







Semi-Annual Evaluation: MNPD's Implementation of COB Policy Recommendations

In advance of the COB's Monthly Board Meeting on October 26th, 2022

This report gauges which policy recommendations of the Community Oversight Board (COB) have been accepted and implemented by the Metro Nashville Police Department (MNPD), which have been partially adopted, and which have not been adopted. Per the Memorandum of Understanding between the two departments, upon receipt of a policy advisory report, the Chief of Police has 45 calendar days to respond to each recommendation, including the acceptance, partial acceptance, or non-acceptance of the recommendations. Each recommendation is thus marked with the following icons:

	The recommendation has been accepted/incorporated into MNPD's most recent policy manual.
	The recommendation has been partially accepted/incorporated into MNPD's most recent policy manual.
	The recommendation has not been accepted/incorporated into MNPD's most recent policy manual.
	There is a legitimate reason why MNPD has not responded to or implemented these recommendations; for example, the Department is within their allotted 45-day response window.

The COB has made 31 policy recommendations to date, all of which MNPDP has responded to. There are four recommendations that MNPDP states they are not legally able to implement per advice from Metro Legal. These non-implementations will not be counted against the Department.





As of writing, MNPDP has fully implemented 19 of the 27 remaining recommendations (70.4%), partially implemented three (11.1%), not implemented three of these recommendations (11.1%), has one recommendation actively under implementation (3.7%), and has one recommendation they are unable to implement (3.7%).





Additionally, MNPDP has fully accepted 22 of the 27 recommendations (81.5%), partially accepted two (7.4%), has not accepted two of these recommendations (7.4%), and has one actively under implementation (3.7%).

There is substantial difference in accepting a policy and implementing it. MNCO and the MNPDP are in ongoing conversations to better understand and rectify this gap. These conversations have already improved the full policy implementation rate from 40.7% to 70.4%.

Policy Advisory Report Comparing Community Oversight Board and Metro Nashville Police Department Investigative Findings



Issued by the COB on 5/25/22



	Recommendation	Recommendation Implemented?	Recommendation Accepted?	Notes
1	The COB and MNPDP should meet and develop a shared set of definitions for investigative findings. They should work to develop such standards within 60 days of the issuance of this report.			<ul style="list-style-type: none"> MNPDP accepted this recommendation on 7/20/22. Implementation is in progress.
2	The COB and MNPDP should modify Section IX.B of their Memorandum of Understanding to require MNPDP to operate under a presumption of correctness regarding the Board’s investigative findings.			<ul style="list-style-type: none"> MNPDP writes that they are unable to accept the recommendation per advice of Metro Legal. <i>*Note:</i> given that the legality of this recommendation is in question under current civil service rules, this refusal will not be counted against MNPDP.

3	The COB and MNPDP should modify Section IX.B of the Memorandum of Understanding to require MNPDP meet a standard of preponderance of the evidence when it disagrees with the findings of the Board.			<ul style="list-style-type: none"> • MNPDP writes that they are unable to accept the recommendation per advice of Metro Legal. • <i>*Note:</i> given that the legality of this recommendation is in question under current civil service rules, this refusal will not be counted against MNPDP.
4	The COB and MNPDP should modify Section IX.B of the Memorandum of Understanding to include language outlining that, absent preponderance of the evidence that the Board's findings are in error, MNPDP should implement the recommended discipline from the Board.			<ul style="list-style-type: none"> • MNPDP writes that they are unable to accept the recommendation per advice of Metro Legal. • <i>*Note:</i> given that the legality of this recommendation is in question under current civil service rules, this refusal will not be counted against MNPDP.

COB Recommendation to Require Reporting of Soft Empty-Hand Control





Issued by the COB on 10/27/21





	Recommendation	Recommendation Implemented?	Recommendation Accepted?	Notes
1	All uses of soft empty-hand control techniques used to overcome resistance should be immediately reported to an officer's supervisor and require a written report that is tracked by MNPDP. Tracking of all uses of soft empty-hand control techniques used to overcome resistance should begin as soon as			<ul style="list-style-type: none"> • On 1/1/22, MNPDP issued a Roll Call Training modifying their Use of Force policy to address this recommendation. This Roll Call Training states that on "January 1st, 2022, the MNPDP will begin reporting the use of Soft Empty-Hand Control techniques when applied to subjects who are non-compliant and who actively resist being detained or taken into custody, provided there is no injury or allegation of





