UOF - CEWs	147	Officers must "obtain appropriate medical treatment for suspects after a CEW deployment."	4d
UOF - CEWs	148	"BPD will require CEW inspections on a periodic basis"	4d
UOF - Batons/Impact Weapons	149	"Officers will be trained and certified for department-approved batons and espantons before being authorized to carry Impact Weapons."	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
UOF - Batons/Impact Weapons	150	Impact Weapons to be used only in "situations in which such force is objectively reasonable, consistent with" the general UOF principles, and BPD's training "	4c
UOF - Batons/Impact Weapons	151	"BPD will require that officers justify each strike with an impact weapon."	4c
UOF - Batons/Impact Weapons	152	BPD will ensure against use of Impact Weapons "on individuals who are restrained or under control, even if they are non-compliant, unless they present an imminent threat to the safety of the officers or others." Hands-on control measures or arrest control techniques must be used before Impact Weapon against individuals who are restrained.	4c
UOF - OC Spray	153	OC Spray to be used "only when such force is objectively reasonable and consistent with" general UOF principles, "including when used for crowd dispersal or protection."	4d
UOF - OC Spray	154	"BPD will ensure that officers do not use OC spray to disperse crowds unless individuals within those crowds are committing acts that endanger officer or public safety and security, property, and participants refuse to obey lawful orders to disperse." When used, must be directed at person(s) who presents a threat.	4d
UOF - OC Spray	155	BPD will ensure, where practicable, officers provide verbal warnings and reasonable amount of time to comply before using OC spray.	4d
UOF - OC Spray	156	"[A]fter the initial application of OC spray, each subsequent spray must also be objectively reasonable and consistent with" general UOF principles.	4d
UOF - OC Spray	157	BPD will ensure against use of OC Spray "on a person who is handcuffed or otherwise restrained."	4d
UOF - OC Spray	158	Training must be provided to officers before they carry OC spray. Officers must render medical aid after deployment of OC spray consistent with training.	4d
UOF - OC Spray	159	Officers may use "only department-issued or approved OC Spray."	4c
UOF - Firearms	160	Officers may not exhibit or point a firearm "unless the officer reasonably believes that the situation may escalate to create an imminent threat of serious bodily injury or death to the officer or another person."	4d
UOF - Firearms	161	BPD must "track the date of officers' qualifications and require that officers successfully qualify in accordance with" MPTSC regulations and standards.	4d
UOF - Firearms	162	"[W]hen officers discharge firearms, they [must] continually assess the circumstances . . . And modulate their use of force accordingly, including ceasing to use their firearm when the circumstances no longer require it."	4c
UOF - Firearms	163	"[O]fficers, when practical, [must] identify themselves as a law enforcement officer and state their intention to use deadly force before using a firearm."	4c
UOF - Firearms	164	Officers may not fire warning shots.	4d
UOF - Firearms	165	No "firing at moving vehicles" except under specifically identified circumstances. "[O]fficers should avoid positioning themselves in the path of a moving vehicle "	4d
UOF - Training	166	BPD must provide all current officers with annual UOF training that encompasses a number of expressly-identified areas and topics.	4d
UOF - Training	167	Paragraph 166 training must also be provided to new officers in the Academy.	4d
UOF - Training	168	"BPD will provide all officers with annual use of force in-service training "	4d
UOF - Reporting, Investigating, and Reviewing Force	169	For all Levels of Force, BPD must ensure satisfactory initial reporting and response, supervisory review, departmental analysis, and record keeping and follow-up.	4c
UOF - Reporting	170	Officers must notify permanent-rank supervisors immediately or as soon as practicable following Reportable Force. Supervisor must notify Shift commander by end of shift that force occurred.	4d
UOF - Reporting	171	BPD will ensure that officers accurately, thoroughly, and timely report their uses of Reportable Force."	4d
UOF - Reporting	172	"[A]ny officer that discharged their firearm will provide a Public Safety Statement to their supervisor when they arrive on the scene" that includes a number of specifically-identified types of information.	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
UOF - Reporting	173	"[E]very officer who uses or observes a Reportable Use of Force" will provide a report, by the end of their tour of duty, that includes a number of specifically-identified types of information based on the Level of force.	4c
UOF - Reporting	174	For Levels 2 and 3, "an uninvolved permanent-rank supervisor of an officer using such force" must respond to the scene and categorize the Level of force.	4c
UOF - Reporting	175	"When an incident involves multiple types of force or multiple officers, the entire incident will be reported and investigated at the highest level of force used by any officer during the incident."	4c
UOF - Reporting	176	BPD must "revise its policies to ensure that officers will not use conclusory statements, boilerplate, or canned language" in UOF reports.	4c
UOF - Reporting	177	BPD must take specifically-identified "corrective action, including discipline as appropriate" whenever "Use of Force Reports are found to include material omissions or inaccuracies."	4c
UOF - Reporting	178	BPD must provide that "officers who use or observe a use of Reportable Force but do not report it will be disciplined, up to and including termination."	4c
UOF - Reporting	179	BPD policy will ensure "particularized reporting and review requirements for CEWs, OC spray, and firearms."	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	180	For Level 1 force, officer's supervisor "will review and document approval or elevate the Level 1 force" before end of shift where force was used.	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	181	"Supervisors will elevate and investigate any Level 1 use of force that appears to have been inappropriate or improperly categorized as a Level 1 use of force." If "evidence of potential criminal conduct," supervisor must "promptly notify OPR."	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	182	For Level 2 force, uninvolved permanent-rank supervisor of officer "will thoroughly review the incident for consistency with" UOF policy and Consent Decree requirements and, within 72 hours, forward review to officer's lieutenant via Blue Team.	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	183	"If necessary, a supervisor in the chain of command will re-classify" a UOF. If "officer's report reveals evidence of misconduct or potential criminal misconduct," supervisor will "promptly notify" OPR.	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	184	Uninvolved permanent-rank supervisor of officer "will respond to the scene" of Level 2 force.	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	185	"[W]henver there is a visible injury, complaint of injury, or medical attention is requested by any individual, officers shall immediately obtain any necessary medical care." Officers must "provide emergency first aid consistent with their training and experience until professional medical care providers are on the scene."	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	186	Supervisor responding to the scene "must hold a permanent-rank higher than any involved officer(s) who used Reportable Force or directed that it be used."	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	187	If "a supervisor uses, directs, or is otherwise personally involved in any type of use of Reportable Force, . . . a higher-ranking supervisor who was not involved . . . will review the Reportable Force."	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	188	For Level 2 force, uninvolved permanent-rank supervisors responding to the scene will conduct a number of specifically-identified tasks and steps.	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	189	"The supervisor conducting the use of force review will evaluate in writing all uses of force for compliance with BPD policy" and "should provide timely, constructive feedback"	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
UOF - Supervisory Response/Review for Level 1 & 2 Force	190	For Level 2 force, "first-line permanent-rank supervisors' use of force review" must be completed in Blue Team within 72 hours of the use of force, unless supervisors' commanding officer approves an extension. Documentation must comply with a number of specifically-outlined requirements.	4c
UOF - Supervisory Response/Review for Level 1 & 2 Force	191	When "a supervisor determines that force used by an officer may be considered misconduct or potential criminal conduct, the supervisor will notify OPR"	4c
UOF - Assessments of Levels 1 & 2 UOF Reviews	192	First commander in chain of command will ensure that Level 1 and 2 Reportable Force reviews are "thorough, complete, and make[] the necessary and appropriate findings of whether" the UOF 'was consistent with BPD policy. "[E]ach higher-level supervisor in the chain of command will review the use of force review to ensure that it is complete and that the review was thorough."	4c