	possible but no later than January 1, 2022.			injury. Such incidents shall be reported on the new MNPDP Form 108NC.”
2	<p>Officers using soft empty-hand control techniques to overcome resistance without an allegation of injury should be required to complete a Form 108-S, a form that would be created by MNPDP to collect information about soft empty-hand control when the force does not rise to the current Form 108 reporting level. Additionally, MNPDP Manual §11.10.200 (G) 11 should be amended to require quarterly and annual use of force reports posted to the MNPDP website, sent to Metro Council, and sent to the Executive Director of the COB that include the number of use of force incidents where soft empty-hand control is the highest force used and there is no allegation of injury and disaggregated data as detailed in this report.</p>			<ul style="list-style-type: none"> • On 1/1/22, MNPDP issued a Roll Call Training modifying their Use of Force policy to address this recommendation. See: §11.10.090.D.4: “The use of soft empty-hand control in response to active resistance shall be reported to a supervisor. Such supervisor, based upon a review of facts and circumstances, will direct an employee to complete MNPDP Form 108NC, Non-Compliant Suspect/Arrestee Report.” • In lieu of the suggested quarterly or annual reports, the Use of Force dashboard at the MNPDP Data Dashboard site is now modified to track and report the recommended items in a "live" format and the data download feature of the dashboard has been made active. The COB considers this to be an acceptance of the policy recommendation.





Policy Advisory Report on Metro Nashville Police Department Hiring Procedures







Issued by the COB on 5/26/21

	Recommendation	Recommendation Implemented?	Recommendation Accepted?	Notes
1	The Personal History Statement should include law-enforcement specific questions for applicants who have been law enforcement officials in another jurisdiction. This should include questions about unnecessary use of force, bias-based policing, and any disciplinary actions.			<ul style="list-style-type: none"> • There are several questions on the PHS specific to bias (#53, 99, and 124) • A section of the PHS requires the applicant to list every prior employment for the past 10 years. The final question for each prior employment is: “Did You Ever Receive Any Disciplinary Action?” • MNPDP created and implemented a new pre-screener questionnaire as of 10/1/22 that asks: “Have you ever resigned in lieu of termination, been terminated, or resigned while under investigation from any law enforcement agency, fire department, corrections department, or school district? If you are prior law enforcement of any kind (police, sheriff, etc.), have you ever had a sustained finding of excessive force or biased based policing against you?” • This questionnaire is being added to the Background and Recruitment section’s SOP. The new SOP can be expected from ~11/6/22 to 11/20/22.
2	Question #99 of the Personal History Statement asking whether applicants have a prejudice that			<ul style="list-style-type: none"> • MNPDP has added the following question to the PHS: “How do you understand unconscious or implicit bias and have you

	will impact their job performance should be changed to a series of questions focused on discriminatory attitudes and behaviors and a short answer question regarding the applicant's understanding of implicit bias.			<p>taken any steps to try to reduce or manage unconscious or implicit biases?"</p> <ul style="list-style-type: none"> • This will be updated by 10/28/22 • There are also several questions on the PHS specific to bias (#53, 99, and 124)
3	MNPD should evaluate reasons for Civil Service Testing no-shows through surveys and interviews with individuals who did not show up to testing. When impediments are identified, changes to the process should be considered and, if made, an evaluation plan should be in place to assess whether the change was effective. MNPD should aim to have at least 50% of invited applicants take the Civil Service Tests.			<ul style="list-style-type: none"> • MNPD is updating their Background and Recruitment SOP to include this evaluation process, which is presently adopted by the apartment. • Commander Gilder estimated the SOP would be finalized within 4-6 weeks, at which point he would provide MNCO with a copy. Thus, the new SOP can be expected from approximately 11/6/22 to 11/20/22.
4	MNPD should publicly release their planned evaluation report focusing on whether changing the physical agility section of the Civil Service Test reduces gender and racial disparities in attending and passing the test.			<ul style="list-style-type: none"> • MNPD has completed an evaluation and intends to add it to the Recruitment portion of the MNPD website by 10/28/22. This evaluation will be reproduced annually.