UOF - Assessments of Levels 1 & 2 UOF Reviews	193	Supervisors must "gather supplementary evidence or statements . . . when it appears that additional relevant and material evidence may assist in resolving any discrepancies, lack of information, or improve the reliability or credibility of the findings." All supervisors in chain of command are responsible for "assur[ing] the accuracy and completeness" of UOF reviews "and for initiating corrective action."	4c
UOF - Assessments of Levels 1 & 2 UOF Reviews	194	When UOF review findings are "not supported by a preponderance of the evidence," supervisor must recommend changes in consultation with investigating supervisor and previous reviewer and document the evidence/analysis supporting the modification.	4c
UOF - Assessments of Levels 1 & 2 UOF Reviews	195	For Level 1 force, district/unit commander is final reviewer, addressing specifically-identified requirements.	4c
UOF - Assessments of Levels 1 & 2 UOF Reviews	196	For Level 2 force, district/unit commander forwards force file to Use of Force Assessment Unit ("UOFAU"). UOFAU conducts administrative Use of Force Assessment on all Level 2 force. UOFAU "staffed to promote effective and efficient reviews of Level 2" force.	4c
UOF - Assessments of Levels 1 & 2 UOF Reviews	197	UOFAU reviews all Level 2 force and "whether findings by the chain of command" meet specifically-identified requirements.	4c
UOF - Assessments of Levels 1 & 2 UOF Reviews	198	UOFAU "may refer cases to the Performance Review Board"	0
UOF - Assessments of Levels 1 & 2 UOF Reviews	199	UOF "assessment may be assigned or re-assigned for investigation to SIRT, or returned to the unit for further investigation, analysis, or corrective action, if warranted."	0
UOF - Assessments of Levels 1 & 2 UOF Reviews	200	"BPD will analyze the data captured in officer" UOF reports.	4c
UOF - Review/Investigation of Level 3 Force - SIRT	201	"BPD will develop and implement a SIRT training curriculum and procedural manual" for SIRT to investigate Level 3 uses of force.	4c
UOF - Review/Investigation of Level 3 Force - SIRT	202	SIRT will respond to and investigate all Level 3 uses of force, "[a]ny fatal motor vehicle crash in which the actions of a BPD member were a contributing cause," and "[a]ny incident at the direction of the Police Commissioner or his/her designee."	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
UOF - Review/Investigation of Level 3 Force - SIRT	203	"SIRT will be the primary investigating entity" for Level 3 uses of force, will always have one member available to respond to critical incidents, will be qualified to identify and resolve uses of force that are contrary to law or policy and will allow PRB to carry out its functions. SIRT supervisor will lead investigative activity, while training and policy representatives to SIRT will be without an investigative role but "attempt to identify any policy or training issues."	4c
UOF - Review/Investigation of Level 3 Force - SIRT	204	For SIRT investigations, "on-scene uninvolved permanent-rank supervisor shall take initial steps in response to the incident consistent with the requirements for Level 2" force "until turning the scene over to the Shift Commander or arriving SIRT personnel."	4c
UOF - Review/Investigation of Level 3 Force - SIRT	205	If they arrive on scene before SIRT, Shift Commander must assume incident command from uninvolved supervisor and secure scene, including identifying and segregating witnesses and requesting they stay on-scene.	4c
UOF - Review/Investigation of Level 3 Force - SIRT	206	Numerous specific requirements for SIRT personnel responding to scene of Level 3 force.	4c
UOF - PRB	207	BPD must maintain Performance Review Board ("PRB") to review UOFAU-referred Level 2 and all Level 3 uses of force, in compliance with various, specifically-identified requirements.	4d
UOF - PRB	208	PRB includes Commissioner or Commissioner's designee, with "remaining membership . . . drawn from across the BPD"	4d
UOF - PRB	209	All PRB members must "receive a minimum of eight hours of training on an annual basis"	4d
UOF - PRB	210	PRB must make and document findings and recommendations, including for disciplinary referrals and improvements in training, policies, procedures, tactics, equipment, technology, and organization, for SIRT investigations in a memorandum to the Police Commissioner within 14 days of SIRT presentation to PRB; and also will notify pertinent commanding officer.	4c
UOF - Data Collection, Analysis, and Reporting	211	"BPD will collect and maintain all data and records necessary to accurately evaluate its" UOF policies "and facilitate transparency and . . . broad access to information related to BPD's decision making and activities."	4c
UOF - Data Collection, Analysis, and Reporting	212	"BPD will ensure the collection and tracking of all documents related to uses of force and allegations of misconduct and related materials," including various specifically-identified types of documents.	4c
UOF - Data Collection, Analysis, and Reporting	213	"BPD will ensure the creation and maintenance of a reliable and accurate electronic system to track all data derived from Reportable Force-related documents," including various specifically-identified data.	4c
UOF - Data Collection, Analysis, and Reporting	214	BPD must ensure "routine reporting of relevant data to the Commissioner, PRB, and OPR."	4c
UOF - Data Collection, Analysis, and Reporting	215	BPD must annually evaluate "forms and data collection systems to improve the accuracy and reliability of data collection concerning the use of force" to be "provided to the Monitor, the DOJ and the public."	4c
UOF - Data Collection, Analysis, and Reporting	216	BPD must develop "protocol to accurately analyze the data collected and allow for . . . assessments."	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
UOF - Data Collection, Analysis, and Reporting	217	BPD must annual analyze and publicly report on "prior year's force data . . . to determine trends; identify and correct deficiencies revealed by this analysis; and document its findings in a public report."	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Youth	218	Officers will take into account individual characteristics when interacting with Youth and will use, as appropriate, alternatives to arrest.	4c
Youth	219	The City will conduct a comprehensive assessment of the efforts to decrease Youth involvement with juvenile and criminal justice systems.	4d
Youth	220	BPD will assess and revise policies and training to ensure BPD provides guidance on developmentally appropriate responses to and interactions with Youth.	4d
Youth	221	BPD will provide initial and ongoing training for officers and will invite Youth advocates and community organizations to participate in developing Youth-focused training.	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Transport- Objectives/Policy	222	BPD will assess and revise policies as needed to ensure safe, humane transport of prisoners.	5a
Transport- Equipment	223	All vehicles used for transport must have functioning seatbelts and a transport vans also must have functioning grip straps	5a
Transport- Equipment	224	All transport vans must have functioning transport vehicle camera ("TVC") systems.	5a
Transport- Equipment	225	BPD will inspect video recording equipment, seatbelts and straps on a monthly basis to ensure functionality.	5a
Transport- Procedures	226	All transported prisoners must secured by seatbelt or restraining device.	5a
Transport- Procedures	227	Officers must periodically check on prisoner during transport by direct observation or video to ensure prisoner safety.	5a
Transport- Procedures	228	Officers must "restrain persons in custody for transport in a manner that does not cause undue pain" and must not restrain any prisoner "in a prone position" or handcuff any prisoner to the transport vehicle.	5a
Transport- Procedures	229	Males and females must not be transported in the same compartment; if only one compartment, they must be transported in separate vehicles; youth and adults must be transported separately; transgender, Intersex, and/or Gender Non-conforming individuals must be transported with arrestees of the same Gender Identity and Expression unless the individual expresses or the officer has a safety concern, in which case the individual must be transported alone.	5a
Transport- Procedures	230	All wheelchairs, crutches, prosthetic devices, and other medical equipment required by persons with disabilities must be transported to the final destination, and with such persons if possible.	5a
Transport- Procedures	231	Officers must drive the speed limit and in a manner that "preserve[s] the safety and security of the persons in custody being transported" unless "persons being transported requires urgent and emergency medical care"	5a
Transport- Procedures	232	The transporting officer will communicate the following to dispatch, which will be recorded and preserved for review: location of vehicle where persons in custody is picked up, time of departure with persons in custody, the number of persons in custody being transported, "destination of the vehicle," "starting and ending mileage on the vehicle... time of arrival at the destination," and if at any time medical attention was needed for the person in custody.	5a
Transport- Procedures	233	Officers will "periodically check on persons in custody to ensure no medical distress" and, if signs of distress are shown, officers will take "immediate action," including, as needed "calling for assistance from medical personnel, rendering first aid or immediately transporting individual to the emergency room," plus informing supervisor.	5a
Transport- Monitoring	234	BPD will develop policies for determining, at point of transfer, whether transported individual was placed at undue risk, harmed or injured during transport, including gathering data on whether, during transport, a seatbelt was used, force was used, injury occurred and the type of injury and whether first aid was given.	5a
Transport- Monitoring	235	Every injury reported during transport will be reviewed as use of force or as part of a Vehicle Crash Investigation.	5a
Transport- Monitoring	236	BPD will perform quarterly audits to determine whether officers are following correct procedures, to include: (a) at least five random audits of transports for each district per quarter, including review of all video recording, analysis of location, time and odometer information, and review of arrest, detention and transport reports; (b) analysis of the data collected during the previous quarter under paragraph 232; (c) a review every injury reported during transport to determine if there are any trends related to transport policies and practices; (d) and random, unannounced spot-check in each district for at least three transportation vehicles to inspect use of seatbelts and TVC operation.	5a
Transport- Monitoring	237	BPD will take appropriate action, including the initiation of disciplinary procedures, for an officer who did not comply with BPD policies and procedures.	5a
Transport- Policies and training	238	BPD will review and revise transport training as needed and will provide transport wagon officers at least eight hours of training on safe and humane transport, counting up to four hours of general training on CD subjects related to safe transport and proper restraint techniques.	5a

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
1st A- Intro	239	BPD will build upon revised First Amendment policies, and take corrective measures for any officer who violates policy, to ensure respect for rights to criticize law enforcement without being subjected to retaliation, protest, observe officers in public spaces without endangering them or others or interfering appropriate law enforcement action, and peacefully record officers on duty.	N/A
1st A- Expressive Activity	240	Officer will not retaliate against individuals for lawfully exercising their right to witness, record, comment on or peacefully protest police activity.	4d
1st A- Expressive Activity	241	Officer will not use force in response to an individual engaging in legally protected speech unless the individual poses an imminent threat to the safety of the officer or others.	4d
1st A- Expressive Activity	242	Officers will not treat protesters differently based on the content or viewpoint of their speech.	4d
1st A- Expressive Activity	243	Officers must afford Individuals the right to remain in proximity to and observe law enforcement encounters unless the individuals' presence would jeopardize the safety of the officers or others, physically interfere with the exercise of the officers' duties, violate the law or incite others to violate the law.	4d
1st A- Expressive Activity	244	"BPD will ensure the BPD policy and training will makes clear what conduct constitutes 'interference.'"	4d
1st A- Public Protest	245	"BPD will ensure that officers do no unlawfully interfere with lawful protests and assemblies."	4d
1st A- Public Protest	246	BPD will revise policies for policing public protests to include "[f]actors officers should consider when exercising their lawful discretion to arrest," clear guidelines that minimize enforcement decisions by non-supervisory officers, limitations on the use of less-lethal force during public protest, and a requirement to develop a plan for planned protests.	4d
1st A- Observe	247	Officers must permit individuals to peacefully photograph or record officers performing their duties in public if they do not threaten officers' safety or the safety of other, compromise legitimate police actions, or interfere with the performance of officers' duties.	4d
1st A- Observe	248	Officers must document any instance in which they order an individual to stop recording police activity in public.	4d
1st A- Observe	249	Officers may not search, seize, coerce production of, or review recordings, images or videos without obtaining a warrant, barring exigent circumstances, but may secure the device while awaiting a warrant.	4d
1st A- Observe	250	Officers may not intentionally destroy any device, recording or image or order individuals to destroy them.	4d
1st A- Policies/Training	251	"BPD will review and revise its policies, procedures and trainings associated with the First Amendment protected activity" to comply with the requirements of the CD.	4d
1st A- Supervision	252	Only the rank of Major or above (or, if unavailable, the captain or LT serving as shift commander) may declare an assembly unlawful, and it must be documented in writing; dispersal orders may be issued only after such a declaration; officers must receive supervisory approval before issuing a citation or making an arrest for violating a dispersal order or for any other offense related to protest activities absent an imminent unlawful threat to property or public safety.	4d
1st A- Supervision	253	Officers must obtain supervisory approval within two hours after warrantless seizure of a device or recording due to exigent circumstances; a supervisor must respond to the scene to assess the situation if practicable.	4d
1st A- Supervision	254	A supervisor must be present to approve, prior to transport, any arrest for obstructing or hindering law enforcement while recording police activity or for refusal to obey a dispersal order during a public protest, absent exigent circumstances to be documented as soon as practicable.	4d
1st A- Improvement	255, 256	BPD will conduct annual assessments of its practices related to First Amendment protected activity, which will include analyzing complaints alleging misconduct related to First Amendment protected activity and law enforcement responses to public protests, and will identify deficiencies and opportunities for improvement, implement corrective action or improvements, and document measures taken.	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Sex assault	258	BPD policies must identify guidelines for trauma-informed, victim-centered, multi-disciplinary response for thorough investigation of sex assault cases, explain the role and responsibilities of all officers throughout response to sex assaults and sex assault investigations, explain the opportunity for forensic exams and medical care to sex assault victims, and ensure victims are offered access to free and confidential support, social service referrals and information from trained victim advocate	4c
Sex assault	259	BPD must provide initial and ongoing training to Sex Offense Unit, Family Crimes Unit and Child Abuse Unit detectives, to include guidance to Patrol on how to respond to sex assault reports, guidance to detectives on postponing judgment about the validity of allegations until investigation is completed, highlighting methods to minimize further trauma to victims, identifying strategies to keep investigation focused on suspect's conduct, guidance on the impact of trauma on victims and adjustment to interview practices in recognition of such impact in order to improve victim participation, instruction on the dynamics and scientific concepts re sex assault (including trauma-related behavior, tonic immobility, and effect of trauma on memory), etc.	4c
Sex assault - supervision	260	BPD will assign all reports of sex assault to detectives for follow up investigation, thoroughly investigate reports (including alleged non-stranger assaults), consult with forensic examiners to obtain and discuss results of exams and include summaries of results in case reports, ensure investigators have no history of complaints of gender bias or sex misconduct that could impair investigation, enable advocates to be present for interviews with victims' consent if it won't jeopardize the evidentiary value of the interview, continue providing a "soft" interview room, ensure sensitive lines of questioning are preceded with explanations for the questions, allow detectives to ask re victim willingness to prosecute if there is a specific investigative purpose (but without making victim's wishes determinative	4a
Sex assault - supervision	261	BPD will ensure officers transport victims to a medical facility for forensic exam whenever warranted and victim consents	4a
Sex assault - supervision	262	BPD will establish supervision and oversight measures for sex assault investigations, including (a) developing a system of automated alerts to trigger supervisory review of open investigations according to protocols that include, among other things, supervisory review of sex assault reports within 48 hours of completion, supervisory evaluation of quality of the investigation and (b) requiring pre-case closure supervisory assessment of any sex assault investigation recommended for closure or report classified as unfounded	4a