5	<p>MNPD should work to increase the racial, ethnic, gender, age, and language diversity of the Recruitment Section’s background investigators to align with the population of Nashville more closely and make progress toward diversification by the end of 2021.</p>			<ul style="list-style-type: none"> • In Chief Drake’s initial response to the COB, he outlined that Background Investigators were ~85% white (six white men, five white women, one Black male, and one male of 2+ races). • Commander Gilder informed the COB that the Background Investigators are now ~94% white (12 white men, five white women, and one ‘other’ male). • In fact, this indicates that even as MNPD has hired more background investigators, they have become less diverse. This recommendation is thus not implemented.
6	<p>MNPD should review, at least annually, the demographics of applicants that have been assigned to background investigators and the number of disqualifications resulting from each investigator to identify potential biases. One investigator having higher disqualification rates for a specific demographic group than other investigators does not necessarily indicate bias, but it suggests that an in-depth audit is needed.</p>			<ul style="list-style-type: none"> • MNPD has agreed to conduct a periodic review of disqualified applicants for any indications of bias. • MNPD is presently updating their Background and Recruitment SOP to include this review process. • Commander Gilder estimated the SOP would be finalized within 4-6 weeks, at which point he would provide MNCO with a copy. Thus, the new SOP can be expected from approximately 11/6/22 to 11/20/22.







7	<p>The Recruitment Section’s SOPs should address the timing of the social media review in the hiring process and the procedures used by MNPd personnel for reviewing social media content. This should include a standard solicitation process regarding applicant social media information.</p> <p>Applicants who refuse to supply access to social media accounts should be disqualified from the hiring process.</p>			<ul style="list-style-type: none"> • In consultation with Metro Legal, MNPd has updated and implemented their social media review as follows: Social media accounts are screened at the end of the background investigation using open-source investigative methods. Anything that is found during this check is presented with the background investigation. Applicants are also requested to provide usernames and passwords for their accounts, but they cannot be mandated to do so. If they refuse to provide this information, that refusal cannot be used in determining whether the applicant is given a conditional offer or disqualified. • This process, already in effect, is in the process of being added to the Background and Recruitment SOP. • Commander Gilder estimated the SOP would be finalized within 4-6 weeks, at which point he would provide MNCO with a copy. Thus, the new SOP can be expected from approximately 11/6/22 to 11/20/22.
8	<p>SOPs should require that if an applicant is the subject of a criminal investigation after review by the DCOP Panel they must review the incident in the context of the applicant’s full</p>			<ul style="list-style-type: none"> • MNPd accepted this recommendation and outlined that it is currently incorporated within the Background and Recruitment SOP sections.





	background investigation and re-vote on the applicant's qualification status.			
9	MNPD should add the Executive Director of the COB or their designee as a voting member to the DCOP Panel.			<ul style="list-style-type: none"> The MNPD no longer uses a DCOP Panel to review candidates. No comparable body has replaced the DCOP Panel that votes on each applicant. This recommendation is thereby no longer enforceable.
10	The Recruitment Section's SOPs should address conflicts of interest of the DCOP and direct panelists to recuse themselves from deliberating or voting on an applicant's qualification when they have a personal or business relationship with the applicant.			<ul style="list-style-type: none"> MNPD updated the Background SOP to outline that any member of the Chief Panel or their designee identifying a conflict of interest should not vote.
11	MNPD should evaluate the pre-academy employment program to determine whether it improves academy outcomes and early employment outcomes compared to those who did not participate in the program and release a public report on the program.			<ul style="list-style-type: none"> Background and Recruitment staff will conduct a review of the program to determine whether it improves outcomes and publish that information on the website. Commander Gilder estimated the evaluation would be finalized within 4-6 weeks, at which point MNPD will upload it to their website (between 11/6/22 and 11/20/22).

Policy Advisory Report on Use of Force Consent Decrees

Issued by the COB on 10/23/20

	Recommendation	Rec. Implemented?	Rec. Accepted?	Notes
1	MNPD should review policies, procedures, and trainings to ensure consistency between policies in the Manual and prohibitions that are covered in training. Actions that are against policy because of training should be explicitly stated as prohibited in the MNPD Manual. When appropriate, concrete examples should be provided to ensure clarity.			<ul style="list-style-type: none">The use of force revision includes multiple changes that increase consistency between policy and training.
2	MNPD should implement promotional and annual in-service supervisor training that focuses on conducting use of force investigations. This training should be in addition to the annual in-service training provided to all sworn officers. Recommended training topics include: conducting use of force investigations, strategies for effectively directing officers to minimize uses of force and to intervene effectively to prevent or stop unreasonable force, incident management, and supporting officers who report unreasonable or unreported force, or who are retaliated against for using only reasonable force or attempting to prevent unreasonable force.			<ul style="list-style-type: none">Per Commander Lara, specialized training for supervisors responsible for investigating use of force incidents has been rolled out in the department. Command-level leadership has received training and it will be required for lieutenants and sergeants next.It should, however, be noted that an explicit training requirement is not included in the revised use of force policy.