Sex assault - supervision	263	BPD shall collect, share and track crime-specific information re unresolved investigations or reports of sex assault in order to better identify serial offenders	4a
Sex assault - supervision	264	BPD will collect and analyze data on (a) the number of reported sex offenses, broken down by crime category and identifying any co-occurring crimes, (b) the total number of offenders, broken down by gender and relationship to the victim, (c) the total number of victims/complainants, broken down by gender, race and age, (d) the total number of sex offense reports categorized as founded and unfounded, broken down by BPD unit categorizing the reports, (e) the total number of ex offense reports, broken down by BPD unit handling the report and according to case status (e.g., arrest, exceptional clearance, open/inactive, referred to SAO), and (f) data about the processing of medical exams	4c
Sex assault - community role	265	BPD must share the data collected under para. 264 with the public and SART	4a
Sex assault - community role	266	BPD and City will evaluate and revise policies re SART policies and protocol to facilitate periodic system reviews to improve services provided to sex assault victims and will continue to permit SART to review cases under MOU	4a

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Technology	267	BPD will provide its officers with the Technology necessary to implement the Requirements in this Agreement.	4c
Technology	268	BPD will complete a comprehensive study of the Technology.	4d
Technology	269	BPD will develop a Resource Plan for adopting the Technology necessary to satisfy the requirements of the CD.	4d
Technology	270, 272, 273	The Resource Study and Plan will: (a) provide BPD personnel with an adequate number of electronic devices necessary for their duties; (b) provide BPD personnel access to law enforcement databases necessary for their duties, including basic information about civilians with whom they interact, call history associated with the locations to which they are responding, warrant and driver's license information, and restraining order information; (c) create a data and records management system capable of efficiently storing all data required by the CD and tracking all officer activities and supervisory reviews required by the CD; and (d) develop an Early Intervention System. The Plan will also identify any of these items that BPD already has acquired or is in the process of acquiring and, if in process, how BPD will finish acquiring and implementing the technology. BPD will submit and obtain MT/DOJ approval for the Plan.	4d
Technology	271	BPD will ensure its body-worn camera policy contains certain specific provisions, e.g., clearly stating which officers must use BWCs and under what circumstances, specifying where BWCs should be worn, requiring officers to write their reasons for failing to record activity required to be recorded, requiring officers to inform subjects that they are being recorded, establishing protocols governing the downloading and reviewing of recordings, requiring officers to document in writing and report any recording interruptions or terminations, and requiring random periodic audits of policy compliance	4d
Technology	274	BPD will employ its best efforts to implement the Resource Plan according to the Monitoring Plans.	4c
Technology	275	BPD will annually update the Resource Plan to take into account the needs of BPD under the CD.	4d
Technology	276, 277	BPD will timely disclose to the public: (1) any new equipment or technology it seeks to acquire; and (2) how it intends to use such equipment or technology. For any equipment or technology procured through the public process conducted by Baltimore City Board of Estimates, BPD may identify the new type of equipment or technology on its website and provide a link to relevant procurement information maintained by BOE.	4c
Technology	278	If BPD seeks to acquire or develop new technology without advising the public, BPD will disclose the technology to DOJ and the MT and explain why it believes non-disclosure is necessary.	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Supervision - policies generally	279-80, 282, 285	All policies must be developed and updated following specific procedures for both officer and community input, including providing for at least one 30-day comment period, and must be clear, use accessible language and be logically organized	4c
Supervision - policies for specialized units	281	BPD must provide all specialized units with policies governing their functions	4c
Supervision - policies generally	283-84	BPD will work with the MT and DOJ to develop or revise policies required by the CD, will obtain prior approval of all such policies, will include details for development or revision of all such policies in the monitoring plans, and will notify the MT and DOJ of any new or revised policies that the CD does not cover and obtain MT and DOJ agreement re non-coverage	4c
Supervision - policies generally	286	For policies requiring urgent revision, the Commissioner may revise them using a temporary memorandum or directive following submission to the MT and DOJ, but must ultimately subject them to MT and DOJ input, public comment, and final MT and DOJ approval	4c
Supervision - policies generally	287	BPD will review every new or revised policy required by the CD after it has been in effect for between 12-18 months to ensure it provides clear guidance and is consistent with the CD	4c
Supervision - policies generally	288	Officers and employees will have access to readily accessible e-database with all policies	4d
Supervision - policies generally	289	BPD will make all policies publicly available on its website and will publish each new or revised policy promptly upon implementation, with exceptions for policies that require confidentiality (e.g., undercover operations)	4d
Supervision - policies generally	290	BPD will timely revise policies required by the CD to reflect substantive changes in the law in accordance with CD procedures	4c
Supervision - training generally	291	BPD must establish robust training program to ensure officers understand BPD policies, the law, and proper policing techniques	4d
Supervision - training generally	292	The City will ensure BPD training programs (see Appendix A) are adequately funded and include adequate facilities	4c
Supervision - training generally	293	BPD will provide an adequate number of qualified instructors for the academy	4d
Supervision - training generally	294	BPD will develop a comprehensive training plan for in-service training, supplemental training, and field training with a revised FTO program. The Plan will meet certain requirements set forth in subsections a. - i.	4d
Supervision - training generally	295	Under the training plan, BPD will review all curricula and lesson plans for consistency, quality, compliance with law, policy and the CD, and adherence to best practices in adult learning, scenario-based training and problem-solving; will identify training that can be delivered in roll call or online; and will assess instructor qualifications and training materials	4d
Supervision - training generally	296	BPD will ensure all instructors are qualified and proficient and will consider performance evals, past performance as an officer, and disciplinary history in selecting instructors	4d
Supervision - training generally	297	BPD will actively seek qualified instructors outside the Department and will also incorporate as appropriate experts, community-based instructors and guest speakers (e.g., mental health professionals, judges, prosecutors, victims) to supplement in-house instruction	4d
Supervision - training generally	298	When necessary for compliance with the CD, and with MT and DOJ approval, BPD will develop or adopt supplemental basic training and in-service training curricula and lesson plans, including, if appropriate, training to be delivered by outside instructors	4d
Supervision - training generally	299	BPD will periodically update the training plan (para. 295) after conducting needs assessments that consider, e.g., trainee-to-instructor ratios, trainee feedback, trends in misconduct complaints, problematic UOFs, SSA data, and changes in law or policy	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Supervision - training generally	300	BPD will develop and implement a training data tracking system, readily accessible to supervisors, to track trainings attended by every officer, class attendance, and performance on tests.	4d
Supervision - FTO program	301	BPD will develop an FTO plan for new recruits in order to have a sufficient number of FTO officers. The plan will incorporate established standards for officer training programs, contain eligibility criteria and methodology for selecting FTO officers, and include a means for recruits to provide confidential evaluations	4c
Supervision - FTO program	302	FTOs must receive at least 40 hours of initial training, and refresher training after one year, to address management and supervision, community policing, problem-solving and field communication. FTOs must be able to demonstrate proficiency in their jobs. BPD will maintain up to date documentation of FTO evaluations and training in the training data tracking system	4d
Supervision - character, duties and training	303	BPD will ensure that supervisors provide effective supervision by enforcing an expectation of policing consistent with law and policy; providing leadership, counseling and support; leading efforts to increase public trust; responding to, documenting and reviewing SSA, UOFs and other conduct under BPD policy; identifying and addressing misconduct through corrective action, training, or PIB referral; identifying training and professional development needs for individuals, squads and department-wide	4c
Supervision - character, duties and training	304-05	Supervisors must document performance of their supervisory duties in RMS or EIS, as appropriate, including: disciplinary referrals and non-disciplinary counseling; responses to scenes; reviews of officer conduct, including UOFs and other reports required by policy; training and professional development needs for officers and actions taken in response to those needs	4c
Supervision - character, duties and training	306	Supervisor performance evaluations and promotions will be based on fulfillment of supervisory duties	4c
Supervision - character, duties and training	307	Failure to fulfill supervisory duties will result in corrective action, training, or discipline, as appropriate	4c
Supervision - character, duties and training	308-09	Supervisors, both current and new, will undergo supervisory training prior to start of promotional assignment, which will include, e.g., techniques for guiding officers and promoting constitutional police practices, de-escalation, evaluating written reports, investigating UOFs, building community partnerships, understanding supervisory tools like EIS and BWCs, responding to and investigating allegations of officer misconduct, evaluating officer performance, disciplinary system requirements and non-punitive corrective actions. The training will include a field training component.	4c
Supervision - character, duties and training	310	All supervisors will receive annual in-service training re management	4c
Supervision - character, duties and training	311	BPD will hold supervisors accountable for the quality of their supervision, including whether they properly identify and respond to misconduct and whether officers effectively engage with the community	4c
Supervision - EIS	312	BPD will perform an analysis of existing systems used to record, track, review and evaluate officer activity	2
Supervision - EIS	313-14	BPD will upgrade its EIS in accordance with the Technology Resource Plan, either by enhancing the current system or implementing a new relational database, so that it promotes supervisory awareness and proactive identification and correction of potentially problematic officer behavior. The City will provide the necessary resources.	2
Supervision - EIS	315	The EIS will be customizable, adaptive as new information becomes available, auditable, capable of prioritizing officers for intervention, and capable to assess the efficacy of interventions	2

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Supervision - EIS	316-17	The EIS will include a computerized relational database used to collect, maintain, integrate and retrieve department-wide, district-wide and unit-wide data, as well as data on each officer necessary to ensure supervisory awareness of both potentially problematic behavior and stress, including data, for each officer, on all UOFs broken down by level and type; all injuries and deaths to people in custody; vehicle pursuits and collisions; instances in which force is used and individuals are charged with failure to obey, resisting arrest, assault on a an officer, disorderly conduct, trespassing or a QOL offenses; instances involving issuance of three or more citations; BWC and in-car camera policy violations; matters involving a declination to prosecute due to officer credibility, a court finding regarding officer credibility, or the granting of a motion to suppress due to a constitutional violation; all misconduct complaints; judicial proceedings in which an officer is the subject of a restraining order; all criminal proceedings initiated against an officer; all civil or administrative matters filed with or against BPD based on an officer's actions; all disciplinary actions taken; all non-disciplinary corrective action taken; all awards and commendations; sick leave usage; and training records. BPD will develop policies (with MT and DOJ approval) that include specific requirements for satisfying these data requirements.	2
Supervision - EIS	318	Supervisors and other resopnsible BPD personnel will timely and accurately enter all information into the EIS in an organized and readily accessible manner to facilitate identification of potentially problematic behavior before it occurs	2
Supervision - EIS	319	The EIS will allow for close monitoring of officer conduct, including: Peer Group Analysis of officers with similar assignments; supervisory review based on EIS indicators; and supervisory review of every officer who previously was triggered for review.	2
Supervision - EIS	319	Command staff and other supervisors will regularly review EIS data to evaluate performance of officers across ranks, units and shifts	2
Supervision - EIS	320	Command staff will collect and, at least quarterly, analyze EIS information regarding supervisor, squad and officer trends	2
Supervision - EIS	321	First line supervisors and lieutenants will review EIS data for all officers under their command at least monthly and whenever an officer first comes under their supervision, and at least quarterly will review pattern-based reports	2
Supervision - EIS	322	All supervisors will be trained on how to use the EIS, interpret the data, and peform appropriate interventions	2
Supervision - EIS	323	BPD will retain or develop internally the expertise needed to perform individualized interventions to address problematic or potentially problematic officer conduct. Non-disciplinary interventions will be timely performed and designed to correct or prevent problematic behavior. All interventions will be documented in writing, entered into the EIS, and reviewed, evaluated and documented for their effectiveness.	2
Supervision - EIS	324	BPD will develop and implement a protocol for using the EIS, which will include requirements for data storage, data retrieval, reporting, analysis, pattern identification, supervisory use, intervention, documentation, audits, system access, and confidentiality	2
Supervision - EIS	325	BPD will maintain all equipment and software needed to maintain and use the EIS, and will retain officer-specific information for at least five years after the officer's separation from BPD and information needed for aggregate statistical analyses for at least 20 years.	2
Supervision - EIS	326	BPD will ensure officers are provided with information regarding the function and scope of the EIS within 60 days of implementation	2
Supervision - EIS	327	BPD will create an EIS compliance plan (with MT and DOJ input) that must incude a clear explanation of the relationship among the different types of data within EIS, the hardware and architecture needed to facilitate those relationships; the source systems that will supply the data; the personnel responsible for implementation; and the proposed implementation timeline.	2

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Supervision - assessment	328	BPD will develop protocols for annually evaluating the effectiveness of officer supervision and, in the evaluations, will identify and document deficiencies and corrective actions	2

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Misconduct - General	329	BPD must have a well-functioning accountability system	4c
Misconduct - OPR	330	OPR must be "physically located in a facility that is separate from other BPD buildings," is publicly accessible, and "has space for receiving members of the public and for permitting them to file complaints."	4d
Misconduct - OPR	331	OPR employees cannot "be assigned to duties that may create any conflict of interest" or appearance of such a conflict.	4d
Misconduct - OPR	332	OPR must have "sufficient resources and qualified staff."	4c
Misconduct - OPR	333	OPR will have power to "investigate all complaints of officer misconduct," "coordinate with CRB on all complaints within CRB jurisdiction," and oversee misconduct investigations that "do not involve police-civilian interactions."	4d
Misconduct - OPR	334	BPD will revise policies and protocols "to ensure that investigators and supervisors are provided with sufficient guidance."	4d
Misconduct - Complaint Intake, Classification, and Communication	335	BPD will revise OPR policies on complaint intake, classification, and communication with complainants to comply with terms of Consent Decree.	4d
Misconduct - Complaint Intake, Classification, and Communication	336	"BPD will ensure that the complaint intake process is open and accessible for individuals who wish to file complaints about BPD officers' conduct" by adhering to a number of specifically-identified requirements.	4c
Misconduct - Complaint Intake, Classification, and Communication	337	"BPD shall ensure that there are adequate protocols to encourage and protect officers who report violations of policy by other officers" and that officers who observe or become aware of misconduct report it.	4d