3	<p>MNPD should create a Crisis Intervention Team comprised of specially trained officers for response to crisis situations involving mental health issues including drug addiction. CIT officers should work closely with civilian mental health professionals and, when possible, should be accompanied by a mental health professional co-responder when responding to crisis-related calls for service. The MNPD Manual should outline policies, procedures, and roles related to the crisis intervention program, including trauma-informed, situation-based guidance for officers responding to the scene of a crisis. Since a CIT will require a long-term implementation plan, MNPD should aim to create a budget-neutral plan for developing the program.</p>			<ul style="list-style-type: none"> • CIT Co-response program is active in Central, North, and Hermitage Precincts, and is being expanded in two ways: 1) into more precincts, and 2) with a non-law enforcement option.
4	<p>MNPD should categorize all use of force above unresisted handcuffing into three levels that will guide the reporting and investigation of the use of force.</p>			<ul style="list-style-type: none"> • MNPD accepted the reporting threshold for any force above unresisted handcuffing, but not the 3-level categorization. Reporting soft empty hand control to supervisor is now explicitly stated in the revised use of force policy at §11.10. 190.C.5.
5	<p>A Force Investigation Team should be created as a branch of OPA to investigate criminal and administrative aspects of uses of force resulting in serious injury, all firearm discharges, misapplications of force, and other serious uses of force as defined by the department. They should also investigate fatal uses of force</p>			<ul style="list-style-type: none"> • MNPD reports that information related to the OPA FIT will be included in the next update to the Department Manual. • Additionally, the OPA SOP is currently being revised, to include more specific information related to the FIT team's responsibilities and individual member



	for violations of administrative standards parallel to the TBI criminal investigation. The unit should receive specialized training in conducting use of force investigations into serious uses of force.			responsibilities. Any policy or SOP changes will be reflective of the most current MOU between the MNPd, the District Attorney's Office, and the TBI. <ul style="list-style-type: none"> The OPA SOP is estimated to be completed in the next 4-6 weeks. Thus, the new SOP can be expected from approximately 11/6/22 to 11/20/22.
6	MNPd should track and analyze use of force data and create an annual use of force report that is available to the public. The analysis in this report should examine the relative frequency and type of force used by officers against individuals in specific demographic categories, examine MNPd's use of force over time, and identify and address any trends that may warrant changes to policy, procedures, training, tactics, equipment, or practice.			<ul style="list-style-type: none"> Included in §11.10.200(G)11
7	MNPd should publish an interactive dashboard of monthly or quarterly use of force statistics including, but not limited to, the race, ethnicity, age, and gender of subjects; the type(s) of force applied; the type of resistance from subject; injuries sustained by officers and subjects; the geographic area where the use of force occurred, and the call types where force was applied.			<ul style="list-style-type: none"> While not in the policy manual, MNPd has developed dashboards and are deployed on Nashville.gov.

Policy Advisory Report on #8cantwait Use of Force Policy Recommendations

Issued by the COB on 6/24/20

*Note that Chief Drake was appointed as Interim Chief of MNPD in August 2020, before being appointed Chief of Police in November 2020. Thus, these recommendations were made before his tenure as Chief.

	Recommendation	Recommendation Implemented?	Recommendation Accepted?	Notes
1	The COB recommends that MNPD policy define “neck restraints” to include choke holds, carotid restraints, lateral vascular restraints, and holds with a knee or other object on the neck while an individual is prone.			<ul style="list-style-type: none"> • §11.10.160 prohibits neck restraints including, “any pressure or constriction to the neck, throat or windpipe, arteries or vascular system that may impair breathing or impair circulation; including but not limited to chokeholds, strangleholds, carotid restraints, or lateral vascular restraint.”
2	The COB recommends that de-escalation tactics be required before an officer uses force, be it non-deadly and/or deadly, and that failing to use reasonable de-escalation techniques when circumstances permit should make the officer subject to disciplinary action. Policy should state that physical force should only be used as a last resort. The MNPD Manual should also explicitly define common de-escalation tactics that are available to officers.			<ul style="list-style-type: none"> • De-escalation required in §11.10.010 and §11.10.030(M). • De-escalation technique examples are specified in §11.10.030(M)3. • Language of force as a “last resort” is not included. Previous and current policy states that officers are “permitted to use only that force which is reasonable and necessary under the particular circumstances to protect themselves or others from bodily injury, and only after other reasonable alternatives have been exhausted or it is determined that such alternative action(s) would be ineffective under the circumstances.”