Misconduct - Complaint Intake, Classification, and Communication	338	BPD will classify complaints "based solely on the nature of the allegations and the facts alleged in such allegations," with OPR adopting a protocol and process to support this classification process.	4c
Misconduct - Complaint Intake, Classification, and Communication	339	"BPD and CRB will each develop a protocol delineating each agency's responsibilities for complaint intake, classification, investigation and review, and how the agencies will interact throughout the investigation and disciplinary process." The protocols will contain certain, specific provisions.	4d
Misconduct - Complaint Intake, Classification, and Communication	340	BPD will establish "a system to document and address" misconduct allegations received "from the State's Attorney's Office or by a judicial officer during a civil proceeding" that addresses certain specific requirements.	4d
Misconduct - Complaint Intake, Classification, and Communication	341	Supervisors will respond to the scene of complaints, document the complaint, and report it to OPR, complying with various, specific requirements.	4c
Misconduct - Complaint Intake, Classification, and Communication	342	For civilian complaint investigations, the investigator "will send periodic written updates to the complainant by mail and by email," complying with various, specific requirements.	4b

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Misconduct - OPR Administrative Misconduct Investigations	343	"BPD will ensure that misconduct investigators will conduct objective, comprehensive, and timely administrative investigations of all allegations of officer misconduct" and base all findings on an appropriate standard of proof clearly delineated in "policies, training, and procedures."	4c
Misconduct - OPR Administrative Misconduct Investigations	344	OPR investigators will follow various, specifically-identified investigative procedures.	4c
Misconduct - OPR Administrative Misconduct Investigations	345	"BPD shall conduct a sexual misconduct incident review at the conclusion of every investigation of a sexual misconduct complaint against a BPD officer or employee concerning conduct against a non-BPD employee." The review will adhere to various, specifically-identified guidelines and requirements.	4c
Misconduct - OPR Administrative Misconduct Investigations	346	"BPD shall document its reasons for implementing or not implementing the recommendations of the sexual misconduct incident review team."	4c
Misconduct - OPR Administrative Misconduct Investigations	347	"BPD will develop and implement policies to ensure that the officer accused of misconduct receives notice that he or she is under investigation." The policies will include various, specifically-identified provisions.	4c
Misconduct - OPR Administrative Misconduct Investigations	348	BPD will preclude interference or collusion with misconduct investigations.	4c
Misconduct - OPR Administrative Misconduct Investigations	349	BPD will ensure that misconduct investigators do not ask leading questions, discourage BPD personnel from providing a full account, or close an investigation for certain, specifically-identified reasons.	4d
Misconduct - OPR Administrative Misconduct Investigations	350	OPR supervisors must "regularly meet with misconduct investigators to evaluate the progress of an investigation" and must "properly document[]" such meetings.	4c
Misconduct - OPR Administrative Misconduct Investigations	351	"At the conclusion of each investigation, misconduct investigators will prepare an investigation report," including various, specifically-identified components.	4c
Misconduct - OPR Administrative Misconduct Investigations	352	BPD will develop a process for completed misconduct investigations to be "evaluated for policy, training, tactical [and] equipment concerns, including recommendations for how those concerns will be addressed," with the evaluation addressing various, specific requirements.	4c
Misconduct - OPR Administrative Misconduct Investigations	353	"BPD may develop a protocol governing the imposition of discipline in an expedited manner, when an officer agrees to the proposed discipline" so long as it adheres to various, specific requirements.	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Misconduct - OPR Administrative Misconduct Investigations	354	Supervisory review of misconduct investigations must comply with various, specifically-identified procedures and requirements.	4c
Misconduct - OPR Administrative Misconduct Investigations	355	"BPD will ensure that anyone tasked with investigating employee misconduct possesses excellent investigative skills, a reputation for integrity, the ability to write clear reports, and the ability to be fair and objective in determining whether an employee committed misconduct. When selecting new investigators, BPD will consider the candidates' complaint history"	4d
Misconduct - OPR Administrative Misconduct Investigations	356	BPD will take certain, specifically-identified measures to prohibit conflicts of interest in misconduct investigations and in those personnel assigned to hold disciplinary hearings or make disciplinary decisions.	4d
Misconduct - OPR Administrative Misconduct Investigations	357	"At the discretion of the Director of the OPR, a misconduct investigation may be assigned or re-assigned to another misconduct investigator. This assignment or re-assignment shall be documented in writing."	4d
Misconduct - OPR Administrative Misconduct Investigations	358	"BPD will provide information to the Office of the Public Defender about how to file and follow-up on complaints about officer misconduct."	4d
Misconduct - Criminal Misconduct Investigations	359	Investigator must "promptly notify OPR" upon finding "evidence indicating apparent criminal conduct by any BPD personnel." OPR will consult with relevant prosecuting or federal law enforcement agency regarding criminal investigation. "Absent specific circumstances that would jeopardize the criminal investigation," OPR/CRB "may continue with the administrative investigation(s) of the allegation."	4c
Misconduct - Criminal Misconduct Investigations	360	BPD shall consult with prosecuting agency and seek Commissioner approval before taking a compelled statement for the purposes of conducting an administrative investigation "when a BPD officer refuses to give a voluntary statement and BPD has probable cause to believe the person has committed a crime."	4c
Misconduct - Criminal Misconduct Investigations	361	OPR must "ensure that criminal investigators do not have access to any materials protected by <i>Garrity</i> ," and BPD must "develop and implement protocols to ensure that criminal and administrative investigations of BPD employees are kept appropriately separate."	4d
Misconduct - Criminal Misconduct Investigations	362	BPD employees must continue to "provide a public safety statement regarding a work-related incident or activity, including Use of Force Reports and incident reports."	4c
Misconduct - Criminal Misconduct Investigations	363	OPR shall request an explanation for prosecutors declining to prosecute or dismissing a criminal case after the initiation of criminal charges when BPD has referred an investigation of an officer.	4b
Misconduct - Criminal Misconduct Investigations	364	OPR "shall maintain all reports and files concerning criminal investigation of officers after they are completed for the duration of the officer's employment with BPD."	4c
Misconduct - Referral of Investigations to Outside Entities	365	"BPD shall develop protocols to govern when to refer allegations of administrative or criminal misconduct by BPD officers to another law enforcement agency or qualified outside investigator to conduct the investigation."	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Misconduct - Referral of Investigations to Outside Entities	366	Outside investigation protocols must "include provisions for dealing with incidents in which there are actual or perceived conflicts of interest "	4d
Misconduct - Referral of Investigations to Outside Entities	367	Outside investigation protocols must "include provisions that govern when BPD's review of a referred investigation would be appropriate."	4d
Misconduct - Referral of Investigations to Outside Entities	368	Where BPD review is appropriate, "OPR shall review the completed investigation to ensure that it is of sufficient quality and completeness," with OPR Director requesting that outside entity conduct 'additional investigation' where necessary.	4d
Misconduct - Referral of Investigations to Outside Entities	369	Outside entity investigating potential criminal conduct must document decision to close investigation without referral to a prosecuting agency. "OPR shall separately consider whether to refer the matter to a prosecuting agency" and document that decision in writing.	4c
Misconduct - Referral of Investigations to Outside Entities	370	"If the prosecuting agency declines to prosecute an officer or dismisses the criminal case after the initiation of criminal charges, the OPR shall request an explanation for this decision, which shall be documented in writing and appended to the criminal investigation report."	4b
Misconduct - Referral of Investigations to Outside Entities	371	OPR will "maintain all criminal and administrative investigation reports and files" of outside entities after reports/files are completed.	4d