3	<p>The COB recommends that MNPd amend the policy prohibiting shooting of firearms at moving vehicles to specify that the only circumstance where shooting at vehicles is allowed is when an occupant of the vehicle is using deadly force, other than the vehicle itself, against the officer or another person. We recommend that shooting at moving vehicles be prohibited except for in the specified circumstances and that the disciplinary category for shooting at a moving vehicle is included.</p>			<ul style="list-style-type: none">• MNPd states that “This recommendation is accepted to the extent that MNPd policy already bans discharging a firearm at or from a moving vehicle unless absolutely necessary to protect the life of the employee or others. MNPd Policy also contains the following prohibition designed to protect officers and reduce the need to use deadly force: ‘Employees shall not: 1. Knowingly place themselves in a position where they would be in jeopardy of being struck by a suspect vehicle or knowingly stand and/or step into the path of a vehicle, creating circumstances where the use of deadly force may be necessary.’ These two provisions, coupled with the policy requirement that any force used be reasonable and necessary and used in an objectively reasonable manner, make clear to all officers that they must use tactics which avoid placing them in danger of being struck by a vehicle and that they are only permitted to shoot at or from a moving vehicle when it is required to save their lives or the life of a citizen. This comports with the recommendations of leading organizations that review police policy and practices, including PERF, DOJ, Lexipol, and the IACP.”• MNCO disagrees with this analysis. The policies of best practice organizations such as PERF, the IACP, and the
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				DOJ intentionally create language to prohibit firing weapons at moving vehicles unless specific extenuating circumstances exist. MNPDP has elected not to modify policy, believing that they already comply with the above organizations. As part of their rationale, they point to two separate and distinct policies and attempt to combine them in a way that produces a similar-sounding impact. It is the belief of MNCO that the above interpretation is not clear and would prove unhelpful in creating clear expectations and guidelines for the rank-and-file officers of the MNPDP.
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Policy Advisory Report Enforcement Examining Local Law Policies and Immigration Enforcement Actions





Issued by the COB on 4/14/20



*Note that Chief Drake was appointed as Interim Chief of MNPDP in August 2020, before being appointed Chief of Police in November 2020. Thus, these recommendations were made before his tenure as Chief.

**Note further that MNPDP did not issue a formal, published response to this report. This was not established practice under former Chief Anderson.

	Recommendation	Recommendation Implemented?	Recommendation Accepted?	Notes
1	The MNPDP should create and implement policies and formal training on what types of U.S. issued and foreign issued identification will be accepted in order to issue			<ul style="list-style-type: none"> Internal communication via email with Deputy Chief Mike Hagar indicated that “We do train officers on document identification as it relates to the issuance of state citations in lieu of arrest. We want to ensure officers have ample information and guidance to help determine if a citation can be provided and avoid

<p>misdemeanor citations rather than take individuals into physical custody.</p>			<p>custodial arrest when possible and in compliance with state law for minor qualifying offenses.”</p> <ul style="list-style-type: none">• MNPD’s policy still reads that “Officers shall always obtain satisfactory identification, as defined in 1-5 below, from arrested persons when making the citation/physical arrest determination... 1) preferred identification shall be interpreted as valid documents bearing a recognizable photo of the person arrested (e.g., driver license, government employee or military identification, student identification, etc.).”• Commander Gilder provided MNCO with RCTs suggesting that they already implement this policy, saying: “On 4/30/14, a RCT was issued to remind officers of previously issued guidance on department policy and the ability to accept foreign identification documents for the purposes of issuing a state misdemeanor citation. This guidance also included examples of common documents issued to foreign citizens. On 4/5/19, an update to this guidance was again sent out as a RCT for all officers. Both RCTs remain accessible to officers. [RCTs are] considered formal guidance and officers who fail to adhere to training, including RCT, are subject to corrective/disciplinary action.”• While MNCO agrees that the spirit of the recommendation has been met, codifying the information from the RCT into MNPD’s manual and/or SOPs would be beneficial for clarity.
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2	<p>The MNPD should create and implement policies that discourage police officers from asking about immigration or citizenship status. If an officer does ask about immigration status or citizenship status, they should be required to document that they asked and provide a justification for the question in their report narratives.</p>			<ul style="list-style-type: none"> • Chief Anderson stated that this recommendation cannot be accepted due to state laws regarding “sanctuary” policies. A legal analysis by the former Legal advisor for MNCO disagreed with Anderson’s interpretation and laid out a path to resolve the Chief’s concerns. • In an RCT related to Executive Order 8, Communications Between Federal Immigration Authorities and the Metropolitan Government, MNPD writes that “Other than this policy, the MNPD currently has no policies or practices regarding interactions with federal immigration authorities. Should the MNPD establish any policies or practices requiring reports under this part, additional guidance on this policy provision will be provided.”
3	<p>The MNPD should create and implement training on the difference between administrative and judicial warrants and what ICE can and cannot do while conducting immigration enforcement in public vs. REP (Reasonable Expectation of Privacy) areas.</p>			<ul style="list-style-type: none"> • Commander Gilder states: “MNPD trains officers that immigration enforcement remains solely a function of federal law enforcement and that the MNPD has no authority to investigate or enforce immigration laws. Implementing training on federal immigration law and enforcement would give the appearance that we condone or encourage our officers to become involved in immigration matters and could cause officers to become confused on their role in such cases. We continue to believe that the better practice is to inform officers that they play no role in federal immigration enforcement. For these reasons, the MNPD respectfully disagrees with this recommendation.”

4	<p>The Department of Emergency Communications and the Metro Nashville Police Department should document and track instances of federal immigration enforcement officials calling for MNPD or first responder assistance during their enforcement actions in Davidson County.</p>			<ul style="list-style-type: none">• In an RCT related to Mayor Cooper’s Executive Order 8, MNPD writes that “Employees, acting within the scope of their duties, shall report communications with federal immigration authorities to their immediate supervisor in a manner to ensure compliance with reporting requirements and timelines... Reports shall be reported via link on the MNPD PDWEB titled EO8 Immigration Reports. Upon receipt of such reports, the commander of the Strategic Development Division... shall cause such reports to be made to the Office of the Mayor... The reporting requirements and timeline for such reports from the Office of the Chief to the Office of the Mayor are as follows: 1. Communications between federal immigration authorities and the MNPD pursuant to a MNPD policy or practice: monthly reports to the Mayor’s Office... 2. Communications with federal immigration authorities related to modifying a MNPD policy or practice: report to the Mayor’s Office with sufficient time for the Mayor’s Office to assess and respond to proposed modifications, including seeking appropriate community input, before the Metro Departments/ Offices consent to the modifications... 3. Knowing communications with federal immigration authorities that are not pursuant to Department/ Office policy or routine practice: report to the Mayor’s Office as soon as practicable, but in no case longer than 3 business days.”
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Overall Recommendation:

To avoid such miscommunication in the future, MNCO staff recommends following the principles established in the Government Accountability Office’s Yellow Book. The Yellow Book is used nationally by auditors of government entities, and establishes a ‘Management Response’ form as can be seen below in the Office of the Inspector General in Chicago:

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Joseph M. Ferguson
Inspector General

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City of Chicago

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Management Response Form

Project Title: Video Release Policy Project Number: 17-0697
Department Name: Chicago Police Department Date: June 11, 2020
Department Head: David Brown

OIG Recommendation	Agree/ Disagree	Department’s Proposed Action	Implementation Target Date	Party Responsible
7. CPD should replace the notification matrix describing CPIC’s notification responsibilities with binding CPD directives outlining incidents of which CPIC should notify COPA, and how CPIC should do so.	Agree	CPD has and will continue to work with COPA to develop clear guidelines for when CPIC needs to notify COPA of an incident. Based on these ongoing conversations CPD will develop a directive – either a general order or a special order – that will clearly delineate CPIC’s responsibilities concerning when CPIC should notify COPA of an incident, and how CPIC should make that notification.	October 1, 2020	CPD
8. When CPIC is uncertain of whether the injury or death of a person in CPD custody resulted from police action, CPIC should notify COPA of the incident so that	Agree	It is important to note that CPIC’s purported uncertainty as set forth in the report does not appear to be born out in fact. The Department refers specifically to page 18, footnote 21. That said, the procedure outlined in this recommendation will be included in the directive developed in response to recommendation #7.	October 1, 2020	CPD

As can be seen, the form contains the recommendation, agreement or disagreement, proposed action to be taken, target implementation date, and responsible party. Such a format will save both MNPD and the COB from future challenges regarding policy recommendations. Commander Gilder had no concerns with implementing this recommendation.