Misconduct - Disciplinary Charges	372	"BPD will ensure that disciplinary charges for sustained allegations of misconduct are consistently applied, fair, and based on the nature of the allegation, the evidence, and that mitigating and aggravating factors are identified and consistently applied and documented."	4c
Misconduct - Disciplinary Charges	373	Where OPR investigation determines that officer actions violate policy, "BPD shall ensure appropriate charges are brought and/or corrective action is taken."	4d
Misconduct - Disciplinary Charges	374	When investigation addresses misconduct not involving police-civilian interactions and is conducted by a Supervisor at a District/Unit, District Commander has "authority to initiate appropriate disciplinary action and/or take corrective action "	N/A
Misconduct - Disciplinary Charges	375	BPD will review and ensure that all disciplinary matrices, policies, and procedures comply with various, specifically-identified requirements.	4c
Misconduct - Disciplinary Charges	376	"Each sustained misconduct allegation shall be considered for the purposes of recommending discipline."	4d
Misconduct - Disciplinary Charges	377	BPD will not "suspend[] a misconduct investigation solely because" an officer has resigned.	4d
Misconduct - Disciplinary Charges	378	"BPD will provide the required notice to the Maryland Police Training and Standards Commission, including when an officer resigns while a misconduct investigation or disciplinary charges are pending."	4d
Misconduct - Disciplinary Hearings	379	BPD will ensure that disciplinary hearings "comport[] with state law" and Consent Decree requirements.	4a
Misconduct - Disciplinary Hearings	380	"Two civilian voting members will participate and vote in each disciplinary hearing conducted by BPD, if permitted by law."	4d/will be affected by trial board composition requirement under new state law
Misconduct - Disciplinary Hearings	381	"Disciplinary hearings will be audio recorded in their entirety."	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Misconduct - Disciplinary Hearings	382	"If an accused officer provides new and material evidence at a disciplinary hearing, the hearing will be suspended" unless good cause for continuing the hearing is provided in writing by the panel; if hearing is suspended, new evidence will be investigated and evaluated before the hearing is resumed; OPR will conduct a new investigation if it appears officer intentionally withheld the new evidence during the initial investigation.	4a
Misconduct - Disciplinary Hearings	383	Disciplinary board hearing must "provide in writing the findings, as well as a recommendation made pursuant to the BPD disciplinary matrix," including justification for not imposing discipline or imposing non-disciplinary corrective action.	4a
Misconduct - Disciplinary Hearings	384	"Disciplinary hearings shall be scheduled within 30 days of informing the officer of the recommended discipline. BPD will use its best efforts to ensure that disciplinary hearings will be conducted within 120 days of informing the involved officer of the recommended discipline."	4a
Misconduct - Imposition of Discipline	385	"BPD will ensure that discipline comports with due process and is consistently applied, fair, and based on the nature of the charges, the evidence, and that mitigating and aggravating factors are identified and consistently applied and documented."	4c
Misconduct - Imposition of Discipline	386	Full investigative file "shall be provided to the Commissioner . . . for the ultimate determination of whether to impose discipline."	4d
Misconduct - Imposition of Discipline	387	"OPR shall maintain all administrative investigation reports and files after they are completed for the duration of the officer's employment with BPD. Once the officer leaves BPD employment," the disciplinary record will be maintained by BPD HR.	4d
Misconduct - Imposition of Discipline	388	"BPD will eliminate policies that authorize the expungement of records where an employee accepts discipline."	4d
Misconduct - Mediation	389	BPD will "provide a mediation program . . . to act as an alternative to the investigation process . . . for certain minor allegations of officer misconduct impacting civilians." The program will include various, specifically-identified provisions.	2
Misconduct - Mediation	390	BPD and City will ensure "effective" administration of mediation program and "disseminate information to the public about the availability of community mediation."	2
Misconduct - Mediation	391	Complaints that are sent to mediation must be tracked in the "centralized electronic numbering and tracking system for all allegations of misconduct."	2
Misconduct - Tracking Misconduct	392	"BPD will maintain a centralized electronic numbering and tracking system for all" misconduct allegations that complies with various, specifically-identified requirements.	4d
Misconduct - Tracking Misconduct	393	"BPD will develop a protocol to share information from OPR misconduct investigations with prosecuting agencies when appropriate" and will work with local prosecuting attorneys to develop the protocol.	4c
Misconduct - Tracking Misconduct	394	"[C]omplainants and the public will be able to assess the status of, and track, misconduct investigations," as permitted by law.	4c
Misconduct - Tracking Misconduct	395	OPR will track various, specifically-identified complaint categories.	4d
Misconduct - Transparency Measures	396	BPD and City "recognize the importance of transparency" and "will continue to take steps to increase transparency."	N/A
Misconduct - Transparency Measures	397	"City and BPD will develop and implement a program to promote awareness . . . about the process for filing complaints."	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Misconduct - Transparency Measures	398	BPD website will include "detailed written description, in plain language," of the BPD complaint investigation and officer discipline process, as well as "description of the CRB complaint option and a link to the CRB website."	4c
Misconduct - Transparency Measures	399	BPD will "create a short video that explains the jurisdiction and duties of entities within BPD" and will "make publicly available all policies and procedures regarding its internal investigation and disciplinary process."	4c
Misconduct - Transparency Measures	400	"BPD will post and maintain at the reception desk at BPD headquarters and in locations at all District stations . . . permanent placards clearly and simply describing the BPD and CRB civilian complaint intake process."	4d
Misconduct - Transparency Measures	401	BPD will create complaint forms and information materials "that describe the internal and disciplinary process at CRB and BPD."	4d
Misconduct - Transparency Measures	402	OPR and CRB will produce quarterly public reports on misconduct investigations that provide various, specifically-identified data.	4c
Misconduct - Transparency Measures	403	"BPD will develop a protocol to ensure appropriate transparency concerning the disciplinary hearing process and outcomes."	2
Misconduct - Transparency Measures	404	"After final disposition of misconduct complaints, BPD shall make detailed summaries" publicly available on its website, as permitted by law.	2
Misconduct - Transparency Measures	405	BPD will conduct annual audits of BPD's disciplinary process, including complaint intake, investigation and imposition of discipline, and publish reports.	2
Misconduct - Additional Oversight Measures	406	"BPD shall establish a testing program designed to assess civilian complaint intake" that includes various, specifically-identified features.	4c
Misconduct - Additional Oversight Measures	407	BPD's civilian complaint intake testing program will not include various, specifically-identified features.	4c
Misconduct - Additional Oversight Measures	408	BPD will produce an annual report on the testing program that includes various, specifically-identified information.	2
Misconduct - Training	409	"BPD will provide all investigators assigned to the OPR with at least 40 hours of comprehensive training on conducting employee misconduct investigations."	4d
Misconduct - Training	410	BPD's misconduct investigator training will include instruction on various, specifically-identified subjects.	4d
Misconduct - Training	411	Misconduct investigator training "will be provided by sources both inside and outside of BPD" to ensure "training on investigative techniques that are specific to the Baltimore community, and BPD policies, procedures, and disciplinary rules."	4d
Misconduct - Training	412	CRB investigators must receive "at least 40 hours of comprehensive training on conducting investigations into officer misconduct," including instruction on various, specifically-identified subjects.	4d
Misconduct - Training	413	BPD will ensure that training provided to BPD misconduct investigators "pursuant to this Agreement is available to CRB investigators."	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Misconduct - Training	414	BPD supervisors/personnel who investigate misconduct not involving police-civilian interactions "will receive 8 hours of in-service training annually related to conducting misconduct investigations." Supervisors must receive at least 4 hours of training on accepting civilian complaints when called to a scene.	4d
Misconduct - Training	415	"BPD will provide training to all personnel on BPD's revised or new policies related to misconduct investigations and discipline," including instruction on various, specifically-identified subjects.	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Coordination- School Police	416	BPD's authorization to BSP to exercise law enforcement powers is memorialized in a Memorandum of Understanding.	4d
Coordination- School Police	417	BPD will conduct an initial assessment to evaluate the frequency with which BSP is using law enforcement power under the MOU, as well as assess opportunities for improvement. Following the assessment, BPD will conduct a biennial evaluation of its efforts to improve coordination with BSP.	4d
Coordination- School Police	418	BPD will change the MOU to address the opportunities for improvement identified in the initial assessment and require each agency's officers to cooperate in the other agency's administrative investigations when both agencies' officers are involved in an incident, unless doing so would jeopardize BPD administrative investigations.	4d

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Recruitment, Hiring and Retention	419	BPD will review and revise its recruitment and hiring program to ensure that BPD successfully attracts and hires a diverse group of qualified individuals.	4d
Recruitment, Hiring and Retention	4201	According to the timeline specified in the monitoring plan, BPD will develop a written recruitment plan that includes clear goals, objectives, and action steps for attracting and retaining a quality workforce that reflects the diversity of the Baltimore community	4d
	421(a)	The recruitment plan will require minimum standards for recruits and lateral hires.	4d
	421(b)	The recruitment plan will require recruitment outreach to a broad spectrum of community stakeholders, aimed at increasing the diversity of its ranks, including race and gender, and applicants who are community policing and problem-solving oriented. BPD and the City will explore opportunities for Youth in the City's high schools to gain exposure to policing through internship or other programs and create ways to support interested Youth in fulfilling the requirements to join BPD.	4d
	421(c)	The recruitment plan will require broad distribution of recruitment information, including information regarding career opportunities, compensation, the testing and hiring process, and applicable deadlines and requirements. Such information will, at a minimum, be readily accessible on City and BPD websites and available upon request to City or BPD officials	4d
	421(d)	The recruitment plan will require that candidates be allowed to submit initial applications online to BPD; and	4d
	421(e)	The recruitment plan will require opportunities for officers, civilians, and members of City Government to assist the BPD's efforts to attract a broad spectrum of qualified applicants	4c
Recruitment, Hiring and Retention	422	BPD will implement the Recruitment Plan.	4d
Recruitment, Hiring and Retention	423	BPD will conduct an in-depth review of BPD's current hiring processes for officers and state hiring criteria to assess if any process has a disparate impact on any Demographic Category.	4d
Recruitment, Hiring and Retention	424(a)	BPD's background investigation for hiring officers will include: an in-person psychological screening with a trained psychiatrist or psychologist; a background investigation including police records, education, employment, military history, etc.; a review of personnel files from prior employment; a pre-employment investigation that includes requesting a candidate's history of lethal and less lethal force; contacting MPSTC to review license status; checking the National Decertification Index; determining if the candidate has any civil actions; and implementing pre-employment screening mechanisms, such as accessing social media.	4d
Recruitment, Hiring and Retention	424(b)	BPD's background investigation for hiring officers will include: a background investigation including police records, education, employment, military history, etc.;	4d
Recruitment, Hiring and Retention	424(c)	BPD's background investigation for hiring officers will include: a review of personnel files from prior employment;	4d
Recruitment, Hiring and Retention	424(d)	BPD's background investigation for hiring officers will include: a pre-employment investigation that includes requesting a candidate's history of lethal and less lethal force;	4c
	424(e)	BPD's background investigation for hiring officers will include: contacting MPSTC to review license status;	4d
	424(f)	BPD's background investigation for hiring officers will include: checking the National Decertification Index;	4d
	424(g)	BPD's background investigation for hiring officers will include: determining if the candidate has any civil actions	4d
	424(h)	BPD's background investigation for hiring officers will include: implementing pre-employment screening mechanisms, such as accessing social media.	4d
	425	The background investigation and screening do not need to be completed for candidates whose applications do not meet the minimum criteria or do not advance.	4d
	426	BPD will create a Retention Plan with various, specifically-identified provisions.	4d
	427	BPD will conduct annual assessments of its recruitment and retention efforts and identify any deficiencies and opportunities for improvement.	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Staff, Evaluations and Promotions	428	BPD will complete a Staffing Study to assess the appropriate number of sworn and unsworn personnel needed to fulfill BPD's mission, enable supervision, and satisfy CD requirements.	4d
Staff, Evaluations and Promotions	429	BPD's will complete a Staffing Plan that provides for personnel development to ensure effective community and problem-oriented policing; well-trained staff and resources to conduct timely misconduct investigations; sufficient number of patrol officers in each district; unity of Command to the extent feasible; sufficient number of supervisors; and BPD's and the City's existing and projected resources.	4d
Staff, Evaluations and Promotions	430	BPD will implement the Staffing Plan in a manner that reflects the City's and BPD's fiscal resources.	4c
Staff, Evaluations and Promotions	431	Performance evaluations will include supervisor's written evaluation of the officer's performance during the rating period and an in-person meeting.	4c
Staff, Evaluations and Promotions	432	BPD will use a formal system to evaluate officer performance, which will include supervisor consideration of: demonstrated integrity and ethical decision-making; demonstrated commitment to community engagement, building trust and bias-free policing; effective use of de-escalation and crisis management techniques; communication and decision-making skills; civilian commendations; disciplinary actions; and the quality and accuracy of officer reports, search warrants and supportive affidavits.	4c
Staff, Evaluations and Promotions	433	Supervisors will meet with their subordinates on an ongoing basis to discuss their performance and document ongoing efforts regarding challenges and areas of growth.	4c
Staff, Evaluations and Promotions	434	Performance evaluations for each supervisor will include assessments of the supervisor's effectiveness in conducting the supervisory reviews required by the CD.	4c
Staff, Evaluations and Promotions	435	"The BPD will ensure its promotional systems establish clear criteria that prioritize effective, constitutional, and community-oriented policing as factors in promotion."	4c

Consent Decree Area	CD Paragraph Number	Summary of Requirements	Compliance Status
Assistance and Support	436	BPD will provide all sworn officers with an Employee Assistance Program ("EAP") with certain, specifically-identified provisions.	5a
Assistance and Support	437	As part of the EAP, BPD will complete and maintain a list of mental and physical health service providers and will ensure officers have easy access to this information.	5a
Assistance and Support	438.a	BPD will develop peer support services that includes a peer support program to provide officers emotional, social and practical support	5a
	438.b	BPD will develop peer support services that includes a peer intervention program that provides training to safely intervene before an officer engages in unethical behavior, accept an intervention from another officer when it occurs, and provide emotional, social and practical support to officers who intervene.	5a
Assistance and Support	439	BPD will offer voluntary mental health evaluations before an officer returns to full duty following a traumatic event.	5a
Assistance and Support	440	BPD will develop well-being protocols that will include: close monitoring and checks of officers' well-being by supervisors; availability of mental health care to officers; health and safety guidance during pre-deployment briefings; close monitoring of officer fatigue and indications of stressors; and deployment of counselors or psychologists for officers and their families during prolonged periods of demonstrations or unrest.	5a
Assistance and Support	441	BPD will annually assess officer assistance and support programs, identify opportunities for improvement, and document improvements made.	5a